

House Federal & State Affairs

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Attachment # 1

~~licenses of manufacturers, distributors, retailers, microbreweries, mixed stilleries, farm wineries and nonbeverage users shall be before the director, and the proceedings shall be in accordance with the provisions of the Kansas administrative procedure act. Except as provided in subsection (b), no license shall be suspended or revoked except after a hearing by the director. The provisions of the Kansas administrative procedure act shall apply to all proceedings involving the following:~~

~~(1) Denial of an application for any license to be issued pursuant to the Kansas liquor control act;~~

~~(2) suspension of any license issued pursuant to the Kansas liquor control act;~~

~~(3) involuntary cancellation of any license issued pursuant to the Kansas liquor control act;~~

~~(4) revocation of any license issued pursuant to the Kansas liquor control act; and~~

~~(5) assessment of any civil fine pursuant to K.S.A. 41-328, and amendments thereto.~~

~~(b) Except as provided in subsection (c), no license shall be suspended, involuntarily canceled or revoked unless there is an opportunity for a hearing before the director.~~

~~(c) When proceedings for the suspension, involuntary cancellation or revocation of a distributor's license are filed and the distributor has been issued more than one license for distributing places of business in this state, any order of the director suspending or revoking the license at any one place of business shall suspend or revoke all licenses issued to the distributor. When one person is the holder of stock or an ownership interest in two or more corporations licensed as distributors under the provisions of this act, any order of the director suspending or revoking the license of any such corporation shall operate as a suspension or revocation of the license of all corporations licensed as distributors in which the person is a stockholder.~~

~~Sec. 7. K.S.A. 41-321 is hereby amended to read as follows: 41-321.~~

~~(a) Whenever the director refuses denies an application for any license or suspends, involuntarily cancels or revokes any license, the director shall prepare an order so providing which shall be signed by the director, or a person designated by the director, and the seal of the director shall be affixed thereto. The order shall state the reason or reasons for the refusal denial, suspension, involuntary cancellation or revocation. The order shall be served in accordance with the provisions of K.S.A. 77-531, and amendments thereto.~~

~~(b) Any applicant or licensee aggrieved by any order of the director may appeal from such order to the secretary by filing a notice of appeal with the secretary. Such notice of appeal must either be mailed to the~~

(d) Notwithstanding any provision of the law to the contrary, the secretary may designate the director to be the presiding officer in any proceeding conducted pursuant to this section.