

HOUSE BILL No. 2830

By Representative Patterson

2-11

9 AN ACT concerning alcoholic liquor; relating to retailers' licenses;
10 amending K.S.A. 41-308 and repealing the existing section.

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12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. K.S.A. 41-308 is hereby amended to read as follows: 41-
14 308. (a) A retailer's license shall allow the licensee to sell and offer for
15 sale at retail and deliver in the original package, as therein prescribed,
16 alcoholic liquor for use or consumption off of and away from the premises
17 specified in such license. A retailer's license shall permit sale and delivery
18 of alcoholic liquor only on the licensed premises and shall not permit sale
19 of alcoholic liquor for resale in any form, except that a licensed retailer
20 may:

21 (1) Sell alcoholic liquor to a temporary permit holder for resale by
22 such permit holder; and

23 (2) sell and deliver alcoholic liquor to a caterer or to the licensed
24 premises of a club or drinking establishment, if such premises are in the
25 county where the retailer's premises are located or in an adjacent county,
26 for resale by such club, establishment or caterer.

27 ~~(b) The holder of a retailer's license shall not sell, offer for sale, give
28 away or permit to be sold, offered for sale or given away in or from the
29 premises specified in such license any service or thing of value whatsoever
30 except alcoholic liquor in the original package, except that a licensed
31 retailer may:~~

32 ~~—(1) Charge a delivery fee for delivery to a club, drinking establishment
33 or caterer pursuant to subsection (a);~~

34 ~~—(2) sell lottery tickets and shares to the public in accordance with the
35 Kansas lottery act, if the retailer is selected as a lottery retailer;~~

36 ~~—(3) include in the sale of alcoholic liquor any goods included by the
37 manufacturer in packaging with the alcoholic liquor, subject to the ap-
38 proval of the director; and~~

39 ~~—(4) distribute to the public, without charge, consumer advertising
40 specialities bearing advertising matter, subject to rules and regulations of
41 the secretary limiting the form and distribution of such specialities so that
42 they are not conditioned on or an inducement to the purchase of alcoholic
43 liquor.~~

1 ~~(e)~~ (b) No licensed retailer shall furnish any entertainment in such
2 premises or permit any pinball machine or game of skill or chance to be
3 located in or on such premises.

4 ~~(d)~~ (c) A retailer's license shall allow the licensee to store alcoholic
5 liquor in refrigerators, cold storage units, ice boxes or other cooling de-
6 vices, and the licensee may sell such alcoholic liquor to consumers in a
7 chilled condition.

8 Sec. 2. K.S.A. 41-308 is hereby repealed.

9 Sec. 3. This act shall take effect and be in force from and after its
10 publication in the statute book.