

KANSAS OFFICE of
REVISOR of STATUTES

LEGISLATURE of THE STATE of KANSAS
Legislative Attorneys transforming ideas into legislation.

300 SW TENTH AVENUE ■ SUITE 24-E ■ TOPEKA, KS 66612 ■ (785) 296-2321

MEMORANDUM

To: Chairman Barker
Members of the House Committee on Federal and State Affairs

From: The Office of Revisor of Statutes

Date: February 18, 2020

Subject: HB 2596 – Authorizing issuance of one drinking establishment license to a licensed manufacturer of alcoholic liquor.

House Bill No. 2596 (HB 2596) would authorize the Director of ABC to issue one drinking establishment license to a person who already holds a manufacturer's license under the Kansas Liquor Control Act (KLCA). Section 1 of HB 2596 amends K.S.A. 41-2623, which contains the general prohibitions for issuing licenses under the Club and Drinking Establishment Act. Although persons holding manufacturer's license issued under the KLCA generally are prohibited from holding a club or drinking establishment license, HB 2596 would allow the Director to issue one drinking establishment license to a manufacturer.

Section 2 amends K.S.A. 41-2632, which generally prohibits a distributor or manufacturer of alcoholic liquor from influencing or attempting to influence any licensee selling liquor by the drink to buy a particular brand or type of alcoholic liquor. HB 2596 creates an exception for a manufacturer that holds a drinking establishment licenses with respect to purchases made by such drinking establishment.

Section 3 amends K.S.A. 41-2642, which generally governs drinking establishment licensees. HB 2596 would require that if a manufacturer's license holder also holds a drinking establishment license, then the licensed premises for the drinking establishment cannot be the same premises as the manufacturer, but must be within 1.2 miles from the manufacturer's licensed premises. Also, the drinking establishment cannot sell alcoholic liquor produced by the manufacturer to the exclusion of other alcoholic liquor. Finally, all alcoholic liquor sold by the drinking establishment must be acquired as required by law for all drinking establishments.

If enacted, HB 2596 would become effective on July 1, 2020.