

438.3067 License application approval and denial -- Revocation -- Appeals.

- (1) The commissioner shall approve or deny every application for a tobacco, nicotine, or vapor product license.
- (2) If the application is denied, the:
 - (a) License shall not be issued;
 - (b) Applicant shall be notified of the commissioner's denial, which shall include the reason for the denial; and
 - (c) Applicant may, within thirty (30) days, appeal the denial and request an administrative hearing on the matter in accordance with KRS Chapter 13B.
- (3) (a) If the commissioner revokes a license pursuant to KRS 438.3069, the commissioner shall:
 1. Notify the applicant within ten (10) days of the decision to revoke the license; and
 2. Upon the request of a denied licensee, commence a hearing on the license revocation in accordance with KRS Chapter 13B.
- (b) Revocation of a license subject to KRS 438.305 to 438.350 for any reason shall result in the inability of a retailer to reapply for a license for two (2) years.
- (c)
 1. A final order of the commissioner shall be appealable to the Franklin Circuit Court.
 2. The licensee may, within thirty (30) days, appeal the final order and request an administrative hearing on the matter in accordance with KRS Chapter 13B.

Effective: January 1, 2026

History: Created 2025 Ky. Acts ch. 78, sec. 7, effective January 1, 2026.