

SESSION OF 2011

SUPPLEMENTAL NOTE ON SENATE BILL NO. 80

As Amended by House Committee on
Federal and State Affairs

Brief*

SB 80, as amended, would allow microbreweries to raise the content of micro-brewed beer from eight to ten percent alcohol by weight. The bill also would allow microbreweries to serve domestic beer, free of charge, at special events monitored and regulated by the Division of Alcoholic Beverage Control.

In addition, the bill would allow the board of county commissioners or the governing body of any city to issue a temporary special event retailer's permit which would allow a temporary permit holder to sell cereal malt beverage for consumption, subject to the following conditions:

- The permit would be issued for the duration of the special event;
- No more than four permits may be issued to one applicant in a calendar year;
- The premises must be specified for which the permit is issued and include the dates and hours the special event will take place; and
- The permit cannot be transferred.

The bill would exempt the temporary permit holder from the Keg Registration Act requirements.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Background

The provisions of SB 25 were added into SB 80 by the House Committee. SB 25 provisions dealt with temporary special event retailer's permit. Under SB 25, Attorney General's Opinion 2010-12 stated that cereal malt beverage licenses could only be issued on an annual basis or for the calendar year. A beer distributor can only sell cereal malt beverages to a retailer holding a license that was issued on an annual basis or for a calendar year. This does not preclude a city or county from issuing an annual license for festivals and other short term events.

Proponents of SB 25 included representatives of the City of Wichita, Wichita Festivals Inc., the League of Kansas Municipalities, Ice and Olives, and the Kansas Licensed Beverage Association. No opponents testified before the Committee on SB 25.

The proponent of the original SB 80, a representative of the Kansas Craft Brewers Guild, testified that permitting microbreweries to serve beer at special events would equalize them to current sampling rules for farm wineries.

No opponents testified on the original SB 80.

The fiscal note on the original SB 80 and the original SB 25 indicated that their passage would have no fiscal effect on state revenue.