

KANSAS ASSOCIATION OF BEVERAGE RETAILERS

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February 19, 2021

Chairman Barker and members of the House Federal and State Affairs Committee:

Thank you for the opportunity to speak to you today about House Bill 2212. I am the current president of the Kansas Association of Beverage Retailers and I operate Davis Retail Liquor in Wichita.

Kansas liquor stores are currently owned and operated by Kansas citizens. This will change after HB 2212 passes. We support the bill to make our statutes fully constitutional, but hate to see our laws upended by the courts.

Our members continue to watch with great concern as states with loopholes in their liquor laws end up in federal courts. We prefer a predictable business marketplace. We can support this bill as long as it continues to require those out of state licensees to meet all of the current requirements in the law. Please continue to support reasonable laws with a basis in public safety and regulation so that we can build successful businesses without worrying about the next court ruling to fundamentally change our operations.

Residency may not be viewed by the Supreme Court as an important regulatory tool, but we know that it has been effective and inexpensive. Chasing down out of state licensees when they are breaking the rules can be a challenge. We have already seen information from the ABC showing how much effort is required to enforce the laws and tax collections for out of state wine shipping.

In April 2017, the Kansas Association of Beverage Retailers (KABR) endorsed the Beer Compromise. The primary reason for the compromise was to retain a clear distinction in our law: a foundation for the safe regulation of the retail sale of alcoholic liquor according to alcohol content. Kansas law is clear – the licenses for retail sales of stronger alcohol are more restrictive. Please keep it that way.

Independently owned retail liquor stores are the state regulated off-premise retailer of higher alcohol/strong beer and all wine and spirits products. It is imperative that Kansas retain this important role for the sake of public safety and for our small businesses.

We appreciate the support we have received from the members of this committee in the past. If you have any questions about this or any other matter relating to our businesses, please do not hesitate to reach out to me or our lobbyist, Amy Campbell.

Brian Davis, KABR President

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