

**HOUSE BILL No. 2718**

By Committee on Taxation

3-3

1 AN ACT concerning alcoholic beverages; dealing with beer and cereal  
2 malt beverages; amending K.S.A. 41-103 and K.S.A. 2015 Supp. 41-  
3 102, 41-304, 41-308, 41-310 and 79-4108 and repealing the existing  
4 sections.

5  
6 *Be it enacted by the Legislature of the State of Kansas:*

7 New Section 1. Any licensed manufacturer of a cereal malt beverage  
8 product shall provide the secretary of revenue no less than 30 days notice  
9 prior to ceasing the manufacture of any brand registered in Kansas. Upon  
10 receiving such notice, the secretary shall calculate the projected tax  
11 revenue reduction, based on the brand's prior sales performance. Whenever  
12 the secretary determines that the actual or projected state tax revenue from  
13 the cereal malt beverage gallonage tax has or will decline by not less than  
14 25%, when compared to the previous year's calendar month, the secretary  
15 shall certify such fact to the governor, and the governor shall declare that  
16 cereal malt beverage with 3.2% or less of alcohol content is no longer  
17 available in this state in sufficient quantity to sustain economically viable  
18 sales of such product by persons licensed to sell cereal malt beverages in  
19 the original and unopened containers and not for consumption on the  
20 licensed premises. Upon such declaration, any such licensee may apply for  
21 and receive from the director, upon payment of the fee for a retailer's  
22 license prescribed by K.S.A. 41-310(k), and amendments thereto, a beer  
23 license which shall entitle the licensee to sell beer at retail in the original  
24 and unopened containers and not for consumption on the licensed  
25 premises. Any such licensee shall have all the rights and privileges and be  
26 subject to all the restrictions applicable to a retailer under the Kansas  
27 liquor control act, except that:

28 (a) Such licensee may sell or offer for sale only beer or cereal malt  
29 beverages.

30 (b) Notwithstanding the provisions of K.S.A. 41-311(b), and  
31 amendments thereto, a beer license may not be issued by the director to:

- 32 (1) An individual who is not a resident of this state;  
33 (2) an individual who has not been a resident of this state for at least  
34 four years immediately preceding the date of such individual's application  
35 for a beer license;  
36 (3) a person who has a beneficial interest in a manufacturer,

1 distributor, farm winery, microbrewery or microdistillery licensed under  
 2 the Kansas liquor control act, except that the spouse of an individual who  
 3 is an applicant for a beer license may own and hold a farm winery license,  
 4 microbrewery license, or both, if the spouse does not hold a retailer's  
 5 license issued under the Kansas liquor control act;

6 (4) a person who is not engaged in a convenience store or a grocery  
 7 store business; or

8 (5) a corporation, if any officer, director or manager of the licensed  
 9 premises, or any stockholder owning in the aggregate more than 25% of  
 10 the stock of the corporation would be ineligible to receive a beer license  
 11 for any reason specified in K.S.A. 41-311(a), and amendments thereto,  
 12 other than citizenship requirements.

13 (c) The provisions of K.S.A. 41-308, and amendments thereto, shall  
 14 not apply to the holder of a beer license.

15 (d) The holder of a beer license may:

16 (1) Sell lottery tickets and shares to the public in accordance with the  
 17 Kansas lottery act, if the licensee is selected as a lottery retailer;

18 (2) include in the sale of beer any goods included by the manufacturer  
 19 in packaging with the beer, subject to the approval of the director;

20 (3) distribute to the public, without charge, consumer advertising  
 21 specialties bearing advertising matter, subject to rules and regulations of  
 22 the secretary limiting the form and distribution of such specialties, so that  
 23 they are not conditioned on or an inducement to the purchase of beer;

24 (4) store beer in refrigerators, cold storage units, ice boxes or other  
 25 cooling devices, and sell such beer to consumers in a chilled condition;  
 26 and

27 (5) sell any other goods or services on the licensed premises.

28 (e) Prior to obtaining a beer license, a corporation must comply with  
 29 the requirements imposed by K.S.A. 41-313, and amendments thereto, on  
 30 other corporate licensees under the Kansas liquor control act.

31 New Sec. 2. As used in this act:

32 (a) "Convenience store" means a retail business with primary  
 33 emphasis placed on providing the public a convenient location to quickly  
 34 purchase from a wide array of consumable products (predominantly food  
 35 or food and gasoline) and services, and includes stores classified under the  
 36 North American industry classification system (NAICS) as NAICS 44512,  
 37 445120 or 447110 on the effective date of this act; or

38 (b) "grocery store" means an establishment primarily engaged in  
 39 retailing a general line of groceries, including, but not limited to, packaged  
 40 food, fresh and frozen food, prepared foods and other consumable  
 41 products, and includes establishments primarily engaged in retailing a  
 42 general line of groceries in combination with general lines of new  
 43 merchandise, including, but not limited to, establishments classified under

1 the North American industry classification system (NAICS) as NAICS  
2 445110, 446110 or 452910 on the effective date of this act.

3 New Sec. 3. Notwithstanding the provisions of K.S.A. 41-713, and  
4 amendments thereto, a beer licensee:

5 (a) May authorize or allow a person at least 18 years of age to sell at  
6 retail, beer at the point of sale; and

7 (b) may permit any employee of the licensee, who is under the age of  
8 21 years, to work on the licensed premises when such employee is under  
9 the on-premises supervision of either the licensee or any employee of the  
10 licensee who is 21 years of age or older.

11 New Sec. 4. The secretary may adopt rules and regulations to  
12 implement the provisions of this act. Such rules and regulations may be  
13 adopted prior to the events described in section 1, and amendments  
14 thereto, but shall not take effect until beer licenses may be issued pursuant  
15 to section 1, and amendments thereto.

16 Sec. 5. K.S.A. 2015 Supp. 41-102 is hereby amended to read as  
17 follows: 41-102. As used in this act, unless the context clearly requires  
18 otherwise:

19 (a) "Alcohol" means the product of distillation of any fermented  
20 liquid, whether rectified or diluted, whatever its origin, and includes  
21 synthetic ethyl alcohol but does not include denatured alcohol or wood  
22 alcohol.

23 (b) "Alcoholic liquor" means alcohol, spirits, wine, beer and every  
24 liquid or solid, patented or not, containing alcohol, spirits, wine or beer  
25 and capable of being consumed as a beverage by a human being, but shall  
26 not include any cereal malt beverage.

27 (c) *"Beer retailer" means a convenience store or a grocery store as*  
28 *those terms are defined in section 2, and amendments thereto.*

29 (d) "Beer" means a beverage, containing more than 3.2% alcohol by  
30 weight, obtained by alcoholic fermentation of an infusion or concoction of  
31 barley, or other grain, malt and hops in water and includes beer, ale, stout,  
32 lager beer, porter and similar beverages having such alcoholic content.

33 ~~(d)~~ (e) "Caterer" has the meaning provided by K.S.A. 41-2601, and  
34 amendments thereto.

35 ~~(e)~~ (f) "Cereal malt beverage" has the meaning provided by K.S.A.  
36 41-2701, and amendments thereto.

37 ~~(f)~~ (g) "Club" has the meaning provided by K.S.A. 41-2601, and  
38 amendments thereto.

39 ~~(g)~~ (h) "Director" means the director of alcoholic beverage control of  
40 the department of revenue.

41 ~~(h)~~ (i) "Distributor" means the person importing or causing to be  
42 imported into the state, or purchasing or causing to be purchased within  
43 the state, alcoholic liquor for sale or resale to retailers licensed under this

1 act or cereal malt beverage for sale or resale to retailers licensed under  
2 K.S.A. 41-2702, and amendments thereto.

3 ~~(j)~~ (j) "Domestic beer" means beer which contains not more than 10%  
4 alcohol by weight and which is manufactured in this state.

5 ~~(k)~~ (k) "Domestic fortified wine" means wine which contains more  
6 than 14%, but not more than 20% alcohol by volume and which is  
7 manufactured in this state.

8 ~~(l)~~ (l) "Domestic table wine" means wine which contains not more  
9 than 14% alcohol by volume and which is manufactured without  
10 rectification or fortification in this state.

11 ~~(m)~~ (m) "Drinking establishment" has the meaning provided by K.S.A.  
12 41-2601, and amendments thereto.

13 ~~(n)~~ (n) "Farm winery" means a winery licensed by the director to  
14 manufacture, store and sell domestic table wine and domestic fortified  
15 wine.

16 ~~(o)~~ (o) "Manufacture" means to distill, rectify, ferment, brew, make,  
17 mix, concoct, process, blend, bottle or fill an original package with any  
18 alcoholic liquor, beer or cereal malt beverage.

19 ~~(p)~~ (p) (1) "Manufacturer" means every brewer, fermenter, distiller,  
20 rectifier, wine maker, blender, processor, bottler or person who fills or  
21 refills an original package and others engaged in brewing, fermenting,  
22 distilling, rectifying or bottling alcoholic liquor, beer or cereal malt  
23 beverage.

24 (2) "Manufacturer" does not include a microbrewery, microdistillery  
25 or a farm winery.

26 ~~(q)~~ (q) "Microbrewery" means a brewery licensed by the director to  
27 manufacture, store and sell domestic beer.

28 ~~(r)~~ (r) "Microdistillery" means a facility which produces spirits from  
29 any source or substance that is licensed by the director to manufacture,  
30 store and sell spirits.

31 ~~(s)~~ (s) "Minor" means any person under 21 years of age.

32 ~~(t)~~ (t) "Nonbeverage user" means any manufacturer of any of the  
33 products set forth and described in K.S.A. 41-501, and amendments  
34 thereto, when the products contain alcohol or wine, and all laboratories  
35 using alcohol for nonbeverage purposes.

36 ~~(u)~~ (u) "Original package" means any bottle, flask, jug, can, cask,  
37 barrel, keg, hogshead or other receptacle or container whatsoever, used,  
38 corked or capped, sealed and labeled by the manufacturer of alcoholic  
39 liquor, to contain and to convey any alcoholic liquor. Original container  
40 does not include a sleeve.

41 ~~(v)~~ (v) "Person" means any natural person, corporation, partnership,  
42 trust or association.

43 ~~(w)~~ (w) "Powdered alcohol" means alcohol that is prepared in a

1 powdered or crystal form for either direct use or for reconstitution in a  
 2 nonalcoholic liquid.

3 ~~(w)~~ (x) "Primary American source of supply" means the  
 4 manufacturer, the owner of alcoholic liquor at the time it becomes a  
 5 marketable product or the manufacturer's or owner's exclusive agent who,  
 6 if the alcoholic liquor cannot be secured directly from such manufacturer  
 7 or owner by American wholesalers, is the source closest to such  
 8 manufacturer or owner in the channel of commerce from which the  
 9 product can be secured by American wholesalers.

10 ~~(x)~~ (y) (1) "Retailer" means a person who sells at retail, or offers for  
 11 sale at retail, alcoholic liquors.

12 (2) "Retailer" does not include a microbrewery, microdistillery or a  
 13 farm winery.

14 ~~(y)~~ (z) "Sale" means any transfer, exchange or barter in any manner or  
 15 by any means whatsoever for a consideration and includes all sales made  
 16 by any person, whether principal, proprietor, agent, servant or employee.

17 ~~(z)~~ (aa) "Salesperson" means any natural person who:

18 (1) Procures or seeks to procure an order, bargain, contract or  
 19 agreement for the sale of alcoholic liquor or cereal malt beverage; or

20 (2) is engaged in promoting the sale of alcoholic liquor or cereal malt  
 21 beverage, or in promoting the business of any person, firm or corporation  
 22 engaged in the manufacturing and selling of alcoholic liquor or cereal malt  
 23 beverage, whether the seller resides within the state of Kansas and sells to  
 24 licensed buyers within the state of Kansas, or whether the seller resides  
 25 without the state of Kansas and sells to licensed buyers within the state of  
 26 Kansas.

27 ~~(aa)~~ (bb) "Secretary" means the secretary of revenue.

28 ~~(bb)~~ (cc) (1) "Sell at retail" and "sale at retail" refer to and mean sales  
 29 for use or consumption and not for resale in any form and sales to clubs,  
 30 licensed drinking establishments, licensed caterers or holders of temporary  
 31 permits.

32 (2) "Sell at retail" and "sale at retail" do not refer to or mean sales by  
 33 a distributor, a microbrewery, a farm winery, a licensed club, a licensed  
 34 drinking establishment, a licensed caterer or a holder of a temporary  
 35 permit.

36 ~~(cc)~~ (dd) "To sell" includes to solicit or receive an order for, to keep  
 37 or expose for sale and to keep with intent to sell.

38 ~~(dd)~~ (ee) "Sleeve" means a package of two or more 50-milliliter (3.2-  
 39 fluid-ounce) containers of spirits.

40 ~~(ee)~~ (ff) "Spirits" means any beverage which contains alcohol  
 41 obtained by distillation, mixed with water or other substance in solution,  
 42 and includes brandy, rum, whiskey, gin or other spirituous liquors, and  
 43 such liquors when rectified, blended or otherwise mixed with alcohol or

1 other substances.

2 ~~(ff)~~ (gg) "Supplier" means a manufacturer of alcoholic liquor or  
3 cereal malt beverage or an agent of such manufacturer, other than a  
4 salesperson.

5 ~~(gg)~~ (hh) "Temporary permit" has the meaning provided by K.S.A.  
6 41-2601, and amendments thereto.

7 ~~(hh)~~ (ii) "Wine" means any alcoholic beverage obtained by the  
8 normal alcoholic fermentation of the juice of sound, ripe grapes, fruits,  
9 berries or other agricultural products, including such beverages containing  
10 added alcohol or spirits or containing sugar added for the purpose of  
11 correcting natural deficiencies.

12 Sec. 6. K.S.A. 41-103 is hereby amended to read as follows: 41-103.  
13 The legislature hereby declares the public policy of this state to be that: (a)  
14 Cereal malt beverage shall be sold at retail separately from sales of  
15 alcoholic liquor, *other than beer*; at retail; (b) cereal malt beverage shall be  
16 sold and dispensed at retail in rooms or premises separate and distinct  
17 from rooms or premises where alcoholic liquor is sold, *other than beer*;  
18 and (c) no retailer's license for the sale of alcoholic liquor shall be granted  
19 to any applicant making application therefor if the premises sought to be  
20 licensed are located outside the corporate limits of any city within this  
21 state, except as provided in K.S.A. 41-303, and amendments thereto.

22 Sec. 7. K.S.A. 2015 Supp. 41-304 is hereby amended to read as  
23 follows: 41-304. Licenses issued by the director shall be of the following  
24 classes: (a) Manufacturer's license; (b) spirits distributor's license; (c) wine  
25 distributor's license; (d) beer distributor's license; (e) *beer retailer's*  
26 *license*; ~~-(e)~~ (f) retailer's license; ~~-(f)~~ (g) microbrewery license; ~~-(g)~~ (h)  
27 microdistillery license; ~~-(h)~~ (i) farm winery license; and ~~-(i)~~ (j) nonbeverage  
28 user's license.

29 Sec. 8. K.S.A. 2015 Supp. 41-308 is hereby amended to read as  
30 follows: 41-308. (a) Except as provided in K.S.A. 2015 Supp. 41-308d,  
31 and amendments thereto, a retailer's license shall allow the licensee to sell  
32 and offer for sale at retail and deliver in the original package, as therein  
33 prescribed, alcoholic liquor *and cereal malt beverages* for use or  
34 consumption off and away from the premises specified in such license. A  
35 retailer's license shall permit sale and delivery of alcoholic liquor *and*  
36 *cereal malt beverages* only on the licensed premises and shall not permit  
37 sale of alcoholic liquor *and cereal malt beverages* for resale in any form,  
38 except that a licensed retailer may:

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

41 (2) sell and deliver alcoholic liquor to a caterer or to the licensed  
42 premises of a public venue, club or drinking establishment, if such  
43 premises are in the county where the retailer's premises are located or in an

1 adjacent county, for resale by such public venue, club, establishment or  
2 caterer.

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

8 (1) Charge a delivery fee for delivery to a public venue, club,  
9 drinking establishment or caterer pursuant to subsection (a);

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

12 (3) include in the sale of alcoholic liquor any goods included by the  
13 manufacturer in packaging with the alcoholic liquor, subject to the  
14 approval of the director; and

15 (4) distribute to the public, without charge, consumer advertising  
16 specialties bearing advertising matter, subject to rules and regulations of  
17 the secretary limiting the form and distribution of such specialties so that  
18 they are not conditioned on or an inducement to the purchase of alcoholic  
19 liquor.

20 (c) No licensed retailer shall furnish any entertainment in such  
21 premises or permit any pinball machine or game of skill or chance to be  
22 located in or on such premises.

23 (d) A retailer's license shall allow the licensee to store alcoholic  
24 liquor in refrigerators, cold storage units, ice boxes or other cooling  
25 devices, and the licensee may sell such alcoholic liquor to consumers in a  
26 chilled condition.

27 Sec. 9. K.S.A. 2015 Supp. 41-310 is hereby amended to read as  
28 follows: 41-310. (a) At the time application is made to the director for a  
29 license of any class, the applicant shall pay the fee provided by this  
30 section.

31 (b) The fee for a manufacturer's license to manufacture alcohol and  
32 spirits shall be \$5,000.

33 (c) The fee for a manufacturer's license to manufacture beer and  
34 cereal malt beverage shall be:

35 (1) For 1 to 100 barrel daily capacity or any part thereof, \$400.

36 (2) For 100 to 150 barrel daily capacity, \$800.

37 (3) For 150 to 200 barrel daily capacity, \$1,400.

38 (4) For 200 to 300 barrel daily capacity, \$2,000.

39 (5) For 300 to 400 barrel daily capacity, \$2,600.

40 (6) For 400 to 500 barrel daily capacity, \$2,800.

41 (7) For 500 or more barrel daily capacity, \$3,200.

42 As used in this subsection, "daily capacity" means the average daily  
43 barrel production for the previous 12 months of manufacturing operation.

1 If no basis for comparison exists, the licensee shall pay in advance for  
2 operation during the first term of the license a fee of \$2,000.

3 (d) The fee for a manufacturer's license to manufacture wine shall be  
4 \$1,000.

5 (e) (1) The fee for a microbrewery license, a microdistillery license or  
6 a farm winery license shall be \$500.

7 (2) The fee for a winery outlet license shall be \$100.

8 (3) The fee for a microbrewery packaging and warehousing facility  
9 license shall be \$200.

10 (4) The fee for a microdistillery packaging and warehousing facility  
11 license shall be \$200.

12 (f) The fee for a spirits distributor's license for the first and each  
13 additional distributing place of business operated in this state by the  
14 licensee and wholesaling and jobbing spirits shall be \$2,000.

15 (g) The fee for a wine distributor's license for the first and each  
16 additional distributing place of business operated in this state by the  
17 licensee and wholesaling and jobbing wine shall be \$2,000.

18 (h) The fee for a beer distributor's license, for the first and each  
19 additional wholesale distributing place of business operated in this state by  
20 the licensee and wholesaling or jobbing beer and cereal malt beverage  
21 shall be \$2,000.

22 (i) The fee for a nonbeverage user's license shall be:

23 (1) For class 1, \$20.

24 (2) For class 2, \$100.

25 (3) For class 3, \$200.

26 (4) For class 4, \$400.

27 (5) For class 5, \$1,000.

28 (j) In addition to the license fees prescribed by subsections (b), (c),  
29 (d), (f), (g), (h) and (i):

30 (1) Any city in which the licensed premises are located may levy and  
31 collect a biennial occupation or license tax on the licensee in an amount  
32 not exceeding the amount of the license fee required to be paid under this  
33 act to obtain the license, but no city shall impose an occupation or  
34 privilege tax on the licensee in excess of that amount; and

35 (2) any township in which the licensed premises are located may levy  
36 and collect a biennial occupation or license tax on the licensee in an  
37 amount not exceeding the amount of the license fee required to be paid  
38 under this act to obtain the license, but no township shall impose an  
39 occupation or privilege tax on the licensee in excess of that amount; the  
40 township board of the township is authorized to fix and impose the tax and  
41 the tax shall be paid by the licensee to the township treasurer, who shall  
42 issue a receipt therefor to the licensee and shall cause the tax paid to be  
43 placed in the general fund of the township.

1 (k) The fee for a retailer's license shall be \$500.

2 (l) *The fee for a beer retailer's license shall be \$500.*

3 (m) In addition to the license fee prescribed by ~~subsection~~  
4 *subsections (k) and (l):*

5 (1) Any city in which the licensed premises are located may levy and  
6 collect a biennial occupation or license tax on the licensee in an amount  
7 not less than \$200 nor more than \$600, but no other occupation or excise  
8 tax or license fee shall be levied by any city against or collected from the  
9 licensee; and

10 (2) any township in which the licensed premises are located may levy  
11 and collect a biennial occupation or license tax on the licensee in an  
12 amount not less than \$200 nor more than \$600; the township board of the  
13 township is authorized to fix and impose the tax and the tax shall be paid  
14 by the licensee to the township treasurer, who shall issue a receipt therefor  
15 to the licensee and shall cause the tax paid to be placed in the general fund  
16 of the township.

17 ~~(m)~~ (n) The license term for a license shall commence on the date the  
18 license is issued by the director and shall end two years after that date. The  
19 director may, at the director's sole discretion and after examination of the  
20 circumstances, extend the license term of any license for not more than 30  
21 days beyond the date such license would expire pursuant to this section.  
22 Any extension of the license term by the director pursuant to this section  
23 shall automatically extend the due date for payment by the licensee of any  
24 occupation or license tax levied by a city or township pursuant to this  
25 section by the same number of days the director has extended the license  
26 term.

27 Sec. 10. K.S.A. 2015 Supp. 79-4108 is hereby amended to read as  
28 follows: 79-4108. (a) All revenue collected or received by the director of  
29 taxation from taxes imposed by K.S.A. 79-4101 to 79-4105, and  
30 amendments thereto, shall be remitted to the state treasurer in accordance  
31 with the provisions of K.S.A. 75-4215, and amendments thereto. Upon  
32 receipt of each such remittance, the state treasurer shall deposit the entire  
33 amount in the state treasury to the credit of the state general fund, *except*  
34 *that 3% of the revenue remitted to the state treasurer during the prior*  
35 *calendar year quarter and deposited in the state treasury shall be credited*  
36 *to the local cereal malt beverage sales tax fund, which is hereby created in*  
37 *the state treasury. Moneys credited to the local cereal malt beverage sales*  
38 *tax fund shall be distributed quarterly as part of the January, April, July*  
39 *and October sales tax distribution to each city and county which levied a*  
40 *local retailers' sales tax. The amount to be distributed to each city and*  
41 *county shall be determined by the department of revenue based on a*  
42 *weighted population average. The weighted population average shall be*  
43 *computed by multiplying the total tax rate in effect for the city or county*

1 *by the population of such city or county. The weighted population average*  
2 *for each city and county shall then be divided by the total Kansas*  
3 *population. The resulting quotient is the percentage of distribution for*  
4 *such city or county. The population data shall be updated annually with*  
5 *the issuance of the certified population data through the division of the*  
6 *budget. The state treasurer shall transfer any moneys remaining in the*  
7 *county and city alcoholic liquor control enforcement fund on the effective*  
8 *date of this act to the state general fund.*

9 *(b) The local cereal malt beverage sales tax fund shall be used for the*  
10 *purposes set forth in K.S.A. 79-4101 et seq., and amendments thereto, and*  
11 *for no other governmental purposes. It is the intent of the legislature that*  
12 *the local cereal malt beverage sales tax fund shall remain intact and*  
13 *inviolate for the purpose set forth in K.S.A. 79-4101 et seq., and*  
14 *amendments thereto, and moneys in the local cereal malt beverage sales*  
15 *tax fund shall not be subject to the provisions of K.S.A. 75-3722, 75-3725a*  
16 *and 75-3726a, and amendments thereto.*

17 New Sec. 11. Sections 1 through 4, and amendments thereto, shall be  
18 a part of and supplemental to the Kansas liquor control act.

19 Sec. 12. K.S.A. 41-103 and K.S.A. 2015 Supp. 41-102, 41-304, 41-  
20 308, 41-310 and 79-4108 are hereby repealed.

21 Sec. 13. This act shall take effect and be in force from and after the  
22 governor's declaration upon the determination by the secretary of revenue  
23 that revenues from the cereal malt beverage tax have declined by 25% as  
24 provided in section 1 of this act and its publication in the statute book.