

May 12, 2020

The Honorable Susan Wagle
Senate President
Kansas Capitol
300 SW 8th Street
Topeka, KS 66612

The Honorable Ron Ryckman, Jr.
House Speaker
Kansas Capitol
300 SW 8th Street
Topeka, KS 66612

Subject: Extension of authority for retail sales of alcohol beverages to go

Dear Madam President and Speaker Ryckman:

As you know, the Governor issued Executive Order 20-27 last month allowing restaurants to sell beer, wine and mixed drinks as part of “to go” food orders. Previously in March, the Alcohol Beverage Control Division also released some modifications of the rules governing the take out of wine and beer products from restaurants. The EO and ABC regulatory changes are a response to the COVID 19 restaurant closures and override existing state statutory and regulatory restrictions on such sales.

For many small businesses, franchisees and their thousands of employees, these modest changes have been a life saver. Likewise, the public has adapted from the “dining in” experience to the “dining out” experience. This “new normal” is likely to be with us for some time as COVID 19 continues to require social distancing, reducing the number of those permitted to dine in and increasing the number of those who now may prefer the take out experience.

In short, the restaurant business, its employees and the public have adapted to the new take out liquor option and we believe that it is now a very good time for lawmakers to modify the existing government limits on alcohol sales to reflect the needs of the public and the businesses that serve it. Unfortunately, EO 20-27 is set to expire on May 31, 2020, long before the pandemic is over, long before social distancing is a thing of the past and long before the negative impact of the government closing of restaurants has been forgotten.

We would urge the legislature to permanently codify the take out liquor provisions of EO 20-27 and enable the promulgation of any necessary ABC regulatory changes. Several other states have acted to make similar liquor law changes more permanent. Among the various Executive Orders issued, this provision and the ABC rule modifications may have done as much good as any to preserve many Kansas dining establishments and the service sector jobs they provide. It

would be a shame for this option to disappear in a couple of weeks while restaurants and their customers still need and want the alcohol take out option.

Thank you for consideration of our views and please do not hesitate to contact me or any of those interested parties listed below who also support this proposal.

Sincerely,

Adam Mills
Kansas Restaurant & Hospitality Association

CC: Scott Schneider, Kansas Restaurant & Hospitality Association
Tuck Duncan, Kansas Wine & Spirits Wholesalers Association
Larrie Ann Brown, The Wine Institute
Brad Smoot, Distilled Spirits Council of the United States