

**KANSAS DEPARTMENT OF REVENUE
LIQUOR FINE AND PENALTY SCHEDULE
July 1, 2009**

Category	Violation	K.S.A.	K.A.R.	Penalty
1 Serious or Disqualifying	Acting as an agent of another	41-311(a) 41-901(a) 41-2623(a)	14-13-2(c) 14-19-16 14-20-16(a) 14-21-3(a) 14-22-3(a) 14-23-3	The Director shall choose one of the following penalties: <ul style="list-style-type: none"> • \$1000 fine • License Revocation • \$1000 fine and revocation • Indefinite Suspension
	Denying immediate entry to any law enforcement agent or officer	41-2613	14-13-13(d) 14-14-11(d) 14-19-27(c) 14-20-29(c) 14-21-12(c)	
	Knowingly employing a person with a disqualifying conviction	41-2610(b) 41-2610(c) 41-308a(g) 41-308b(g) 41-713	14-13-5(c) 14-19-24(b) 14-20-26(b) 14-21-9(b) 14-22-9(b) 14-23-7(d) 14-23-7(e)	
	Failing to maintain food requirements	None	14-21-6(b)	
	Knowingly employing manager who would not qualify for license	None	14-13-14(d)	
	Giving false information or statements to the Alcoholic Beverage Control Division	41-901(a) 41-2611(a)	None	
	Having a conflicting interest	41-311(a) 41-311(b) 41-311(f) 41-2623(a)	14-13-2(c) 14-14-2(d) 14-19-16(a) 14-19-16(b) 14-19-16(c) 14-19-16(e) 14-20-16(a) 14-20-16(e) 14-21-3(a) 14-21-3(b) 14-22-3(a) 14-22-3(b) 14-23-3	

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1 Serious or Disqualifying	Operating while ineligible for licensure	41-311 41-2623 41-313	None	The Director shall choose one of the following penalties: <ul style="list-style-type: none"> • \$1000 fine • License Revocation • \$1000 fine and revocation • Indefinite Suspension
	Transferring license to another person or entity	41-326 41-2629 41-2636	None	
	Delivering or selling alcoholic liquor for resale to a person not authorized to receive such delivery	41-709(a)	14-13-9(d)	
	Sell in federal area	41-329(a)	None	
	Licensee has disqualifying conviction	41-311(a) 41-2623	14-13-2(c) 14-19-16 14-20-16(a) 14-20-16(b) 14-21-3(a) 14-21-3(b) 14-22-3(a) 14-22-3(b) 14-23-3	
	Operating under suspension	None	14-16-22	
2 Underage Public Safety	Indirect selling to a minor	None	14-13-13(o)	Offense 1 \$500 per minor
	Permitting consumption or possession on the licensed premises by a minor	41-2615(a)	None	Offense 2 \$750 per minor
	Selling, giving, delivering, or furnishing alcoholic liquor to a minor	None	14-13-13(n)	Offense 3 \$1000 per minor
			14-11-23(a) 14-11-28	Offense 4 \$1000 per minor Suspension of 2 weekend days (Friday and Saturday) Offense 5 \$1000 per minor Suspension of 4 weekend days (Friday and Saturday) Offense 6 \$1000 per minor Suspension of 7 consecutive days (Days to be determined by the director) Offense 7 \$1000 per minor Suspension of 14 consecutive days (Days to be determined by the director) Offense 8 \$1000 per minor License revocation

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3 Public Safety	Allowing a disorderly person to remain on the premises	41-2611(e)	None	Offense 1 \$300 per count
	Allowing an intoxicated person to remain on the premises	None	14-13-13(k)	Offense 2 \$500 per count
	Intoxication of a licensee's manager or employee while on duty	41-2611(d)	14-13-13(k)	Offense 3 \$750 per count
	Allowing any drinking contest or game	41-2640(a)	None	Offense 4 \$1000 per count Suspension of 2 weekend days (Friday and Saturday)
	Offering free drinks	41-2640(a)	None	
	Offering unlimited drinks for fixed price	41-2640(a)	None	Offense 5 \$1000 per count Suspension of 4 weekend days (Friday and Saturday)
	Selling below cost	41-729(a) 41-2640(a)	None	
	Selling to a person incapacitated by the consumption of liquor	41-715(a) 41-2611(f)	None	Offense 6 \$1000 per count Suspension of 14 consecutive days (Days to be determined by the director)
			Offense 7 \$1000 per count License Revocation	
4 Morals	Any morals charge, as defined in K.S.A. 41-2601(n), on the licensed premises	41-2611(f)	14-13-13(a) 14-19-35(f) 14-20-37(e) 14-21-20(e) 14-22-20(e) 14-23-15(e)	The director shall choose one of the following penalties: <ul style="list-style-type: none"> • \$1000 fine • Suspension (duration to be determined by director) • \$1000 fine and a suspension (duration to be determined by director) • License Revocation

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5 Operational	Allowing access by a non-member	41-2637(a) 41-2641(a)	14-19-21(a) 14-20-21(a)	Offense 1 \$300 per count
	Permitting access to a person who is not a valid guest of a member as defined by K.A.R. 14-19-14(h) or K.A.R. 14-20-14(h)	41-2637(a) 41-2641(a)	14-19-21(a) 14-20-21(a)	Offense 2 \$500 per count
	Violating club membership regulations	41-2641(c) 41-2639	14-20-25	Offense 3 \$1000 per count
	Failing to keep a membership roster on the licensed premises	41-2610(d)	14-19-22 14-20-22	Offense 4 \$1000 per count Suspension of 2 weekend days (Friday and Saturday)
	Engaging in prohibited trade practice	41-341 41-1101 41-2632(b) 41-702(b) 41-703	14-10-7 14-10-8 14-10-9 14-10-10 14-10-11	Offense 5 \$1000 per count Suspension of 4 consecutive days (Days to be determined by the director)
			14-13-13(b) 14-13-13(c) 14-13-13(e) 14-13-13(g) 14-13-13(m) 14-13-14(d) 14-14-5(b) 14-14-11	Offense 6 \$1000 per count Suspension of 7 consecutive days (Days to be determined by the director)
				Offense 7 \$1000 per count License Revocation
				OR
				Other penalty to be determined by the Director
	Being open to the public without prior approval	None	14-19-36(a) 14-20-38(a)	
	Serving or allowing consumption of any cereal malt beverage on the licensed premises outside legal hours	41-2704	None	
	Serving, mixing or allowing the consumption of any alcoholic liquor on the licensed premises after legal closing hours	41-2614(a) 41-2614(b) 41-308a(d) 41-308b(d)	None	
	Improper delivery by a retailer	None	14-13-9(a)	
	Selling or delivering liquor to unlicensed premises	41-701	14-13-9(a)	
Selling to a county not adjacent to the licensed premises	41-308(a)	None		
Delivering liquor outside legal hours	None	14-13-9(a) 14-13-13(f)		
Selling or allowing removal of liquor from the premises outside legal hours	41-712 41-308a(d) 41-308b(d)	14-13-13(f)		

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5 Operational	Engaging in price discrimination	41-2640(a)	14-19-31(a) 14-20-33(a) 14-21-16(a) 14-22-17(a) 14-23-13(a)	Offense 1 \$300 per count Offense 2 \$500 per count Offense 3 \$1000 per count
	Allowing a salesperson to sell without a permit	41-333 41-334	None	Offense 4 \$1000 per count Suspension of 2 weekend days (Friday and Saturday)
	Allowing entertainment or gambling on the RLS premises	41-308(c)	14-13-13(a)	
	Allowing members to warehouse alcohol	None	14-19-28(b) 14-20-30(b) 14-21-13(b)	Offense 5 \$1000 per count Suspension of 4 consecutive days (Days to be determined by the director)
	Allowing open container on premises	None	14-13-13(h)	Offense 6 \$1000 per count Suspension of 7 consecutive days (Days to be determined by the director)
	Allowing unregistered employee to purchase alcohol	None	14-19-25(f) 14-20-27(f) 14-21-10(f) 14-22-10(f)	
	Buying on credit from any distributor	41-702(a)	14-13-13(p)	Offense 7 \$1000 per count License Revocation
	Selling on credit	41-717 41-728(a)	14-13-13(p)	
	Refilling original containers	41-718	14-13-13(t) 14-19-28(a) 14-20-30(a) 14-21-13(a) 14-23-5(c)	OR Other penalty to be determined by the Director
	Employing any person who is a licensed distributor, an employee of a licensed distributor, or a spouse of a licensed distributor	None	14-13-5(c) 14-19-24(b) 14-20-26(b) 14-21-9(b) 14-22-9(b)	
	Employing a retailer	None	14-19-24(b) 14-20-26(b) 14-21-9(b) 14-22-9(b)	
	Employing a person who does not meet the age requirement	41-713 41-2610(a) 41-2610(g) 41-308a(g) 41-308b(g)	14-13-5(c) 14-19-24(b) 14-20-26(b) 14-21-9(b) 14-22-9(b) 14-23-7	

**KANSAS DEPARTMENT OF REVENUE
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July 1, 2009**

Category	Violation	K.S.A.	K.A.R.	Penalty
5 Operational	Permitting the removal from the licensed premises of alcoholic liquor or cereal malt beverage sold by the licensee, without having properly re-sealed and packaged the container.	41-2653(a) 41-2637(a) 41-2641(a) 41-2642(a)	14-19-27(g) 14-20-29(g) 14-21-12(b) 14-22-13 14-23-10	Offense 1 \$300 per count Offense 2 \$500 per count Offense 3 \$1000 per count
	Purchase liquor from a retailer or distributor without a wholesale permit	41-2610(e)	14-19-25(c) 14-19-25(d) 14-20-27(c) 14-21-10(c) 14-22-10(c) 14-23-8(c)	Offense 4 \$1000 per count Suspension of 2 weekend days (Friday and Saturday) Offense 5 \$1000 per count Suspension of 4 consecutive days (Days to be determined by the director)
	Purchase liquor from a source other than a licensed Distributor	41-708	None	Offense 6 \$1000 per count Suspension of 7 consecutive days (Days to be determined by the director)
	Purchase liquor from a person without a sales permit	41-336	None	
	Purchasing liquor from a distributor by a temporary permit holder	None	14-23-8(a)	Offense 7 \$1000 per count License Revocation
	Allowing another to use the licensed premises	None	14-13-13(l)	
	Allowing consumption on or about the RLS premises	41-308(a)	14-13-13(j)	OR Other penalty to be determined by the Director
	Selling CMB without a CMB license	None	14-19-29(b) 14-20-31(b) 14-21-14(b) 14-22-6(g) 14-23-5(c)	
	Offering to sell something of value other than alcoholic liquor.	41-308(b)	None	
	Unlawful sale of domestic wine at a farmer's market	K.S.A. 41-305	14-11-24	
	Commingling the operation and sales of a manufacturer and a farm winery	41-351	14-11-25	
	Failing to maintain customer wine storage area in accordance with law	41-2637(c) 41-2641(e) 41-2642(e)	14-19-27 14-20-29 14-21-12	

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Category	Violation	K.S.A.	K.A.R.	Penalty
6 Tax Compliance	Failure to timely file and/or pay liquor enforcement, liquor drink or gallonage taxes, penalty, interest or any combination.	79-4102	92-24-14	Offense 1 \$250 per tax period
		79-41a02	14-11-23	Offense 2 \$500 per tax period
		79-4103	14-11-24	
		79-41a03	14-11-25	Offense 3 \$1000 per tax period
		41-501		Offense 4 \$1000 per tax period License Revocation

Category	Violation	K.S.A.	K.A.R.	Penalty
7 Administrative	Failing to submit required reports	41-601	14-13-10(c)	Offense 1 \$200 per count
			14-13-13(q)	Offense 2 \$400 per count
			14-14-8(c)	
	Fail to conspicuously post sign that drink prices include retail liquor excise tax	None	14-14-8(d)	Offense 3 \$600 per count
			14-14-10(a)	Offense 4 \$800 per count
	Failing to obtain or display a salesperson permit	41-335	14-11-4(c) 14-11-24	Offense 5 \$1000 per count
Failing to display the state license	41-325 41-2612	14-19-37 14-20-39	Offense 6 \$1000 per count Suspension of 1 weekday (Monday - Thursday)	

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	Failing to notify director of possession of a cereal malt beverage license	None	14-19-29(a) 14-20-31(a) 14-21-14(a)	Offense 7 \$1000 per count Suspension of 2 weekdays (Monday - Thursday) Offense 8 \$1000 per count Suspension of 2 weekend days (Friday and Saturday) Offense 9 \$1000 per count Suspension of 4 weekend days (Friday and Saturday) Offense 10+ \$1000 per count Suspension of 7 consecutive days (To be determined by the Director)
Category	Violation	K.S.A.	K.A.R.	Penalty
7 Administrative	Failing to retain the required records	41-602	14-10-12 14-13-10(d) 14-13-10(e) 14-13-13(q) 14-14-8(e) 14-14-9 14-14-10(b) 14-19-25(e) 14-19-25(g) 14-20-27(e) 14-20-27(g) 14-21-10(e) 14-21-10(g) 14-22-6(h) 14-22-10(e) 14-22-10(g) 14-23-8(d)	Offense 1 \$200 per count Offense 2 \$400 per count Offense 3 \$600 per count Offense 4 \$800 per count Offense 5 \$1000 per count Offense 6 \$1000 per count Suspension of 1 weekday (Monday - Thursday) Offense 7 \$1000 per count Suspension of 2 weekdays (Monday - Thursday) Offense 8 \$1000 per count Suspension of 2 weekend days (Friday and Saturday) Offense 9 \$1000 per count Suspension of 4 weekend days (Friday and Saturday)
	Failing to purchase or display the federal special tax stamp	None	14-13-4(b) 14-19-33 14-20-35 14-21-18 14-22-18	Offense 10+ \$1000 per count Suspension of 7 consecutive days (To be determined by the Director)
	Failing to register any brand or label with the director	41-331(b)	14-11-26	
	Failing to pay label fee	41-331(b)	None	
	Failing to post a temporary permit	None	14-23-5(b)	

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July 1, 2009**

	Failing to adequately define the boundary of the temporary event premises	41-719(a) 41-2645(e)	14-23-10
	Failing to provide a current drink price list	41-2640(e)	None
	Storing alcoholic liquor off the licensed premises	None	14-13-9(e) 14-19-27(a) 14-20-29(a) 14-21-12(a)
	Maintaining an inside entrance	41-711	None
	Failing to obtain or display a federal wholesale permit	None	14-13-9(a)
	Failing to provide invoices	None	14-13-10(b)
	Failure to tag keg	41-2905(a)	14-15-2(a)
	Failure to tag keg - CMB	41-2906(a)	14-15-2(a)

Category	Violation	K.S.A.	K.A.R.	Penalty		
7 Administrative	Failure to record and/or maintain keg registration records	41-2905(a)	14-15-2(d) 14-15-2(g)	Offense 1	\$200 per count	
	Failure to record and/or maintain keg registration records – CMB	41-2906(a)	14-15-2(d) 14-15-2(g)	Offense 2	\$400 per count	
				Offense 3	\$600 per count	
	Moving location of licensed premises without approval by the Director	41-315 41-2627	14-13-6	Offense 4	\$800 per count	
	Extending premises without approval by the Director	41-2645	14-21-21	Offense 5	1000 per count	
	Failing to properly notify local law enforcement of a catered event	41-2643(d)	14-22-6(c) 14-22-6(d) 14-22-6(e)	Offense 6	1000 per count	Suspension of 1 weekday (Monday - Thursday)
	Failing to display a caterer's license or other required information	None	14-22-6(f)	Offense 7	\$1000 per count	Suspension of 2 weekdays (Monday - Thursday)
	Employing a manger without notifying Director	None	14-13-14(c)	Offense 8	\$1000 per count	Suspension of 2 weekend days (Friday and Saturday)
	Operating without a local license	41-2622 41-310(l)	14-13-4(a) 14-19-32 14-20-34 14-21-17	Offense 9	\$1000 per count	Suspension of 4 weekend days (Friday and Saturday)
			Offense 10+	\$1000 per count	Suspension of 7 consecutive days (Friday and Saturday)	

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LIQUOR FINE AND PENALTY SCHEDULE
July 1, 2009**

	Permitting an unregistered employee to work	None	14-11-4(a) 14-13-5(a) 14-19-24(a) 14-20-26(a) 14-21-9(a) 14-22-9(a)	(To be determined by the Director)
	Possessing untaxed liquor on licensed premises	41-706 41-508	14-13-13(i) 14-19-28(a) 14-20-30(a) 14-21-13(a) 14-22-14 14-23-11	