

KANSAS OFFICE *of*
REVISOR *of* STATUTES

LEGISLATURE *of* THE STATE *of* KANSAS
Legislative Attorneys transforming ideas into legislation.

300 SW TENTH AVENUE ■ SUITE 24-E ■ TOPEKA, KS 66612 ■ (785) 296-2321

MEMORANDUM

To: Chairman Barker and Members of the Committee on Federal and State Affairs
From: Office of Revisor of Statutes
Date: February 19, 2021
RE: House Bill 2252

HB 2252 would create a new license under the Kansas Liquor Control Act for a fulfillment house. The license would allow the holder to provide warehousing, packaging and shipping of wine that was produced by a licensed Kansas special order shipper to Kansas residents.

The license fee for a fulfillment house would be \$100 for a two-year term. The licensee would be required to make reasonable efforts to ensure that any winery they are shipping for was licensed in Kansas. All packages of wine shipped by the fulfillment house licensee would be required to be clearly marked requiring a signature of someone over 21 and would have to be shipped by a common carrier.

Licensees would have to maintain shipment records for three years and report all shipments electronically to the Director of Alcoholic Beverage Control each month. Any fulfillment house that willfully failed, neglected, or refused to report any shipments would be subject to a civil penalty of not more than \$100.

After notice and an opportunity for hearing in accordance with the Kansas administrative procedure act, the director could refuse to issue or renew or could revoke a fulfillment house license upon a finding that the licensee has failed to comply with any provision of the bill.

The bill defines "fulfillment house" as all locations and facilities for any in-state or out-of-state entity that handles logistics, including warehousing, packaging, order fulfillment or shipping services, on behalf of the holder of a special order shipping license issued pursuant to K.S.A. 41-350.