

Alcoholic Beverage Control
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MEMORANDUM

TO: Rep. Sean Tarwater, Chairman House Committee on Commerce, Labor and Economic Development

FROM: Debbi Beavers, Director, Alcoholic Beverage Control Division. Email: debbi.beavers@ks.gov; Desk Phone 785-368-6290; Cell 785-260-1008.

DATE: February 14, 2022

SUBJECT: Neutral Oral in Person Testimony on House Bill 2688

Mr. Chairman and Members of the Committee:

Thank you for the opportunity to testify, the ABC is neutral on this bill.

The ABC has two technical suggestions:

1. KSA 41-311(a)(10) prohibits the issuance of a license under the liquor control act if the applicant already holds a CMB license. This would need to be amended since it directly contradicts the intended effect of this bill.
2. KSA 41-2703(d) specifies the board of county commissioners or director shall approve any CMB application if the applicant already has a farm winery or producer license. ABC believes that the "governing body of a city" should also be included, since the governing body of a city is the licensing authority if the business is located within city limits. Similarly, K.S.A. 41-2704(g) prohibits alcoholic liquor from being possessed by anyone on the premises of a CMB retailer, unless such retailer is also licensed as a club or drinking establishment. Farm wineries and producers would need to be added to this as well, otherwise this provision would prevent them from allowing wine to be possessed on the premises.

Thank you, Mr. Chairman.