



KANSAS ASSOCIATION OF BEVERAGE RETAILERS

P.O. Box 3842, Topeka, KS 66604 785-969-1617

Testimony in support of HB 2406 to House Federal and State Affairs Committee
March 17, 2021

Chairman Alley and Members of the Senate Federal and State Affairs Committee,

Thank you for the opportunity to support HB 2406. The Kansas Association of Beverage Retailers supports expanding the hours of sale on Sundays. This change offers some obvious benefits to our customers as they seek to purchase adult beverages before the Sunday noon NFL game or afternoon barbecue. When Kansas passed its Sunday sales law, Missouri very quickly amended its laws to open up earlier Sunday hours – a change that affects our eastern border stores to this day.

What is HB 2406? The legislation allows liquor stores and grocery and convenience stores to sell products earlier on Sundays in communities that have adopted the Sunday Sales Ordinance provided in Kansas statute. Additionally, the legislation removes the summer holidays sales language from Sunday Sales ordinances altogether, leveling the playing field for liquor stores with grocery and convenience store summer holidays:

- Amends uniform hours for Sunday sales by off-premise retailers from 12 noon to 8:00 p.m. to 10:00 a.m. to 8:00 p.m., and continues to allow locals to reduce those hours if preferred.
- Allows off-premise retailers to sell on summer holidays – Memorial Day, Independence Day, and Labor Day (unless Independence Day is on a Sunday). Currently, these holiday sales are only permitted in cities and counties where the Sunday sales ordinance has been adopted.
- Includes producers license section requires a CMB retailer license be granted upon application by the holder of a producer's license to board of county commissioners. This is an amendment added by Senator Masterson in 2020.

As written, this legislation continues to uphold two priorities:

1. Kansas licensed retail liquor stores operate under a combination of state and local regulation. Local regulation primarily centers on where and when the sale of package liquor occurs within the city and county. The current law was created to be "uniform" and not subject to broad variations. This is very important for our businesses that must compete across city and county borders where wide variations in local rules create problems. Therefore, while we support city and county options, it is a priority for our members that the law continues to be uniformly applicable to all cities and counties.

2. HB 2406 amends Sunday hours of sale for both liquor stores and grocery and convenience stores, aligning with the 2017 Beer Compromise. Any action that would violate that agreement should not be supported by the Kansas Legislature.

One consideration for the legislation may be to add an amendment applied uniformly to all cities and counties to provide that the new ordinances expanding hours to 10:00 a.m. are not subject to protest petition. We have communicated with our local government partners and appreciate their support for HB 2406 and would support the change if they request it.

Kansas liquor stores are eager to find options to attract and retain customers following the implementation of the 2019 Beer Law, that shifted a large portion of beer sales to grocery and convenience stores. According to the January 2021 ABC Report to the Legislature, Kansas has 35 fewer licensed liquor stores than reported in 2017.

Please support HB 2406. We would be happy to answer questions.

Amy A. Campbell
Executive Director