

**SENATE BILL No. 217**

By Committee on Agriculture

2-12

1 AN ACT concerning farm wineries; relating to farmers' market sales  
2 permits; amending K.S.A. 2014 Supp. 41-351 and repealing the  
3 existing section.

4  
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2014 Supp. 41-351 is hereby amended to read as  
7 follows: 41-351. (a) Notwithstanding any other provisions of the Kansas  
8 liquor control act, the club and drinking establishment act or the Kansas  
9 cereal malt beverage act, any person who is licensed to sell wine pursuant  
10 to K.S.A. 41-308a, and amendments thereto, may apply to the director for  
11 an annual ~~bona fide~~ farmers' market sales permit. Such permit shall  
12 authorize the licensee, a member of the licensee's family or an employee of  
13 the licensee to sell wine in the original unopened container produced and  
14 bottled by the licensee at ~~a bona fide farmers' market located at a site~~  
15 ~~approved by the director~~ markets.

16 (b) *An application submitted pursuant to this section shall be*  
17 *accompanied by an application fee of \$25.* Permits issued under this  
18 section shall be valid for one year from the date of issuance. ~~A licensee~~  
19 ~~shall not hold more than one bona fide farmers' market sales permit at any~~  
20 ~~one time.~~

21 (c) ~~The licensee may only sell wine at a single bona fide farmers'~~  
22 ~~market on one day of the week. The location~~ *locations* of the ~~bona fide~~  
23 ~~farmers' market~~ *markets at which wine shall be sold* shall be specified in  
24 the application submitted to the director. *If the licensee elects to sell wine*  
25 *at a farmers' market, the location of which was not reported to the director*  
26 *in the application, such licensee shall notify the director of the location*  
27 *before any wine may be sold at that location.* The director shall notify the  
28 city, county and applicable law enforcement agency where ~~the bona fide~~  
29 ~~farmers' market is~~ *markets are* to be held and of the issuance of a permit  
30 under this section for the sale of wine at such ~~bona fide farmers' market~~  
31 ~~markets.~~

32 (d) For the purposes of this section, ~~"bona fide farmers' market"~~  
33 ~~means any location held out to be a farmers' market that is subject to~~  
34 ~~inspection by the department of agriculture~~ *farmers' market as defined in*  
35 *K.S.A. 2-3802, and amendments thereto.*

36 (e) The secretary may adopt rules and regulations as necessary to

1 implement the provisions of this section.

2 (f) This section shall be a part of and supplemental to the Kansas  
3 liquor control act.

4 Sec. 2. K.S.A. 2014 Supp. 41-351 is hereby repealed.

5 Sec. 3. This act shall take effect and be in force from and after its  
6 publication in the statute book.