

## 2012 Kansas Statutes

**41-2640. Certain sales practices prohibited; penalties.** (a) No club, drinking establishment, caterer or holder of a temporary permit, nor any person acting as an employee or agent thereof, shall:

- (1) Offer or serve any free cereal malt beverage or alcoholic liquor in any form to any person;
- (2) offer or serve to any person an individual drink at a price that is less than the acquisition cost of the individual drink to the licensee or permit holder;
- (3) sell, offer to sell or serve to any person an unlimited number of individual drinks during any set period of time for a fixed price, except at private functions not open to the general public or to the general membership of a club;
- (4) encourage or permit, on the licensed premises, any game or contest which involves drinking alcoholic liquor or cereal malt beverage or the awarding of individual drinks as prizes; or
- (5) advertise or promote in any way, whether on or off the licensed premises, any of the practices prohibited under subsections (a)(1) through (4).

(b) No public venue, nor any person acting as an employee or agent thereof, shall:

- (1) Offer or serve any free cereal malt beverage or alcoholic liquor in any form to any person;
- (2) offer or serve to any person a drink or original container of alcoholic liquor or cereal malt beverage at a price that is less than the acquisition cost of the drink or original container of alcoholic liquor or cereal malt beverage to the licensee;
- (3) sell or serve alcoholic liquor in glass containers to customers in the general admission area;
- (4) sell or serve more than two drinks per customer at any one time in the general admission area;
- (5) encourage or permit, on the licensed premises, any game or contest which involves drinking alcoholic liquor or cereal malt beverage or the awarding of drinks as prizes; or
- (6) advertise or promote in any way, whether on or off the licensed premises, any of the practices prohibited under subsections (b)(1) through (5).

(c) A public venue club, drinking establishment, caterer or holder of a temporary permit may:

- (1) Offer free food or entertainment at any time;
- (2) sell or deliver wine by the bottle or carafe;
- (3) sell, offer to sell and serve individual drinks at different prices throughout any day; or
- (4) sell or serve beer or cereal malt beverage in a pitcher capable of containing not more than 64 fluid ounces.

(d) Violation of any provision of this section is a misdemeanor punishable as provided by K.S.A. 41-2633, and amendments thereto.

(e) Violation of any provision of this section shall be grounds for suspension or revocation of the licensee's license as provided by K.S.A. 41-2609, and amendments thereto, and for imposition of a civil fine on the licensee or temporary permit holder as provided by K.S.A. 41-2633a, and amendments thereto.

(f) Every licensed club and drinking establishment shall make available at any time upon request a price list showing the club's or drinking establishment's current prices per individual drink for all individual drinks.

**History:** L. 1985, ch. 173, § 4; L. 1986, ch. 185, § 7; L. 1987, ch. 182, § 94; L. 2012, ch. 144, § 41; July 1.