

## Overview of Liquor Licensing Process

### Introduction:

The Licensing Segment has worked diligently to improve and streamline our processes. Your assistance is important to ensure the licensing process goes smoothly for you. In addition to liquor enforcement and liquor drink tax types, this segment is also responsible for the maintenance of other tax types, some of which are associated to the liquor drink or liquor enforcement accounts.

### New Applications:

1. To obtain an application packet for a new liquor license:
  - Go to our website at <http://www.ksrevenue.org/abc.htm> and click on the following links: Liquor Forms and Registration, Liquor License Forms and Registration, the specific license or permit type and scroll to the New License Packet section to download the forms; **or**,
  - Call our office at 785-368-8222. Due to the diversity of the Kansas Department of Revenue, our automated phone system has several options. Please select option #5 for all other taxes then select option #4 for liquor cigarette or bingo to speak to a Licensing Representative.
2. **K.S.A. 41-319 allows the Alcoholic Beverage Control 30 days to process your application** (20 days if you are a manufacturer, distributor or non-beverage user.) This allows appropriate time to complete the administrative tasks involved. Please keep this in mind when selecting the date your business will start operating.
3. Legibly complete the ABC approved forms in the packet. Please note that you may not create or use your own forms without approval from the Kansas Department of Revenue.
  - Prior to mailing, complete the checklist provided on the cover letter.
  - Mail the application, documentation and applicable fee to the address indicated on the cover letter.
  - You may hand-deliver your application to our office in Topeka. **Please call prior to your visit** to make an appointment with a Licensing Representative. **Please note that your license will *not* be issued the day of your visit.** At the time of your visit, a Licensing Representative will:
    - Review the checklist for missing documents;
    - Briefly review the documentation you have brought in for completeness;
    - Give a receipt to you for any license fee collected;
    - Answer questions regarding the process or statutes;
    - Advise you of the 30-day processing statute (K.S.A. 41-319); and,
    - Give you a business card with their name and phone number.
4. **The 30-day time limit begins when ALL documentation has been received.** Once all documentation has been received, a Licensing Representative will:
  - Review all forms to ensure they are legible, completed entirely, and notarized, when applicable. If forms are missing or incomplete, the representative will either call the applicant or send a letter requesting the additional information.

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- Verify that all requirements of the license type applied for have been met as provided for by statute and regulation. If not, the representative will call or send a letter requesting the additional information.
- Verify if there is an active existing business at the location.
- Submit documents to ABC Enforcement for the background investigation.
- Issue the license when all documentation has been received, reviewed and approved; the background investigation has been approved; and, all fees have been paid.

### Renewal Applications:

1. As a courtesy, we will mail your renewal packet to you 60 days prior to your expiration date. **If you DO NOT receive your packet 45 days prior to expiration of your license, you may:**
  - Go to our website at <http://www.ksrevenue.org/abc.htm> and click on the following links: Liquor Forms and Registration, Liquor License Forms and Registration, the specific license or permit type and scroll to the License Renewal Packet section to download the forms; **or,**
  - Call our office at 785-368-8222. Due to the diversity of the Kansas Department of Revenue, our automated phone system has several options. Please select option #5 for all other taxes then select option #4 for liquor cigarette or bingo to verify your mailing address with a Licensing Representative so we can send you another renewal packet.
2. **K.S.A. 41-319 allows the Alcoholic Beverage Control 30 days to process your renewal application** (20 days if you are a manufacturer, distributor or non-beverage user.) This allows appropriate time to complete the administrative tasks. **Failure to submit all renewal documents and fees 30 days prior to your license expiring may result in your license expiring prior to the renewed license being issued.**
3. Legibly complete the ABC approved forms in the packet. Please note that you may not create or use your own forms without approval from the Kansas Department of Revenue.
4. Mail or hand-deliver your renewal application to the ABC/Customer Relations Licensing Segment. We no longer accept faxed copies of renewal packets.

### Renewal Applications Mailed:

- Complete the checklist provided to you on the cover letter.
- Mail the application, documentation and applicable renewal fees to the address indicated on the cover letter at least **30 days prior to the expiration of your license.**
- Renewal applications are worked in date order according to the date received by the Licensing Segment.

### Renewal Applications Hand-Delivered:

You may either drop your renewal packet off at the Taxpayer Assistance Center in the Docking State Office Building lobby or call our office to schedule a visit with a Licensing Representative. During your visit, the Licensing Representative will:

- Review the checklist for missing documents;

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- Briefly review the documentation you have brought in for completeness;
  - Give a receipt to you for any monies collected;
  - Answer questions regarding the process or statutes;
  - Advise you of the 30-day statute (K.S.A. 41-319);
  - Give you a business card with their name & phone number; and,
  - Process your renewal application in date order according to the date it was received.
  - **NOTE: If you are hand-delivering your renewal packet less than 30 days prior to the expiration of your license, there is no guarantee your renewed license will be issued prior to expiration of your current license.**
5. **The 30-day time limit begins when ALL documentation has been received.** Once all documentation has been received, a Licensing Representative will:
- Review all forms to ensure they are legible, completed entirely, and notarized, when applicable. If forms are missing or incomplete, the representative will either call the applicant or send a letter requesting the additional information.
  - Verify all requirements of the license type applied for have been met as provided for by statute and regulation. If not, the representative will call or send a letter requesting the additional information.
  - Verify tax compliance.
  - Verify bond information and requirements.
  - Submit documents to the ABC Enforcement Section for the background investigation to be completed.
  - Issue the license when all documentation has been received, reviewed and approved; the background investigation has been approved; and, all fees, taxes and fines, if any, have been paid.
6. Make your renewal stress-free by:
- ✓ Following the checklist we provide you in your renewal packet;
  - ✓ Sending us your renewal application **at least 30 days** prior to the expiration of your license;
  - ✓ Ensuring all of your liquor returns have been filed and paid, as well as any fines; and,
  - ✓ Informing us of mailing address changes.

## When to Contact Us:

### You are required to contact us when any of these events occur:

- New employees are hired
  - Requires the Employee Registration Form ABC-280
  - <http://www.ksrevenue.org/pdf/forms/abc280.pdf>
- Change of officers, partners or members
  - Requires the Ownership Disclosure Form ABC-280-OD
  - <http://www.ksrevenue.org/pdf/forms/abc280od.pdf>
- Change of mailing address
  - Requires ABC Liquor License or Permit Change of Address or Name Form ABC-22
  - <http://www.ksrevenue.org/pdf/forms/abc22.pdf>

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- Business is closing.
  - In order to receive a refund of any prorated license fee that may be due or to release your bond, you must surrender your liquor license with the signature of owner or officer, the date your business closed and a current mailing address written on the back of the certificate.
  - NOTE: The license fee is prorated based on the number of full calendar months remaining for the license period and when the surrendered license is received.

### You are required to contact us prior to any of these events occurring:

- Change of ownership or ownership type
  - Call at least 30-45 days prior to the change as a new license may be required.
- Change of business location
  - Submit the ABC Move Request Form ABC-35, Zoning Form, Diagram and Lease Agreement at least 30 days prior to the move as additional may be required.
  - ABC-35 <http://www.ksrevenue.org/pdf/forms/abc35.pdf>
- You will be selling your liquor business
  - Call at least 30-45 days prior to the sale for specific instructions.
  - **DO NOT** allow anyone to use your liquor license as it is a violation of the State liquor laws.

## Common Omissions:

### New Applications:

- Copy of Alcohol Liquor Dealer Registration (ATF F 5630.5d form) not included.
- Copy of Basic Permit Registration (ATF F 5100.24) not included.
  - This form is required only for retailers that want to be a wholesaler.
- The lease and/or bond is not in the name of the entity applying for the license.
- The city/county seal is not on the Zoning form (ABC-280-8).
- Spousal information is missing and/or incomplete on the Ownership Disclosure Form (ABC 280-OD).
- Supporting documentation, i.e. loan agreement, amortization statement, bank statement, is missing and/or incomplete on the Attachment A of the Ownership Disclosure Form (ABC 280-OD).
- Employee Registration form (ABC-280) is incomplete or not legible.
- Process Agent is not identified on Ownership Disclosure Form ABC-280-OD form.

### Renewal Applications:

- Spousal information is missing and/or incomplete on the Ownership Disclosure Form ABC 280-OD form.
- Process Agent is not identified on Ownership Disclosure Form ABC-280-OD form.
- Employee Registration form (ABC-280) is incomplete or not legible.