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LEGISLATURE *of* THE STATE *of* KANSAS
Legislative Attorneys transforming ideas into legislation.

300 SW TENTH AVENUE ■ SUITE 24-E ■ TOPEKA, KS 66612 ■ (785) 296-2321

MEMORANDUM

To: Chairman Barker and Members of the Committee on Federal and State Affairs
From: Office of Revisor of Statutes
Date: 2/3/2021
RE: House Bill 2137

HB 2137 would expand the categories of alcoholic liquor licensees who can sell cereal malt beverage. Under previously enacted legislation, as of April 1, 2019, retail liquor stores licensed under the Kansas Liquor Control Act can sell cereal malt beverage. This change in the law coincided with a policy change to allow cereal malt beverage licensees sell beer with an alcohol content of not more than 6% alcoholic by volume. HB 2137 would extend the policy of allowing alcoholic liquor licensees to sell cereal malt beverage to liquor by the drink licensees.

Under current law, clubs, restaurants, bars, caterers, and public venues may obtain a license to sell alcoholic liquor by the drink for consumption on the licensed premises under the Club and Drinking Establishment Act. The bill would amend various statutes under the Act to also allow such licensees to also sell cereal malt beverage. Sales of cereal malt beverage would be subject to the same limitations and restrictions as sales of alcoholic liquor.

HB 2137 also amends the statutes governing issuance of temporary permits. Temporary permits allow the permit holder to sell alcoholic liquor at a specific location for a short duration of time (typically only a few days). The bill would allow permit holders to also sell cereal malt beverage along with alcoholic liquor under the same limitations and restrictions that apply to sales of alcoholic liquor.

Lastly, in 2017 a new law was enacted to allow the consumption of alcoholic liquor in common consumption areas established by a municipality. The bill would allow the consumption of cereal malt beverage in the common consumption area.