



OPPOSITION TESTIMONY

House Federal and State Affairs Committee

HB 2502

An Act Authorizing retail liquor stores to sell and deliver alcoholic liquor and Cereal malt beverages to a caterer, public venue, club or drinking establishment located in any county.

**Whitney Damron
On behalf of the
Kansas Association for Responsible Liquor Laws, Inc.**

Good morning, Chairman Barker, and Members of the Committee:

By way of introduction, I am Whitney Damron and I appear before you today on behalf of the Kansas Association for Responsible Liquor Laws, Inc., to offer testimony on HB 2502 that originated from discussions held by the interim Special Committee on Liquor Law Modernization.

KARLL is an association of liquor retailers that was formed in 2012 when major liquor reform legislation was being proposed by big box retailers and convenience stores. A list of our members is included with my testimony.

The 2021 interim committee charge was stated as follows:

Evaluate the current laws in Kansas pertaining to alcoholic liquor, wine, beer, and cereal malt beverage (regulated beverages).

During the committee hearings an issue was raised by a committee member in regard to the requirement that certain licensees – e.g., a caterer, public venue, club, or DE could only solicit for delivery alcoholic liquor, wine, beer or CMB products from a retailer engaged in the wholesale sales of such products from within their own county or an adjacent county.

There was apparently some confusion in the field, so to speak as to what the definition of “adjacent” was. Did it mean a common border between counties, or would such definition also include a situation where only corners touched? Upon consultation with the Director of ABC, the matter was clarified to include the latter situation – where counties touched on a corner.

From KARLL’s perspective, we felt this issue was resolved during the interim without the need for legislation. The Special Committee did ultimately recommend a bill on the subject, which is how we have HB 2502 before you today, as I understand it.

KARLL believes current law as clarified by the Director should satisfy this issue and do not believe there is a need to adopt a bill expanding the opportunity for delivery statewide. Should the Director or the Industry bring forth evidence of areas within the State where challenges to obtaining product exist from the licensees cited in this bill, we would readily revisit the subject, but until we see a need beyond a handful of anecdotal examples, we cannot support a statewide approach to the retailer/wholesaler market.

There is a real possibility that a statewide approach to the retailer/wholesaler market would be of significant detriment to areas of the state with only one or two retailers in a county and the impact on those retailers should be considered before adoption of HB 2502 or something similar.

That said, we understand there is some thought to allow the Director the discretion to consider this issue on a case-by-case basis and (perhaps) expand the restriction to a two-county limit. We would see that as a reasonable compromise should the Committee decide to move forward with legislation.

On behalf of the Kansas Association for Responsible Liquor Laws, Inc., I appreciate your time and consideration today.

I would be pleased to stand for questions at the appropriate time.

WBD

Attachment: KARLL Membership List

**Kansas Association for
Responsible Liquor Laws, Inc.
Membership List
Established in 2012**

GARDNER

Moonlight Liquor

HAYS

Kaiser Liquor

HUTCHINSON

DJ Liquor
Egbert Liquor

KANSAS CITY

Rogers Liquor
Village West Liquors

LAWRENCE

On The Rocks

LEAWOOD

Harry's Liquor Store
Ranchmart Wine & Spirits

LENEXA

Justin's of Lenexa
Valley Wine & Spirits

MANHATTAN

The Fridge Wholesale Liquor

MISSION

Tipsy's Wine & Spirits

OLATHE

Brown Bag Liquor
Metcalf Discount Liquor

OVERLAND PARK

Lukas Wine & Spirits Superstore
MDL Wine & Spirits

SHAWNEE

Missie's Discount Liquors

SALINA

Brooks Liquor

TOPEKA

Devlin's Wine & Spirits
Vern's Retail Liquor

WICHITA

ABC Liquor
Burgardt Retail Liquor
Jacob Liquor
R & J Discount Liquor

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