

MEMORANDUM

To: Chairman Barker and Members of the Committee on Federal and State Affairs
From: Office of Revisor of Statutes
Date: February 19, 2021
RE: House Bill 2212

HB 2212 amends several statutes in the Liquor Control Act, Club and Drinking Establishment Act, and the Cereal Malt Beverage Act concerning licensure requirements. Under current law, Kansas residency is required for individuals to be licensed under the act.

HB 2212 would remove all Kansas residency requirements for licensees throughout the liquor control act, the club and drinking establishment act, and the cereal malt beverage act.

Additionally, under the Club and Drinking Establishment Act, the bill would remove the prohibition on a corporation organized in another state from obtaining a license and the requirement that a person be a resident of the same county in which the premises for which they are seeking a license are located. For individuals who are not residents of Kansas, the bill would require them to appoint an agent, who is a United States citizen and resident of Kansas, to accept service of process on their behalf from the director of ABC and Kansas courts.

Lastly, under current law, the director must require an out-of-state applicant to provide fingerprints, submit to a criminal record check, disclose any substantial financial interest, and submit financial records to verify ownership. Under the bill, this would be changed to be discretionary for the director.