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MEMORANDUM

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

From: The Office of Revisor of Statutes

Date: March 16, 2020

Subject: SB 221 – Authorizing sale of beer and cereal malt beverage in large refillable containers by retailers, clubs, and drinking establishments.

Senate Bill No. 221 (SB 221) would amend two statutes concerning the sale of beer and cereal malt beverage in refillable and sealable containers that are between 32 and 64 fluid ounces, otherwise known as growlers or squealers. First, the bill amends K.S.A. 41-308 to authorize retail liquor stores to sell such products for off-premises consumption. Such authorization was enacted in HB 2470 in 2018 for microbreweries. The same requirements as to volume of the container and labeling apply to retailers under SB 221.

Second, SB 221 amends K.S.A. 41-2653, which allows patrons of a club or drinking establishment to remove alcoholic liquor from the licensed premises in a sealed bag. The bill would also authorize patrons to remove refillable and sealable containers of beer or cereal malt beverage under the same requirements as retailers. Additionally, the beer or cereal malt beverage cannot be removed from the premises after 11:00 pm. The Senate amended SB 221 to also clarify that when sold by a club or drinking establishment, such products are subject to the drink enforcement tax of 10%.

SB 221 passed in the Senate on final action by a vote of 40-0. If enacted, SB 221 would become effective on July 1, 2020.