

SESSION OF 2019

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2239

As Amended by House Committee on Local
Government

Brief*

HB 2239, as amended, would allow a licensed premises that has received permission to participate in a common consumption area (CCA) to sell and serve alcoholic liquor, for consumption, from a non-contiguous service area within an approved CCA, as designated and approved by the CCA permit holder. The licensee with a non-contiguous service area would be required to prominently display a copy of its drinking establishment license and the approval of the CCA permit holder at such non-contiguous service area.

Background

The bill was introduced by the House Committee on Local Government (House Committee) at the request of Representative Long.

At the House Committee hearing, representatives of the City of Lenexa (Lenexa), the Kansas Licensed Beverage Association (KLBA), and the League of Kansas Municipalities (LKM) testified in favor of the bill. The representatives of KLBA and Lenexa stated the bill is a targeted way to address issues regarding the selling of liquor for consumption in areas within a CCA, but away from the licensed premises of a vendor by letting the licensee establish a non-contiguous service area within a CCA. The LKM representative stated this would allow the CCA permit holder to determine where a

*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>

satellite service area would be located, noting it would allow more accessible service at larger events.

Neutral testimony was provided by a representative of the Alcoholic Beverage Control Division (ABC) of the Department of Revenue. The representative suggested cities and counties check their resolutions or ordinances to ensure sales by these licensees are authorized in the permitted area. Additionally, the representative suggested the bill be amended to require certain approvals and licenses be displayed on the premises of the non-contiguous service area at all times and be made available for inspection upon request.

The House Committee amended the bill to require a licensee to display a copy of its drinking establishment license and approval from the CCA permit holder at its non-contiguous service area.

According to the fiscal note prepared by the Division of the Budget, enactment of the bill, as introduced, would have no fiscal effect on the ABC.