
Nick Jordan, Secretary
Dean Reynoldson, Director

Sam Brownback, Governor

Senate Federal & State Affairs Committee
SB 203

Testimony of
Sarah Byrne
Assistant Attorney General
Alcoholic Beverage Control

February 20, 2013

Good morning Mr. Chairman and members of the committee. I thank you for the opportunity to appear here today to present testimony in support of SB 203.

There are two main issues addressed by SB 203: (1) Drink price list requirement; and (2) Hotel drink coupons.

Last year, the legislature removed the requirement that a club or drinking establishment must charge the same price for a drink all day long, to all customers. The only remaining price requirement for drinks is that the price must be at least acquisition cost of the drink plus liquor drink tax. As a result, licensees may charge different prices at any time for the same drink, making the current requirement that each licensee maintain a drink price list redundant. The drink price list is now a requirement that serves no purpose, as prices may change constantly. This bill, therefore, reasonably removes that unnecessary requirement.

Sections 2 and 3 of the bill codify a policy adopted by a previous administration that allows a hotel to provide “complimentary” drinks to its guests. This is apparently a standard industry practice but one which, we feel, violates current law. Specifically, K.S.A. 41-2640 prohibits a licensee or its agent or employee from serving “any free alcoholic liquor in any form to any person.”

The current ABC administration feels the standard industry practice of providing coupons which are redeemable for drinks containing alcoholic liquor free of charge to registered guests violates both the letter and the spirit of the law. However, the administration is not opposed to allowing the practice to continue if the law was changed to specifically allow such practice.

ABC therefore requests the committee vote favorably and move this bill to the Senate as a whole for a vote on the floor.

Thank you for your consideration.

