

41-320. Application of Kansas administrative procedure act to proceedings; hearings; director as presiding officer. (a) The provisions of the Kansas administrative procedure act shall apply to all proceedings involving the following:

- (1) Denial of an application for any license to be issued pursuant to the Kansas liquor control act;
- (2) suspension of any license issued pursuant to the Kansas liquor control act;
- (3) involuntary cancellation of any license issued pursuant to the Kansas liquor control act;
- (4) revocation of any license issued pursuant to the Kansas liquor control act; and
- (5) assessment of any civil fine pursuant to K.S.A. 41-328, and amendments thereto.

(b) Except as provided in subsection (c), no license shall be suspended, involuntarily canceled or revoked unless there is an opportunity for a hearing before the director.

(c) When proceedings for the suspension, involuntary cancellation or revocation of a distributor's license are filed and the distributor has been issued more than one license for distributing places of business in this state, any order of the director suspending or revoking the license at any one place of business shall suspend or revoke all licenses issued to the distributor. When one person is the holder of stock or an ownership interest in two or more corporations licensed as distributors under the provisions of this act, any order of the director suspending or revoking the license of any such corporation shall operate as a suspension or revocation of the license of all corporations licensed as distributors in which the person is a stockholder.

(d) Notwithstanding any provision of the law to the contrary, the secretary may designate the director to be the presiding officer in any proceeding conducted pursuant to this section.

History: L. 1949, ch. 242, § 36; L. 1953, ch. 238, § 5; L. 1983, ch. 161, § 11; L. 1985, ch. 170, § 5; L. 1987, ch. 182, § 28; L. 1988, ch. 356, § 133; L. 2012, ch. 144, § 19; L. 2015, ch. 82, § 13; July 1.