

SESSION OF 2005

**Revised
CONFERENCE COMMITTEE REPORT BRIEF
SENATE BILL NO. 298**

As Agreed to April 30, 2005

Brief *

SB 298 would amend the Kansas Liquor Control Act after November 15, 2005.

The bill would make the Act uniformly applicable to all cities and counties after November 15, 2005. The bill would allow retail liquor stores in all cities unless an ordinance is adopted to prohibit such stores. The bill also would prohibit sales of alcoholic liquor and cereal malt beverage (CMB) on Sundays unless a city ordinance or a resolution is adopted to allow such sales. A protest petition followed by an election could be held to reverse the city/county ordinance or resolution.

The bill would :

- Authorize cities and counties to enact ordinances or resolutions which are not in conflict with the Liquor Control Act or the Cereal Malt Beverage Act after November 15, 2005.
- Authorize any city to adopt an ordinance on or before February 15, 2006 to prohibit retail liquor stores within the city. The voters could have a protest petition to have an election on whether to permit such sales. A subsequent election may be held to reverse previous prohibition of such sales.
- Authorize cities and counties to enact ordinances or resolutions to approve or disapprove the sale of alcoholic liquor and CMB on Sunday other than Easter and the sale of liquor on Memorial Day, Independence Day, and Labor Day. These ordinances and

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resolutions would be subject to protest petition followed by an election.

If ordinances or resolutions or voters approve selling alcoholic liquor and CMB on Sunday and holidays, sales in those cities and counties would be prohibited only before 12:00 noon or after 8:00 p.m. on Sunday, on Thanksgiving Day, Christmas Day, or Easter, and before 9:00 a.m. or after 11:00 p.m. on any day where sales are permitted.

Alcohol without liquid (AWOL) would be prohibited.

Farm wineries would increase ownership of winery outlets from two to three per person. Production would be increased to 100,000 gallons and free sampling would be permitted at special events.

Conference Committee Action

The Conference Committee agreed to the prohibition on AWOL devices, included provisions for farm wineries, and prohibited sales on Easter Sunday. In addition, they agreed to extend the time period for the opting-in provision to November 15, 2005.

Background

Supporters of SB 298 were representatives of the Kansas Wine & Spirits Wholesalers Association, the Kansas Association of Beverage Retailers, Robertson Liquor Stores, Knocky's Retail Liquor, the Petroleum Marketers and Convenience Store Association in Kansas, Casey's General Store, Kansas Licensed Beverage Association, and the Kansas Beer Wholesalers Association.