

SESSION OF 2012

SUPPLEMENTAL NOTE ON SENATE BILL NO. 379

As Amended by House Committee on Federal
and State Affairs

Brief*

SB 379, as amended, would require not less than 30 percent of the products utilized in the manufacture of Kansas wine by a farm winery to be grown in Kansas. The production requirement would be based on the annual production of wine by a farm winery and the availability of Kansas grown products in sufficient quantity to meet the 30 percent standard. The Director of Alcoholic Beverage Control (ABC) may waive the 30 percent requirement in years when insufficient Kansas grown product is available for a farm winery.

Background

Representative Bethell and Senator Allen Schmidt testified as proponents of the original bill which would have removed the current requirement that a farm winery utilize at least 60 percent of Kansas products in the manufacture of domestic table wine and domestic fortified wine. The bill would also have removed the federal requirement that each label of domestic wine and domestic fortified wine include a statement that declares the majority of the products utilized in the manufacture of the wine was grown in Kansas. Other proponents included representatives of the Eagle Creek Vineyards, the Grace Hill Winery, the Kansas Grape Growers & Winemakers Association, and the Rosewood Winery. Written testimony as proponents were submitted by several individuals.

*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>

Opponents to the original bill included representatives from the Kansas Viticulture & Farm Winery Association; the Wild Hare Vineyards & Winery; the Golden Road Estate & Winery; the Davenport Orchards; Vineyard and Winery; the Crooked Post Vineyard; the Kansas Wine & Spirits Wholesalers Association; the Kansas Viticulture & Farm Winery Association; and the Holy-Field Vineyard and Winery.

A number of other opponents to the bill submitted written testimony.

The Senate Committee amended the bill by reducing the Kansas products utilized in the manufacture of wine from 60 percent to 20 percent and made the production requirement apply to an annual production, subject to intervention by the Director of ABC if insufficient Kansas products are available in any given year and the farm winery requests a waiver.

The House Committee, after hearing testimony both from proponents and opponents of the Senate version of the bill with 20 percent Kansas product, increased the percentage to 30 percent, which is one-half of the current 60 percent statutory requirement that would be adjusted in this legislation.

According to the fiscal note on the original bill, there would be no fiscal effect on state agencies from the enactment of the bill.