

Overview of Kansas ABC Liquor Licensing Process for Manufacturers, Warehouses, Distributors, Farm Wineries, Farm Winery Outlets, Microbreweries and Microbrewery Packaging and Warehousing Facilities

Introduction:

The Marketing Unit has worked diligently to improve and streamline our processes. Your assistance is important to ensure the licensing process goes smoothly for you.

New Applications:

1. To obtain an application packet for a new liquor license:
 - o 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**,
 - o Call our office at 785-296-7015.
2. **K.S.A. 41-319 allows the Alcoholic Beverage Control 20 days to process your application** (30 days if you are a farm winery or microbrewery.) 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.
 - o Prior to mailing, complete the checklist provided on the cover letter.
 - o Mail the application, documentation and applicable fee to the address indicated on the cover letter.
 - o You may hand-deliver your application to our office in Topeka. **Please call prior to your visit to make an appointment with a Marketing Unit Representative. Please note that your license will not be issued the day of your visit.** At the time of your visit, a Marketing Unit 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 20 (or 30) day processing statute (K.S.A. 41-319); and,
 - Give you a business card with their name and phone number.
4. **The 20 or 30-day time limit begins when ALL documentation has been received.** Once all documentation has been received, a Marketing Unit Representative will:
 - o 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.
 - o 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.
 - o Verify if there is an active existing business at the location.
 - o Submit documents to ABC Enforcement for the background investigation.
 - o 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:**
 - o 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**,
 - o Call our office at 785-296-7015.

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2. **K.S.A. 41-319 allows the Alcoholic Beverage Control 20 days to process your renewal application** (30 days if you are a farm winery or microbrewery.) This allows appropriate time to complete the administrative tasks. **Failure to submit all renewal documents and fees 20 (or 30) days prior to your license expiring may result in your license expiring prior to the renewed license being issued. If your license expires before you receive your renewed license, you cannot purchase or sell any alcoholic liquor.**
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/Marketing Unit. We do not 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 Marketing Unit.

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 Marketing Unit Representative. During your visit, the Marketing Unit 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 monies collected;
 - Answer questions regarding the process or statutes;
 - Advise you of the 20 (or 30) day processing 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. If your license expires before you receive your renewed license, you cannot purchase or sell any alcoholic liquor.**
5. **The 20 (or 30) day time limit begins when ALL documentation has been received.** Once all documentation has been received, a Marketing Unit 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.

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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)
 - Link to ABC-280: <http://www.ksrevenue.org/pdf/forms/abc280.pdf>
- Change of officers, partners or members
 - Requires the Ownership Disclosure form (ABC-280-OD)
 - Link to 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)
 - Link to ABC-22: <http://www.ksrevenue.org/pdf/forms/abc22.pdf>
- 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 (ABC-280-8), Diagram and Lease Agreement at least 30 days prior to the move as additional information may be required.
 - Link to ABC-35: <http://www.ksrevenue.org/pdf/forms/abc35.pdf>
 - Link to ABC-280-8: http://www.ksrevenue.org/pdf/forms/abc280_8.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:

- Copy of Alcohol Dealer Registration form (TTB F 5630.5d) not included.
 - This form is required for all license types except Microbrewery Packaging and Warehousing Facility or Warehouses.
- Copy of Basic Permit Registration form (TTB F 5100.24) not included.
 - This form is required for all Distributors, Farm Wineries, Spirits and/or Wine Manufacturers.
- Copy of Brewer's Notice (TTB F 5130.10) not included.
 - This form is required for all Beer Manufacturers and Microbreweries.
- The lease and/or bond is not in the name of the entity applying for the license.
- 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).
- Ownership Disclosure form ABC 280-OD: Spousal information is missing and/or incomplete or a Process Agent has not been identified.
- Employee Registration form (ABC-280): incomplete or not legible.
- Zoning form (ABC-280-8): The city/county seal is missing.