

241.060 Functions, powers, and duties of board.

The board shall have the following functions, powers, and duties:

- (1) To promulgate reasonable administrative regulations governing procedures relative to the applications for and revocations of licenses, the supervision and control of the use, manufacture, sale, transportation, storage, advertising, and trafficking of alcoholic beverages, the retail licensing and distribution of cannabis-infused beverages, and all other matters over which the board has jurisdiction. The only administrative regulation that shall be promulgated in relation to the direct shipper license is to establish the license application, as set forth in KRS 243.027(4). To the extent any administrative regulation previously promulgated is contrary to the provisions of KRS 13A.120(2), the board shall repeal or amend the administrative regulation as necessary by January 1, 2022. Administrative regulations need not be uniform in their application but may vary in accordance with reasonable classifications;
- (2) To limit the number of licenses of each kind or class to be issued in this state or any political subdivision, and restrict the locations of licensed premises. To this end, the board may make reasonable division and subdivision of the state or any political subdivision into districts. Administrative regulations relating to the approval, denial, and revocation of licenses may be different within the several divisions or subdivisions;
- (3) To hold hearings in accordance with the provisions of KRS Chapter 13B. The department may pay witnesses the per diem and mileage provided in KRS 421.015;
- (4) To conduct hearings and appeals under KRS 241.150, 241.200, 241.260, 243.470, 243.520, 438.308, 438.309, 438.312, 438.316, and 438.340 and render final orders upon the subjects of the hearings and appeals;
- (5)
 - (a) To order the destruction of evidence, other than contraband alcoholic beverages suitable for public auction under paragraph (b) of this subsection, in the department's possession after all administrative and judicial proceedings are conducted.
 - (b) To dispose of contraband alcoholic beverages through public auction if:
 1. A final order relating to those contraband alcoholic beverages has been entered after all administrative and judicial proceedings are conducted, if applicable;
 2. The entire proceeds of the public auction are donated to the alcohol wellness and responsibility education fund established in KRS 211.285; and
 3. The board deems the inventory safe to release to the public, including but not limited to the alcoholic beverages being in their original, unopened packaging;
- (6) To suspend, revoke, or cancel for cause, after a hearing in accordance with KRS Chapter 13B, any license; and
- (7) To prohibit the issuance of a license for the premises until the expiration of two (2) years from the time the offense was committed if a violation of KRS Chapters 241 to 244 has taken place on the premises which the owner knew of or should have

known of, or was committed or permitted in or on the premises owned by the licensee.

Effective: March 25, 2025

History: Amended 2025 Ky. Acts ch. 82, sec. 3, effective March 25, 2025. -- Amended 2024 Ky. Acts ch. 46, sec. 2, effective April 4, 2024; and ch. 111, sec. 11, effective January 1, 2025. -- Amended 2021 Ky. Acts ch. 13, sec. 3, effective March 12, 2021. -- Amended 2017 Ky. Acts ch. 62, sec. 5, effective June 29, 2017. -- Amended 2010 Ky. Acts ch. 24, sec. 553, effective July 15, 2010. -- Amended 1998 Ky. Acts ch. 121, sec. 33, effective July 15, 1998; and ch. 522, sec. 2, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 318, sec. 159, effective July 15, 1996. -- Amended 1980 Ky. Acts ch. 188, sec. 225, effective July 15, 1980. -- Amended 1978 Ky. Acts ch. 194, sec. 7, effective June 17, 1978. -- Amended 1966 Ky. Acts ch. 255, sec. 212. -- Amended 1954 Ky. Acts ch. 110, sec. 1. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2554b-103, 2554e-10.