

STATE OF KANSAS

HOUSE OF REPRESENTATIVES

MR. CHAIRMAN:

I move to amend **HB 2137**, on page 21, by striking all in lines 7 through 43;

On page 22, by striking all in lines 1 through 7; following line 7 by inserting:

"Sec. 19. K.S.A. 2020 Supp. 41-2653, as amended by section 1 of 2021 Senate Bill No. 14, is hereby amended to read as follows: 41-2653. (a) In addition to the rights of a licensee pursuant to provisions of K.S.A. 41-2637, 41-2641 or 41-2642, and amendments thereto, a class A club license, class B club license or drinking establishment license shall allow the licensee to allow legal patrons of the club or drinking establishment to remove from the licensed premises one or more opened containers of alcoholic liquor or cereal malt beverage, subject to the following conditions:

(1) It must be legal for the licensee to sell the alcoholic liquor or cereal malt beverage in its original container;

(2) the alcoholic liquor or cereal malt beverage must be in its original container;

(3) each container of alcoholic liquor or cereal malt beverage must have been purchased by a patron and the alcoholic liquor or cereal malt beverage in each container must have been partially consumed on the licensed premises;

(4) the licensee or the licensee's employee must provide the patron with a dated receipt for the unfinished container or containers of alcoholic liquor or cereal malt beverage; and

(5) before the container of alcoholic liquor or cereal malt beverage is removed from the licensed premises, the licensee or the licensee's employee must securely reseal each container, place the container in a tamper-proof, transparent bag ~~which~~ that is sealed in a manner that

makes it visibly apparent if the bag is subsequently tampered with or opened.

(b) (1) In addition to the rights of a licensee pursuant to provisions of K.S.A. 41-2637, 41-2641 or 41-2642, and amendments thereto, and the provisions of subsection (a), a class A club license, class B club license or drinking establishment license shall allow the licensee to allow legal patrons of the club or drinking establishment to remove from the licensed premises one or more containers of alcoholic liquor or cereal malt beverage that is not in the original container or is in the original unopened container, subject to the following conditions:

(A) It must be legal for the licensee to sell the alcoholic liquor or cereal malt beverage;

(B) each container of alcoholic liquor or cereal malt beverage must have been purchased by a patron on the licensed premises;

(C) the licensee or the licensee's employee must provide the patron with a dated receipt for the alcoholic liquor or cereal malt beverage; and

(D) if the alcoholic liquor or cereal malt beverage is not in the original unopened container, before the container of alcoholic liquor or cereal malt beverage is removed from the licensed premises, the licensee or the licensee's employee must place the container in a transparent bag that is sealed in a manner that makes it visibly apparent if the bag is subsequently tampered with or opened.

(2) ~~The provisions of this subsection shall expire on March 31, 2021~~ No licensee shall allow any alcoholic liquor or cereal malt beverage to be removed from the licensed premises pursuant to this subsection after 11 p.m.

(3) Beer, cereal malt beverage and wine in the original unopened container and mixed drinks not in the original container that are sold pursuant to this subsection shall not be subject to any drink size requirements of this act. Any other alcoholic liquor or cereal malt beverage that is not in the original unopened container shall comply with all drink size requirements and be sold

in a durable sealable container.

(c) This section shall be a part of and supplemental to the club and drinking establishment act.";

On page 25, in line 38, after "41-2653" by inserting ", as amended by section 1 of 2021 Senate Bill No. 14";

On page 1, in the title, in line 7, after "41-2653" by inserting ", as amended by section 1 of 2021 Senate Bill No. 14"

_____District.