

REPORTS OF STANDING COMMITTEES

MADAM PRESIDENT:

The Committee on **Federal and State Affairs** recommends **SB 203** be amended on page 2, in line 12, by striking "or"; in line 14, before the period by inserting ";

(5) sell or serve margarita, sangria, daiquiri, mojito or other mixed alcoholic beverages as approved by the director in a pitcher containing not more than 64 fluid ounces; or

(6) offer customer self-service of alcoholic liquor, beer, cereal malt beverage or wine from automated devices on the licensee's premises so long as the licensee monitors and has the ability to control the consumption of such alcoholic liquor, beer, cereal malt beverage or wine from such automated devices and such consumption is monitored by video surveillance under the real-time review of the licensee's management and the Kansas racing and gaming commission";

On page 3, following line 1, by inserting:

"New Sec. 2. (a) If a person who has attained 18 years of age, or is an emancipated minor, enters premises licensed pursuant to the Kansas liquor control act or club and drinking establishment act where alcoholic liquor or cereal malt beverages are sold and offers or presents to a licensee or an agent or employee of the licensee written evidence of age, that is fraudulent or false or that is not actually the person's own, or otherwise misrepresents the person's age, for the purpose of inducing the licensee or an agent or employee of the licensee to sell, give, serve or furnish alcoholic beverages contrary to the law, shall be liable, in addition to any criminal penalty provided by law, for damages of \$1,000 and, in addition, costs and reasonable attorney fees in a civil action brought by the licensee.

(b) A person who is of legal age for the consumption of alcoholic liquor or cereal malt beverage who solicits another person or who themselves purchases or receives alcoholic liquor from a licensee under the liquor control act or the club and drinking establishment act, an agent or employee of the licensee, or another person, for the purpose of selling, giving, or serving it to a person under the age of 21 years shall be liable to the licensee for damages in a civil action for a penalty of \$1,000 and, in addition, costs and reasonable attorney fees.

(c) It is a condition precedent to maintaining a civil action under this section that the licensee send by first class mail to the defendant at the defendant's last known address 15 days or more before the civil action is commenced, a notice demanding the relief authorized. It is not a condition precedent to maintaining an action under this section that the person who allegedly violated subsection (a) or (b) was charged with or convicted under any criminal statute or ordinance regarding furnishing cereal malt beverages or alcoholic liquor to minors.

(d) A person does not violate this section if the person performs an act proscribed under this section at the request of law enforcement or the alcoholic beverage control, and such enforcement officers accompany, supervise or otherwise observe the person's act, and the purpose of the act is to assist in the enforcement of and compliance with Kansas law.";

And by renumbering sections accordingly; and the bill be passed as amended.

Chairperson