

Kansas Administrative Regulations

Kansas Department of Revenue—Division of Alcoholic Beverage Control

Article 21.—Drinking Establishments

14-21-12. Storage of liquor; removal from drinking establishment premises.

(a) Each licensee shall store its liquor only on the licensed premises of the drinking establishment unless the licensee has received prior approval in writing from the director to do otherwise.

(b) Any licensee may store wine purchased by a customer only in the unopened original container on the licensed premises, pursuant to K.S.A. 41-2642 and amendments thereto. The licensee shall be responsible for the contents of each customer's wine storage area.

(c) The wine storage area shall be subject to immediate entry and inspection by any law enforcement officer or any officer or agent of the director. Each licensee shall maintain, on the licensed premises, a key or other means to access the contents of the wine storage area.

(d)(1) The licensee may allow a customer to have access to the customer's wine storage area. An agent or employee of the licensee shall accompany each customer to the customer's wine storage area.

(2) A receipt showing the quantity of each brand of wine purchased shall be maintained in each customer's wine storage area. Each time the customer requests the removal of any wine from the storage area, the licensee or its owner, employee, or agent shall mark the receipt showing the date of removal and the quantity of each brand removed.

(e) No licensee, and no owner, employee, or agent of the licensee, shall make any sales of alcoholic liquor for consumption off the licensed premises. No alcoholic liquor purchased on the drinking establishment premises shall be removed from the drinking establishment premises, except in accordance with this regulation.

(f)(1) A licensee may permit its customers to remove partially consumed bottles of wine from the licensed premises, in accordance with K.S.A. 41-2653 and amendments thereto.

(2) If any customer wishes to remove from the licensed premises a partially consumed bottle of wine that had been stored in its original unopened container pursuant to K.S.A. 41-2642 and amendments thereto and this regulation, the licensee or its employee shall provide the customer with a copy of the original receipt with a notation that the bottle was removed from the customer's wine storage area on that date.

(g) Any licensee that has extended its licensed premises onto the premises of a special event, as defined by K.S.A. 41-719 and amendments thereto, for which a temporary permit has been issued may allow customers to remove alcoholic liquor from the licensed premises onto the special event premises. Each licensee that extends its licensed premises onto the special event premises shall be liable for any violation of the club and drinking establishment act or these regulations occurring on the special event premises.

(Authorized by K.S.A. 41-2634; implementing K.S.A. 41-2613, K.S.A. 2009 Supp. 41-2642, and K.S.A. 2009 Supp. 41-2653; effective, T-88-22, July 1, 1987; effective May 1, 1988; amended Sept. 17, 2010.)

***** Authenticated Kansas Administrative Regulation *****