

**243.360 Notice of intention to apply for license -- Exempted applicants -- Protest -- Sufficiency of substantial compliance.**

- (1)
  - (a) All persons shall, before applying for a license, advertise by publication their intention to apply for a license in the newspaper for legal notices for the county or city whose local administrator has jurisdiction over the proposed premises.
  - (b) An advertisement under this subsection may be made online or in print.
  - (c) The department may prescribe the form and content of the advertisement by an administrative regulation that is promulgated in accordance with KRS Chapter 13A.
- (2) The requirements of subsection (1) of this section shall not apply to an applicant for the same license for the same premises, or an applicant for any of the following licenses:
  - (a) Out-of-state malt beverage supplier's license;
  - (b) Limited out-of-state malt beverage supplier's license;
  - (c) Out-of-state distilled spirits and wine supplier's license;
  - (d) Limited out-of-state distilled spirits and wine supplier's license;
  - (e) Supplemental bar license;
  - (f) Extended hours supplemental license;
  - (g) Special agent or solicitor's license;
  - (h) Special nonbeverage alcohol license;
  - (i) Transporter's license;
  - (j) Special Sunday drink license;
  - (k) Hotel in-room license;
  - (l) Sampling license;
  - (m) Direct shipper license;
  - (n) Special temporary drink license; or
  - (o) Vintage distilled spirits license.
- (3) The notice shall contain the following information:
  - (a) The notice shall state: the name and address of the applicant and the name and address of each principal owner, partner, member, officer, and director if the applicant is a partnership, limited partnership, limited liability company, corporation, governmental agency, or other business entity recognized by law;
  - (b) The notice shall specifically state the location of the premises for which the license is sought, the type of business, and the type of license being requested; and
  - (c) The notice shall state the date the application will be filed and shall contain the following statement: "Any person may protest the approval of the license by writing the Department of Alcoholic Beverage Control within thirty (30) days of the date of legal publication."
- (4) Any protest received after the thirty (30) day period has expired shall not be

considered a valid legal protest by the board.

- (5) Substantial compliance with the information listed in subsection (3) of this section shall be sufficient to comply with this section.

**Effective:** April 4, 2024

**History:** Amended 2024 Ky. Acts ch. 46, sec. 11, effective April 4, 2024. -- Amended 2020 Ky. Acts ch. 80, sec. 12, effective July 15, 2020. -- Amended 2017 Ky. Acts ch. 62, sec. 67, effective June 29, 2017. -- Amended 2014 Ky. Acts ch. 22, sec. 19, effective July 15, 2014. -- Amended 2013 Ky. Acts ch. 121, sec. 74, effective June 25, 2013. -- Amended 2010 Ky. Acts ch. 24, sec. 572, effective July 15, 2010. -- Amended 2000 Ky. Acts ch. 435, sec. 12, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 121, sec. 34, effective July 15, 1998; and ch. 522, sec. 9, effective July 15, 1998. -- Amended 1978 Ky. Acts ch. 194, sec. 29, effective June 17, 1978. -- Amended 1970 Ky. Acts ch. 94, sec. 3. -- Amended 1966 Ky. Acts ch. 239, sec. 175. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2554b-133.