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MEMORANDUM

To: Chairman Barker
Members of the House Committee on Federal and State Affairs

From: Chris Waggoner, Assistant Revisor

Date: January 23, 2018

Subject: HB 2475 – Alcoholic candy and confectionary products

House Bill No. 2476 (HB 2476) clarifies ambiguity in the definition of “alcoholic liquor” to include alcoholic candy and other confectionary products as part of that definition.

K.S.A. 41-101 et. seq. is the Kansas Liquor Control Act. HB 2476 adds the term “alcoholic candy” as another definition entry for the Liquor Control Act in K.S.A. 41-102. Alcoholic candy is defined as any candy or other confectionary product which has an alcohol content greater than 0.5% alcohol by volume. Further, the term alcoholic candy can now be found in the definition of “alcoholic liquor” to ensure that it is regulated like any other beer or alcohol under that definition. The term alcoholic liquor is further clarified by deleting the words “as a beverage” to ensure that all solids and liquids containing alcohol are accordingly treated the same and to eliminate some potential confusion.

Additionally, the bill amends K.S.A. 41-102 in section 1 as it is currently found in the statute book, but also amends a future version of this statute in section 2 as to not create a statutory conflict. House Substitute for Senate Bill No. 13 allowed for the retail sale of alcohol in other stores beginning in 2019 and included minor changes to K.S.A. 41-102. HB 2476 includes those changes and the addition of alcoholic candy in section 2 and then repeals the appropriate statute versions as to eventually create one clean version.

If enacted, the provisions of HB 2476 become effective July 1, 2018.