AN ACT concerning alcoholic beverages; relating to the issuance of citations for statutory violations; amending K.S.A. 41-106 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 41-106 is hereby amended to read as follows:

41-106. (a) Any citation issued by an agent of the division of alcoholic beverage control for a violation of the liquor control act or the club and drinking establishment act shall be delivered to the person allegedly committing the violation licensee or licensee's agent or employee at the time of the alleged violation. A copy of such citation also shall be delivered by United States mail to the licensee within 30 days of the alleged violation. If such citation and copy are not so delivered, the citation shall be void and unenforceable.

(b) Any duly authorized law enforcement officer who observes a violation of the liquor control act or the club and drinking establishment act may, after serving notice to the licensee or licensee's agent or employee, submit a report of such violation to the division of alcoholic beverage control for review. Upon receipt of such report, the director shall review the report and determine if administrative action will be taken against the licensee. If the director determines that administrative action will be taken, an administrative citation and notice of administrative action shall be delivered by United States mail to the licensee within 30 days of the date of the alleged violation.

(c) The notice required to be served to the licensee at the time of the alleged violation pursuant to subsection (b) shall be in writing and shall contain the following:

1. The name of the licensee;
2. the date and time of the alleged violation;
3. a description of the alleged violation; and
4. a statement that a report of the alleged violation will be submitted to the division of alcoholic beverage control for review.

(d) Any citations not issued in accordance with the provisions of this section shall be void and unenforceable.

Sec. 2. K.S.A. 41-106 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its
publication in the statute book.