

2023 Kansas Statutes

41-352. Packaging and warehousing facility permit; rights of permit holder. (a) Any manufacturer or supplier of alcoholic liquor or cereal malt beverage, whether licensed in this state or any other state, or a holder of a distilled spirits plant permit issued by the alcohol and tobacco tax and trade bureau of the United States department of treasury may apply for an annual packaging and warehousing facility permit. The application shall be on a form prescribed by the director and shall include all information the director deems necessary.

(b) A packaging and warehousing facility permit shall allow the:

(1) Transfer of alcoholic liquor or cereal malt beverage to the licensed premises of a packaging and warehousing facility for the purpose of packaging or storage, or both;

(2) sale and transfer from the licensed premises of a packaging and warehousing facility to the licensed premises of a spirits, wine or beer distributor licensed in Kansas or to a Kansas supplier;

(3) transfer from the licensed premises of a packaging and warehousing facility to another state; and

(4) receipt and transfer of alcoholic liquor in a bulk container from any manufacturer, supplier, farm winery, microbrewery or microdistillery of alcoholic liquor or cereal malt beverage, whether licensed in this state or any other state, for purposes of packaging in cans or bottles.

(c) The annual fee for a packaging and warehousing facility permit shall be \$2,500.

(d) Each brand and label of alcoholic liquor or cereal malt beverage that is intended for sale to distributors in Kansas and is transported, packaged or stored at a licensed packaging and warehousing facility must be registered in accordance with the provisions of K.S.A. 41-331, and amendments thereto.

(e) The tax imposed pursuant to K.S.A. 41-501, and amendments thereto, shall be paid on alcoholic liquor or cereal malt beverage imported into this state under a packaging and warehousing facility permit only if the alcoholic liquor or cereal malt beverage is sold to a distributor for sale at wholesale in this state and shall be paid by the distributor who purchases the alcoholic liquor or cereal malt beverage for sale at wholesale.

(f) For purposes of this section, the terms in subsections (a) and (b)(4), if not otherwise defined in K.S.A. 41-102, and amendments thereto, mean the same as such terms are defined in title 27, chapter I, subchapter A of the code of federal regulations, as in effect on July 1, 2021.

(g) This section shall be a part of and supplemental to the Kansas liquor control act.

History: L. 2010, ch. 142, § 1; L. 2021, ch. 107, § 10; May 27.