

SESSION OF 2021

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2138

As Recommended by House Committee on
Federal and State Affairs

Brief*

HB 2138 would amend the Liquor Control Act to allow a person whose spouse is employed as a law enforcement official to be eligible to receive a liquor license, provided the applicant meets the requirements in continuing law.

Current law prohibits licensure of an applicant whose spouse is employed as a law enforcement official and ineligible to hold a license.

[*Note:* 2020 Supp. KSA 41-2623(a)(1), which establishes eligibility for licensure under the Club and Drinking Establishment Act, specifically references the eligibility provisions being amended in this bill.]

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 Representative Eplee.

[*Note:* The bill contains provisions similar to 2020 HB 2571, as amended by the House Committee on Federal and State Affairs.]

*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>

House Committee on Federal and State Affairs

In the House Committee hearing on February 26, 2021, a representative of Dirty Girl Adventures, LLC, testified as a **proponent** of the bill, stating a business owned by the spouse of a law enforcement officer, who does not have jurisdiction over the location of the applying business, should be eligible to receive a liquor license upon meeting all other application criteria.

Written-only neutral testimony was submitted by a representative of the Alcoholic Beverage Control Division, Department of Revenue. No other testimony was provided.

Fiscal Information

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

Liquor Control Act; Club and Drinking Establishment Act; law enforcement officer; licenses