

**241.069 Petition for increase in number of quota licenses -- Factors to be considered by board -- Effect of decision by board to grant or deny quota increase.**

- (1) Any city, including any city located in a wet or dry county, county, or urban-county government may petition the board:
  - (a) For an increase in the number of quota retail package licenses available in its jurisdiction; or
  - (b) For an increase in the number of quota retail package licenses available in the county, if the number of quota retail package licenses is governed by KRS 241.066.

A request for an increase shall not exceed the ratio of one (1) per every one thousand five hundred (1,500) residents.

- (2) The board shall consider the following factors when deciding whether to grant the increase:
  - (a) Population served by the city, county, or urban-county government;
  - (b) Estimated total retail sales of the city, county, or urban-county government for the most recent past fiscal year;
  - (c) Estimated retail sales per capita for the most recent past fiscal year;
  - (d) Estimated total alcohol sales in the city, county, or urban-county government for the most recent past fiscal year;
  - (e) Tourist destinations in the area, if applicable; and
  - (f) Other economic and commercial data offered to show the capacity to support additional licenses.
- (3) The board shall grant the request if the information supplied supports the requested increase, and shall begin the process of filing an amendment to its administrative regulation to register the increase. Additional licenses shall not be issued until the administrative regulation process is complete and the amendment is adopted.
- (4) If the board determines the information supplied does not support a quota increase, it shall notify the city, county, or urban-county government of its decision by registered mail at the address given in the request. The city, county, or urban-county government shall have thirty (30) days from the date of the mailing to file a written request for a hearing before the board regarding its request for an increase.

**Effective:** April 4, 2024

**History:** Amended 2024 Ky. Acts ch. 46, sec. 4, effective April 4, 2024. -- Created 2018 Ky. Acts ch. 154, sec. 5, effective April 14, 2018.