

SENATE BILL No. 221

By Committee on Federal and State Affairs

3-7

1 AN ACT concerning alcoholic liquor; relating to clubs and drinking
2 establishments; removal of unconsumed beer and cereal malt beverage
3 from licensed premises; amending K.S.A. 2018 Supp. 41-2653 and
4 repealing the existing section.

5
6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 2018 Supp. 41-2653 is hereby amended to read as
8 follows: 41-2653. (a) In addition to the rights of a licensee pursuant to
9 provisions of K.S.A. 41-2637, 41-2641 or 41-2642, and amendments
10 thereto, a class A club license, class B club license or drinking
11 establishment license shall allow the licensee to allow legal patrons of the
12 club or drinking establishment to remove *alcoholic liquor* from the
13 licensed premises *in accordance with this section*.

14 (b) *A patron may remove one or more opened containers of alcoholic*
15 *liquor from the licensed premises*, subject to the following conditions:

16 (1) It must be legal for the licensee to sell the alcoholic liquor in its
17 original container;

18 (2) the alcoholic liquor must be in its original container;

19 (3) each container of alcoholic liquor must have been purchased by a
20 patron and the alcoholic liquor in each container must have been partially
21 consumed on the licensed premises;

22 (4) the licensee or the licensee's employee must provide the patron
23 with a dated receipt for the unfinished container or containers of alcoholic
24 liquor; and

25 (5) before the container of alcoholic liquor is removed from the
26 licensed premises, the licensee or the licensee's employee must securely
27 reseal each container, place the container in a tamper-proof, transparent
28 bag which is sealed in a manner that makes it visibly apparent if the bag is
29 subsequently tampered with or opened.

30 (c) *A patron may remove one or more containers of beer, domestic*
31 *beer and cereal malt beverage, as those terms are defined in K.S.A. 41-*
32 *102, and amendments thereto, that are sold on the licensed premises to*
33 *consumers and served in refillable and sealable containers for*
34 *consumption off the licensed premises if such containers:*

35 (A) *Contain between 32 and 64 fluid ounces; and*

36 (B) *have a label affixed that clearly indicates the licensee's name and*

1 *the type of alcoholic beverage contained in such container.*

2 ~~(b)~~(d) This section shall be part of and supplemental to the club and
3 drinking establishment act.

4 Sec. 2. K.S.A. 2018 Supp. 41-2653 is hereby repealed.

5 Sec. 3. This act shall take effect and be in force from and after its
6 publication in the statute book.