

SENATE BILL No. 255

By Committee on Federal and State Affairs

2-16

1 AN ACT concerning alcoholic liquor; relating to the Kansas liquor control
2 act and the club and drinking establishment act; providing for
3 suspension or revocation of licenses for violations of orders issued by
4 the director; amending K.S.A. 2020 Supp. 41-320a and 41-2611 and
5 repealing the existing sections.

6
7 *Be it enacted by the Legislature of the State of Kansas:*

8 Section 1. K.S.A. 2020 Supp. 41-320a is hereby amended to read as
9 follows: 41-320a. (a) The director may suspend, involuntarily cancel or
10 revoke any license issued pursuant to the Kansas liquor control act if, after
11 notice and an opportunity for a hearing, the director determines that the
12 licensee has:

13 (1) Fraudulently obtained the license by providing false information
14 on the application therefor, or at any hearing thereon;

15 (2) violated any of the provisions of the Kansas liquor control act, ~~or~~
16 any rules or regulations adopted pursuant to such act *or any lawful order*
17 *issued by the director*; or

18 (3) become ineligible to obtain a license or permit under K.S.A. 41-
19 311 or K.S.A. 2020 Supp. 41-311b, and amendments thereto.

20 (b) This section shall be a part of and supplemental to the Kansas
21 liquor control act.

22 Sec. 2. K.S.A. 2020 Supp. 41-2611 is hereby amended to read as
23 follows: 41-2611. The director may suspend, involuntarily cancel or
24 revoke any license issued pursuant to the club and drinking establishment
25 act for any one or more of the following reasons:

26 (a) The licensee has fraudulently obtained the license by giving false
27 information in the application therefor or any hearing thereon.

28 (b) The licensee has violated any of the provisions of ~~this the club~~
29 *and drinking establishment act* ~~or~~, any rules or regulations adopted
30 ~~hereunder~~ *pursuant to such act or any lawful order issued by the director.*

31 (c) The licensee has become ineligible to obtain a license or permit
32 under this act.

33 (d) The licensee's manager or employee has been intoxicated while
34 on duty.

35 (e) The licensee, or its manager or employee, has permitted any
36 disorderly person to remain on premises where alcoholic liquor is sold by

1 such licensee.

2 (f) There has been a violation of a provision of the laws of this state,
3 or of the United States, pertaining to the sale of intoxicating or alcoholic
4 liquors or cereal malt beverages, or any crime involving a morals charge,
5 on premises where alcoholic liquor is sold by such licensee.

6 (g) The licensee, or its managing officers or any employee, has
7 purchased and displayed, on premises where alcoholic liquor is sold by
8 such licensee, a federal wagering occupational stamp issued by the United
9 States treasury department.

10 (h) The licensee, or its managing officers or any employee, has
11 purchased and displayed, on premises where alcoholic liquor is sold by
12 such licensee, a federal coin operated gambling device stamp for the
13 premises issued by the United States treasury department.

14 (i) The licensee holds a license as a class B club, drinking
15 establishment or caterer and:

16 (1) Has been found guilty of a violation of article 10 of chapter 44 of
17 the Kansas Statutes Annotated, and amendments thereto, under a decision
18 or order of the Kansas human rights commission~~which~~ that has become
19 final; or

20 (2) such licensee has been found guilty of a violation of K.S.A. 21-
21 4003, prior to its repeal, or K.S.A. 2020 Supp. 21-6102, and amendments
22 thereto.

23 (j) There has been a violation of K.S.A. 21-4106 or 21-4107, prior to
24 their repeal, or K.S.A. 2020 Supp. 21-6204, and amendments thereto, on
25 premises where alcoholic liquor is sold by such licensee.

26 Sec. 3. K.S.A. 2020 Supp. 41-320a and 41-2611 are hereby repealed.

27 Sec. 4. This act shall take effect and be in force from and after its
28 publication in the statute book.