

Alcoholic Beverage Control
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MEMORANDUM

TO: Rep. Will Carpenter, Chairman, House Federal and State Affairs Committee

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

DATE: February 2, 2023

SUBJECT: HB 2170 Neutral Testimony

Mr. Chairman:

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

Currently, K.S.A 41-306, K.S.A. 41-306a and K.S.A. 41-307 authorize licensed distributors to withdraw product from their inventory and provide samples to licensed retailers and establishments licensed under the club and drinking establishment act, except that K.S.A. 41-306 does not authorize samples for establishments licensed under the club and drinking establishment.

K.A.R. 14-14-6a(b) specifies that a distributor may provide each licensee with one individual bottle or individual can from a "new product line," and "new product line" is not defined.

By adopting the proposed language, it will align Kansas law with the federal law guidelines for sample sizes (3 liters spirits or wine and 3 gallons of beer maximum) and what constitutes a "new product" line.

If this bill is passed into law, ABC will begin the process to revoke the portion of the regulation that conflicts with the new law.

Thank you, Mr. Chairman.