

Cereal Malt Beverage Act Violations; Liquor Enforcement Tax; HB 2035

HB 2035 specifies notice and procedural requirements for violations of the Cereal Malt Beverage (CMB) Act and places violations of the Act under the authority of the Division of Alcoholic Beverage Control (ABC), Department of Revenue. The bill makes notice and procedural requirements for violations of the Act the same as for violations of the Liquor Control Act and the Club and Drinking Establishment Act.

Law enacted during the 2017-2018 biennium that became effective on April 1, 2019 (2017 House Sub. for SB 13 and 2018 HB 2502), allows CMB retailers to sell beer containing no more than 6.0 percent alcohol by volume, and provides ABC with enforcement authority for violations involving the sale of such beer by those retailers. The bill makes this authority uniform across state liquor laws.

The bill also clarifies all retail sales of liquor, CMB, and non-alcoholic malt beverage are subject to the liquor enforcement tax described in KSA 79-4101. The bill specifies, for provisions related to the liquor enforcement tax, “retailer” has the same meaning as in continuing law.