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MEMORANDUM

To: Chairperson Thompson
Members of the Senate Committee on Federal and State Affairs

From: The Office of Revisor of Statutes

Date: March 21, 2023

Subject: HB 2059 – Regulation of common consumption areas for alcoholic liquor.

House Bill No. 2059 (HB 2059) would amend K.S.A. 41-2659, which governs the creation of common consumption areas for the consumption of alcoholic liquor. The statute currently allows cities and counties to establish common consumption areas by ordinance or resolution. A common consumption area is typically an area of the city or unincorporated area of the county that is open to the public and often used for public events. While state law generally prohibits the consumption of alcoholic liquor in open public areas, a common consumption permit issued by the Director of ABC allows such consumption.

Current law requires the city or county to block any public street or road that runs through the common consumption area from being used by motor vehicles. HB 2059 would grant cities and counties the discretion to block streets when adopting the ordinance or resolution establishing the common consumption area.

If enacted, HB 2059 would become effective on July 1, 2023.