

SESSION OF 2006

SUPPLEMENTAL NOTE ON SENATE BILL NO. 297

As Amended by House Committee of the Whole

Brief*

SB 297 would amend the Kansas Liquor Control Act by permitting alcoholic liquor (wine or beer), which is legally available in Kansas, to be sold and consumed during the days of the Kansas State Fair. The Executive Director of Alcohol Beverage Control would be permitted to waive the three day temporary permit in lieu of one for the entire period of the State Fair.

The bill would permit any person who holds a direct shipper license in Kansas or any other state to ship wine directly to a resident of Kansas who is 21 years of age or older. Out-of-state wineries would be required to collect and remit all gallonage and excise taxes to the state of Kansas. The license fee would be \$100. The bill would allow any person with a farm winery license to sell and ship wine out-of-state in compliance with the laws, rules and regulations of the state where the wine is to be shipped.

The bill would create a Kansas historic tourism limited farm winery license which would allow such licensees to conduct tastings and sell vinous liquors of any and all Kansas manufactured wines to consumers in order to promote Kansas farm wineries, historic places in Kansas and tourism in Kansas. The license would not allow shipment of such liquors within the state or out-of-state.

The bill would make the Kansas Liquor Control Act uniform by permitting any city to allow consumption of alcoholic liquor in a club or drinking establishment.

Background

Proponents of the bill as passed by the Senate Committee on Federal and State Affairs were the Executive Director of the Kansas Licensed Beverage Association (with suggested amendments),

*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>

representatives of the Kansas Grape Growers & Wine Makers Association, Kansas Wine & Spirits Wholesalers Association, Agriculture Marketing Division of the Department of Commerce, and the Kansas Beer Wholesalers Association.

There were no opponents.

The Senate Committee amended the bill to allow all liquor legally sold in Kansas to be sold at the Kansas State Fair, not just wine and beer manufactured at farm wineries and microbreweries. This amendment was made to avoid possible court challenges to the Kansas Liquor Control Act from other states.

The House Committee of the Whole amended the bill to allow in-state and out-of-state wineries to ship wine to residents in the state of Kansas who are over 21 years of age. In addition, the House Committee of the Whole amended the bill to permit farm wineries to ship wine out-of-state. Finally, the House Committee of the Whole amended the bill to create a Kansas historic tourism limited farm winery license.

No fiscal note was available on the bill as amended by the House Committee of the Whole.