

2020 Kansas Statutes

41-2653. Removal of alcoholic liquor from premises of club or drinking establishment. (a) In addition to the rights of a licensee pursuant to provisions of K.S.A. 41-2637, 41-2641 or 41-2642, and amendments thereto, a class A club license, class B club license or drinking establishment license shall allow the licensee to allow legal patrons of the club or drinking establishment to remove from the licensed premises one or more opened containers of alcoholic liquor, subject to the following conditions:

- (1) It must be legal for the licensee to sell the alcoholic liquor in its original container;
- (2) the alcoholic liquor must be in its original container;
- (3) each container of alcoholic liquor must have been purchased by a patron and the alcoholic liquor in each container must have been partially consumed on the licensed premises;
- (4) the licensee or the licensee's employee must provide the patron with a dated receipt for the unfinished container or containers of alcoholic liquor; and
- (5) before the container of alcoholic liquor is removed from the licensed premises, the licensee or the licensee's employee must securely reseal each container, place the container in a tamper-proof, transparent bag which is sealed in a manner that makes it visibly apparent if the bag is subsequently tampered with or opened.

(b) (1) In addition to the rights of a licensee pursuant to provisions of K.S.A. 41-2637, 41-2641 or 41-2642, and amendments thereto, and the provisions of subsection (a), a class A club license, class B club license or drinking establishment license shall allow the licensee to allow legal patrons of the club or drinking establishment to remove from the licensed premises one or more containers of alcoholic liquor that is not in the original container, subject to the following conditions:

- (A) It must be legal for the licensee to sell the alcoholic liquor;
- (B) each container of alcoholic liquor must have been purchased by a patron on the licensed premises;
- (C) the licensee or the licensee's employee must provide the patron with a dated receipt for the alcoholic liquor; and
- (D) before the container of alcoholic liquor is removed from the licensed premises, the licensee or the licensee's employee must place the container in a transparent bag that is sealed in a manner that makes it visibly apparent if the bag is subsequently tampered with or opened.

(2) The provisions of this subsection shall expire on January 26, 2021.

(c) This section shall be part of and supplemental to the club and drinking establishment act.

History: L. 2006, ch. 206, § 7; L. 2020, ch. 1, § 26 (Special Session); June 9.