

UPDATED
SESSION OF 2019

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2035

As Recommended by House Committee on
Federal and State Affairs

Brief*

HB 2035 would specify notice and procedural requirements for violations of the Cereal Malt Beverage (CMB) Act and would place violations of the Act under the authority of the Division of Alcoholic Beverage Control (ABC), within the Department of Revenue. Under the provisions of the bill, notice and procedural requirements for violations of the Act would be the same as violations of the Liquor Control Act and the Club and Drinking Establishment Act.

Law becoming effective on April 1, 2019, (2018 HB 2502) allows CMB retailers to sell beer containing no more than 6.0 percent alcohol by volume, and would provide ABC with enforcement authority for violations involving the sale of such beer by those retailers. The bill would make this authority uniform across state liquor laws.

The bill would be in effect upon publication in the *Kansas Register*.

Background

The bill was introduced by the House Committee on Federal and State Affairs at the request of its chairperson, Representative Barker, on behalf of the Kansas Association of Chiefs of Police, Kansas Sheriffs Association, and Kansas Peace Officers Association.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

In the House Committee hearing, the Director of ABC and a representative of the Kansas Association of Chiefs of Police, Kansas Sheriffs Association, and Kansas Peace Officers Association appeared in support of the bill. They generally testified passage of the bill would bring uniformity to the enforcement of statutes concerning the sale of liquor. Written-only proponent testimony was provided by representatives of the Kansas Beer Wholesalers Association and the Petroleum Marketers and Convenience Store Association of Kansas.

No other testimony was presented.

The House Committee recommended the bill be placed on the Consent Calendar.

According to the fiscal note prepared by the Division of the Budget, the Department of Revenue indicated enactment of the bill would have no fiscal effect on the Department.