

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 4528-01  
Bill No.: SB 1001  
Subject: Alcohol; Kansas City; Licenses - Liquor and Beer  
Type: Original  
Date: February 5, 2008

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Bill Summary: This proposal allows a Kansas City festival district's promotional association to obtain a license to sell alcohol for consumption.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
General Revenue	(\$69,257)	(\$58,041)	(\$59,809)
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>(\$69,257)</b>	<b>(\$58,041)</b>	<b>(\$59,809)</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 6 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2009</b>	<b>FY 2010</b>	<b>FY 2011</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2009</b>	<b>FY 2010</b>	<b>FY 2011</b>
General Revenue	1 FTE	1 FTE	1 FTE
<b>Total Estimated Net Effect on FTE</b>	<b>1 FTE</b>	<b>1 FTE</b>	<b>1 FTE</b>

Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2009</b>	<b>FY 2010</b>	<b>FY 2011</b>
<b>Local Government</b>	<b>\$1,875</b>	<b>\$2,250</b>	<b>\$2,250</b>

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## **FISCAL ANALYSIS**

### ASSUMPTION

Officials from the **Department of Public Safety - Alcohol and Tobacco Control (ATC)** state this bill would allow for a new license type for promotional associations within a festival district. The festival district must include three or more alcohol licensed businesses and a common area and must be closed to traffic. The promotional association would be required to submit a plan to the city with details about the event and would be permitted to sell liquor for consumption within the district common including on Sunday. Customers would be permitted to leave the licensed establishment with an alcoholic beverage and consume it within the festival district. Minors allowed at the event must be easily distinguished from persons of legal age. The ATC would need an additional Agent to conduct party patrols and walk-throughs during festival events to assure that alcohol is not being provided to underage patrons outside the licensed establishments in the festival district, and that sales are not made to intoxicated persons. Any new license type that increases the availability of alcohol would require additional enforcement staff.

The ATC assumes an annual fee revenue resulting from this proposal of \$900 per year (three licenses) to the General Revenue Fund as well as \$1,350 (150% of state fee) to cities and \$900 (100% of state fee) to counties.

The ATC assumes a total cost of the additional FTE to be \$70,007 in FY 2009 (which includes the purchase of a \$16,000 vehicle), and roughly \$60,000 per year thereafter.

Officials from the **City of Kansas City** did not respond to our request for fiscal impact; however, in response to a similar proposal from 2007 (HB 736), Kansas City assumed no fiscal impact.

**This proposal could increase Total State Revenues.**

<u>FISCAL IMPACT - State Government</u>	FY 2009 (10 Mo.)	FY 2010	FY 2011
<b>GENERAL REVENUE</b>			
<u>Income</u> - Alcohol & Tobacco Control			
Liquor license revenue from festival district permits	\$750	\$900	\$900
<u>Costs</u> - Alcohol and Tobacco Control			
Personal Service (1 FTE)	(\$28,871)	(\$35,684)	(\$36,755)
Fringe Benefits	(\$12,767)	(\$15,779)	(\$16,253)
Expense and Equipment	<u>(\$28,369)</u>	<u>(\$7,478)</u>	<u>(\$7,701)</u>
<u>Total Costs</u> - ATC	<u>(\$70,007)</u>	<u>(\$58,941)</u>	<u>(\$60,709)</u>
FTE Change ATC	1 FTE	1 FTE	1 FTE
<b>ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND</b>	<b><u>(\$69,257)</u></b>	<b><u>(\$58,041)</u></b>	<b><u>(\$59,809)</u></b>
Estimated Net FTE Change for General Revenue Fund	1 FTE	1 FTE	1 FTE
<u>FISCAL IMPACT - Local Government</u>	FY 2009 (10 Mo.)	FY 2010	FY 2011
<b>LOCAL POLITICAL SUBDIVISIONS</b>			
<u>Cities</u> - Increase liquor license revenue from festival district permits			
	\$1,125	\$1,350	\$1,350
<u>Counties</u> - Increase liquor license revenue from festival district permits			
	<u>\$750</u>	<u>\$900</u>	<u>\$900</u>
<b>ESTIMATED NET EFFECT TO LOCAL POLITICAL SUBDIVISIONS</b>	<b><u>\$1,875</u></b>	<b><u>\$2,250</u></b>	<b><u>\$2,250</u></b>

### FISCAL IMPACT - Small Business

Small businesses that desire to create a festival district could be fiscally impacted as a result of this proposal.

### FISCAL DESCRIPTION

This proposal allows a Kansas City festival district's promotional association to obtain a license to sell intoxicating liquor and nonintoxicating beer for consumption at the businesses and common areas within the festival district. The promotional association may apply for a festival district special license by submitting a plan to the governing body of the city and getting approval by a majority vote. If approved, the association may apply to the Supervisor of Alcohol and Tobacco Control for such license.

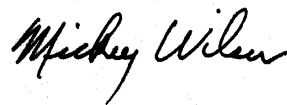
Such promotional association may permit customers to leave an establishment within the district after purchasing alcohol and consume the beverage in the district common areas or another establishment, but no person shall be allowed to take a alcoholic beverage outside the festival district boundaries.

If minors are allowed to enter the district, the applicant must ensure they are easily distinguishable from persons of legal age. The permit holder is solely responsible for any alcohol violations occurring within the common areas. The promotional association may be assessed a civil fine of not more than \$5,000 for a violation. If the association is found to be responsible for violations at three separate events, its license shall be revoked and not reissued.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

### SOURCES OF INFORMATION

Department of Public Safety  
City of Kansas City



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