

SESSION OF 2015

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2331

As Amended by House Committee on Federal
and State Affairs

Brief*

HB 2331, as amended, would allow the consumption of alcoholic liquor at catered events held on public property. Existing law generally prohibits the consumption of alcoholic liquor on public property, but makes an exception for special events (events approved by local government of a city, county, or township) when a temporary permit has been issued by the Director of Alcoholic Beverage Control (ABC). The language of this exception would be amended to also allow the consumption of alcoholic liquor at catered events on public property where the caterer has provided the required notice.

The bill also would change the notice required to be given by caterers to the ABC. Existing law, which requires a caterer to provide notice to ABC ten days before any event and provide notice to the chief of police or sheriff where the event occurs, would be changed to require electronic notification to ABC at least 48 hours before any event. The bill would specify the electronic notice provided to ABC must include the time, location, and names of the contracting parties of the event. Caterers would be required to keep their records (agreements, receipts, employees assigned to the events, and records of alcohol purchased) for three years.

*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>

Background

At the hearing in the House Federal and State Affairs Committee, representatives from Beverage Association, Kansas Craft Brewers Association, Kansas Viticulture and Farm Winery Association, Artisan Distillers of Kansas, and the Kansas Restaurant and Hospitality Association appeared in support of the bill. The proponents testified the bill would allow caterers to host events on public property without the need for an additional permit, and indicated the change was good public policy because using trained caterers to serve alcohol on public property supported a well-regulated alcohol industry.

There was no neutral or opponent testimony on the bill.

The House Committee amended the bill by adding the contents of Section 3 of 2015 HB 2223 (requiring caterers to provide electronic notice of events to ABC) and then further amended the bill by adding language requiring that caterers provide ABC with notice at least 48 hours in advance of any event.

The fiscal note prepared by the Department of Revenue on the bill, as introduced, indicates the bill would have no fiscal effect on state revenues or expenditures.