



STATE OF KANSAS

Office of the Attorney General

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Curt T. Schneider
Attorney General

June 14, 1977

ATTORNEY GENERAL OPINION NO. 77-196

Mr. Bert R. Hooper
Assistant County Attorney
415 North Washington
Liberal, Kansas 67901

Re: Counties--Cereal Malt Beverages--Consumption

Synopsis: The board of county commissioners may lawfully authorize the consumption of cereal malt beverages with an alcohol content of not more than 3.2% by weight on county-owned property.


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Dear Mr. Hooper:

You inquire whether the board of county commissioners of Seward County may authorize the sale and consumption of cereal malt beverage on county-owned property in Seward County.

As you point out, K.S.A. 1976 Supp. 41-419 provides that it shall be unlawful to consume "alcoholic liquor" upon any "property owned by the state or any governmental subdivision thereof. . . ." The term "alcoholic liquor" is defined by K.S.A. 41-101(2) specifically to exclude "any beer or cereal malt beverage containing not more than three and two-tenths percent (3.2%) of alcohol by weight." The board of county commissioners may lawfully authorize the consumption of cereal malt beverages with an alcohol content of not more than 3.2% by weight upon county-owned property.

Yours truly,


CURT T. SCHNEIDER
Attorney General

CTS:JRM:kj