

2023 Kansas Statutes

41-2730. Violations of act; issuance of citations; civil penalties. (a) The director, or any properly designated agent of the director, may issue a citation for any violation of the Kansas cereal malt beverage act, or any rules and regulations promulgated thereunder, with regard to the sale, consumption or possession of beer containing not more than 6% alcohol by volume. Any such citation shall be issued in accordance with the provisions of K.S.A. 41-106, and amendments thereto.

(b) In addition to or in lieu of any other civil or criminal penalty provided by law, the director, upon a finding that a retailer, as defined by K.S.A. 41-2701(e), and amendments thereto, has violated a provision of the Kansas liquor control act or the Kansas cereal malt beverage act, or any rules and regulations promulgated thereunder, with regard to the sale, consumption or possession of beer containing not more than 6% alcohol by volume may impose upon such retailer a civil fine not exceeding \$1,000 for each violation.

(c) No fine shall be imposed pursuant to this section except upon the written order of the director to the retailer who committed the violation. Such order shall state the violation, the fine to be imposed and the right of the retailer to appeal the order. Such order shall be subject to appeal and review in accordance with the Kansas administrative procedure act.

(d) Any fine imposed pursuant to this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund.

(e) This section shall be a part of and supplemental to the Kansas cereal malt beverage act.

History: L. 2018, ch. 8, § 1; April 1, 2019.