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Testimony Re: SB 203
Senate Federal and State Affairs Committee
Presented by Ronald R. Hein
on behalf of
Kansas Restaurant and Hospitality Association
February 20, 2013

Mr. Chairman, Members of the Committee:

My name is Ron Hein, and I am legislative counsel for the Kansas Restaurant and Hospitality Association (KRHA). The Kansas Restaurant and Hospitality Association, founded in 1929, is the leading business association for restaurants, hotels, motels, country clubs, private clubs and allied business in Kansas. Along with the Kansas Restaurant and Hospitality Association Education Foundation, the association works to represent, educate and promote the rapidly growing industry of hospitality in Kansas.

KRHA supports SB 203. This bill cleans up a provision of the alcohol laws relating to price lists, but also provides, in statutes, a process which had been recognized in this state for numerous years, which relates to hotels being able to provide drink coupons for their guests. This procedure had been recognized by the Alcoholic Beverage Control Division for many years, prior to a determination that such a process was not totally in compliance with the statutes prohibiting free drinks. The ABC Division has agreed with the process, but has determined a statutory change is necessary to make the process legal. SB 203 gives the ABC the rules and regulations authority to determine the process.

In addition, although the ABC did not propose this change, the industry supports, and the ABC does not oppose, an amendment to SB 203 that would revert the law to the way it read prior to changes last year. (See attachment.) We would propose SB 203 be amended in Section 1 (c)(4), by inserting language permitting drinking establishments to sell pitchers of margaritas, sangria, and mojitos. This was previously permitted, prior to a change in legislation last year which permitted pitchers of beer, but excluded these other drinks.

The KRHA supports the amendment, attached, and would urge the committee to adopt the amendment to report SB 203 favorably for passage as so amended.

Thank you very much for permitting me to testify, and I will be happy to yield to questions.

Proposed Amendment to SB 203

Section 1. (c) A public venue, club, drinking establishment, caterer or holder of a temporary permit may:

- (1) Offer free food or entertainment at any time;
- (2) sell or deliver wine by the bottle or carafe;
- (3) sell, offer to sell and serve individual drinks at different prices throughout any day; ~~or~~
- (4) sell or serve beer or cereal malt beverage in a pitcher capable of containing not more than 64 fluid ounces; *or*
- (5) *sell or serve margarita, sangria, daiquiri, mojito or other mixed alcoholic beverages as approved by the director in a pitcher capable of containing not more than 64 fluid ounces.*