

KANSAS OFFICE of
REVISOR of STATUTES

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MEMORANDUM

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

From: Matt Sterling, Assistant Revisor of Statutes

Date: March 6, 2018

RE: Senate Bill 433

SB 433 would amend K.S.A. 41-2640 in the Club and Drinking Establishment Act concerning alcoholic beverages and certain prohibited sales practices. Under current law, a public venue, club or drinking establishment may offer customer self-service of wine from automated devices on the licensed premises if the licensee monitors the dispensing of wine from the automated devices and can control such dispensing.

SB 433 would allow public venues, clubs, and drinking establishments to provide customer self-service of beer in the same manner with the same requirements. Below are the definitions for public venue, club, and drinking establishment in the Act.

"Public venue" means an arena, stadium, hall or theater, used primarily for athletic or sporting events, live concerts, live theatrical productions or similar seasonal entertainment events, not operated on a daily basis, and containing:

- (1) Not less than 4,000 permanent seats; and
- (2) not less than two private suites, which are enclosed or semi-enclosed seating areas, having controlled access and separated from the general admission areas by a permanent barrier.

"Drinking establishment" means premises which may be open to the general public, where alcoholic liquor by the individual drink is sold. Drinking establishment includes a railway car.

"Club" means a class A or a class B club.

"Class A club" means a premises which is owned or leased by a corporation, partnership, business trust or association and which is operated thereby as a bona fide nonprofit social, fraternal or war veterans' club, as determined by the director, for the exclusive use of the corporate stockholders, partners, trust beneficiaries or associates (hereinafter referred to as members) and their families and guests accompanying them.

"Class B club" means a premises operated for profit by a corporation, partnership or individual, to which members of such club may resort for the consumption of food or alcoholic beverages and for entertainment.