

SESSION OF 2012

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2521**

As Amended by House Committee on Judiciary

**Brief\***

HB 2521 would require, notwithstanding the provisions of the Kansas Administrative Procedure Act, any administrative notice and proposed civil penalty be issued no later than 90 days after the date a citation was issued for a violation of:

- The requirements for the sale of cigarettes listed in KSA 50-6a01 *et seq.* imposed on a licensed cigarette wholesale dealer, tobacco distributor, retail dealer, or vending machine operator;
- The provisions of the Kansas Cigarette and Tobacco Product Act;
- The provisions of the Kansas Liquor Control Act;
- The provisions of the Club and Drinking Establishment Act;
- The provisions of the Kansas Cereal Malt Beverage Act; or
- The provisions of the Beer and Cereal Malt Beverage Keg Registration Act.

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\*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**

In the House Committee on Judiciary, Representative Caryn Tyson and representatives of the Kansas Wine and Spirits Wholesale Association and the Kansas Association of Beverage Retailers appeared in support of the bill. The Committee also received written testimony opposing the bill from the Attorney General's Office. The Committee amended the bill throughout by replacing "civil penalty imposed" with "any administrative notice and proposed civil penalty to be imposed"; "imposed" with "issued"; and "such violation occurred" with "a citation was issued."

The fiscal note for HB 2521, as introduced, indicates passage could result in the loss of some revenues collected from civil penalties, however, a precise amount was not given.