

February 1, 2010

Dear City/County Clerk:

This notice contains important information regarding Cereal Malt Beverage (CMB) Applications, State CMB Stamps and quarterly CMB Stamp Reports.

2009 Questionnaire Results

Thank you for your time responding to the questionnaire that was included in the 2009 annual notice packet. The most common responses indicated that the CMB application forms were difficult to understand and complete, adding spaces for the Kansas Sales Tax ID number with the effective dates for the license along with other suggestions.

In response to the questionnaire results, the ABC has worked with the Attorney General's office to incorporate your requests into the CMB Application and simplify the application. We are pleased to announce that the Attorney General's office has approved new application forms that are fillable or they may be downloaded and printed. The CMB page on the Alcoholic Beverage Control website links directly to the Attorney General's website to obtain the most current application.

Effective immediately, please discontinue use of the obsolete forms and use the new forms that are approved by the Attorney General's office. Pursuant to K.S.A. 41-2702(c), all CMB applications must be made upon the form approved by the Attorney General's Office and cannot be created or modified by the city/county.

Applications that are not made on the form prepared by the Attorney General's office will be rejected by the ABC and returned to the city/county for compliance with Kansas Law.

Cereal Malt Beverage Applications

Cities and counties must verify each CMB application, collect the \$25 State CMB Stamp fee for each license and affix the State CMB Stamp to the application and license. There are two types of licenses: On-Premise consumption and Off-Premise consumption. Each license type requires a separate application, State CMB Stamp **and** license.

To obtain applications:

1. Visit the Cereal Malt Beverage website at <http://www.ksrevenue.org/cmb.htm> Select the link to the appropriate application type to obtain the form prepared by the Office of the Kansas Attorney General and print; or, you may obtain the applications on the Attorney General's website at <http://www.ksag.org/page/cereal-malt-beverage-applications>
2. Call the Copy Center of Topeka at 785-234-6613 and order the appropriate application.

Pursuant to K.S.A. 41-2702(d)(1) and K.S.A. 41-2702(d)(2), cities and counties may charge an annual license fee in addition to the State CMB Stamp fee. The city/county may not alter the license fee schedule. The fee schedule is:

On-Premise Consumption (taverns, restaurants, etc.)	\$25 - \$200
Off-Premise Consumption (grocery stores, convenience stores, etc.)	\$25 - \$50

All applicants **must** be registered with the Kansas Department of Revenue to collect and remit sales tax, which is then distributed to your city or county. If the applicant has not applied for a sales tax number, please instruct them to obtain a Kansas Business Tax Application (CR-16) using any of the following options:

1. Complete your Business Registration On-Line via the Kansas Business Center <http://www.ksrevenue.org/busregistration.htm>
2. Download and print the application. <http://www.ksrevenue.org/busregistration.htm>
3. Send an e-mail requesting the form to forms@kdor.state.ks.us
4. Call the Kansas Department of Revenue Forms Order Line at 785-296-4937

DIVISION OF ALCOHOLIC BEVERAGE CONTROL
DOCKING STATE OFFICE BUILDING, 915 SW HARRISON ST., TOPEKA, KS 66625-3512
Voice 785-296-7015 Fax 785-296-7185 <http://www.ksrevenue.org/abc.htm>

Cereal Malt Beverage Retailer Licenses

Cities and counties approve and issue the Cereal Malt Beverage Retailer licenses. Licenses may be created by the city/county or be obtained from a print shop such as the Copy Center of Topeka by calling 785-234-6613.

If an applicant is approved for both on-premise and off-premise licenses, you must issue a license for each type. DO NOT put two State CMB Stamps on one license.

Obtaining State Cereal Malt Beverage Stamps

To obtain State CMB Stamps, please use the State CMB Stamp Order Form (ABC-303) to request State CMB Stamps. Send your completed Order Form to our office by mailing, faxing or e-mailing to the address or fax number listed on the form. To obtain the form, go to: <http://www.ksrevenue.org/cmb.htm>

Reporting Cereal Malt Beverage Stamp Sales

All cities and counties are required to file their CMB Stamp Report with the Alcoholic Beverage Control (ABC) on a quarterly basis.

To ensure the correct State CMB Stamp fees are received, please keep all approved applications until your report is due. DO NOT submit applications without the CMB Stamp Report (ABC-301) and the CMB Stamp fee.

FILING:

1. Complete your Kansas CMB Stamp Report (ABC-301) using the instructions provided with the form.
2. Make a copy of the completed report for your records.
3. If you have issued CMB licenses for the report period, attach a copy of each application that has the red State CMB Stamp affixed and remit \$25 for each application by the due date along with your report.
4. **If you did not sell any CMB Stamps, you are still required to file the quarterly report (ABC-301) indicating “no sales”.**

Additional Information

- Current CMB information, applications and forms are available on the Cereal Malt Beverage page on our website. Go to: <http://www.ksrevenue.org/cmb.htm>
- A checklist has been created to assist you with CMB Applications and may be downloaded and printed from our website.
- The Cereal Malt Beverage Act and Reference Guide are available on our website.

Contact Information

If you have questions regarding Cereal Malt Beverage, please contact our office at 785-296-7015 and press option #2. Emails are preferred to abc_marketing_unit@kdor.state.ks.us

Notice Information

If you have questions regarding this notice, please contact Debbi Beavers at debbi_beavers@kdor.state.ks.us or by phone at 785-296-4312.

Thank you for your cooperation.

Thomas W. Groneman

Thomas W. Groneman, Director
Alcoholic Beverage Control