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MEMORANDUM

To: Chairman Barker
Members of the House Committee on Federal and State Affairs

From: Jason B. Long, Senior Assistant Revisor

Date: January 23, 2019

Subject: HB 2035 – ABC enforcement of the Kansas Cereal Malt Beverage Act

House Bill No. 2035 (HB 2035) amends K.S.A. 41-106, which provides the procedures for the issuance of a citation and notice for a violation of the Kansas Liquor Control Act or the Club and Drinking Establishment Act. The issuance of a citation is the Division of Alcoholic Beverage Control's (ABC) primary enforcement tool when there is a violation of state law regarding the manufacturing, distribution, and sale of alcoholic liquor.

Beginning on April 1, 2019, cereal malt beverage retailers may sell beer containing not more than 6% alcohol by volume (6% beer). Under 2018 HB 2502, which was enacted last session, ABC will have the authority to issue citations for violations of the Kansas Cereal Malt Beverage Act when such violations involve the sale of 6% beer. HB 2035 amends existing law to include the Kansas Cereal Malt Beverage Act in the statute governing the procedure for issuing citations to ensure uniformity in the enforcement of state laws and rules and regulations by ABC.

If enacted, HB 2035 would become effective on publication in the Kansas register.