

243.084 Nonquota type 2 or NQ2 retail drink license -- Issuance to certain hotels, certain restaurants, airports, or riverboats -- Privileges, duties, and restrictions for eligible entities.

- (1) A "Nonquota type 2" or "NQ2" retail drink license may be issued to an applicant operating as, or in:
 - (a) A hotel that:
 1. Contains at least fifty (50) sleeping units; and
 2. Receives from its total food and alcoholic beverage sales at least fifty percent (50%) of its gross receipts from the sale of food;
 - (b) A restaurant;
 - (c) An airport;
 - (d) A riverboat;
 - (e) A distiller; or
 - (f) A business located within, or adjacent to, an entertainment destination center licensed premises.
- (2) A holder of an NQ2 retail drink license may purchase, receive, possess, and sell alcoholic beverages at retail by the drink for consumption on the licensed premises or off-premises consumption pursuant to KRS 243.081. The licensee shall purchase alcoholic beverages only from licensed wholesalers or distributors, except for purchases made by restaurants pursuant to subsection (4) of this section. A distiller may purchase its own products for retail drink sales under KRS 243.0305. The holder of an NQ2 retail drink license shall store alcoholic beverages in the manner prescribed in KRS 244.260.
- (3)
 - (a) To qualify for an NQ2 license, a riverboat shall have a regular or alternative place of mooring in a wet county or city of this state.
 - (b) If a riverboat moors or makes landfall in a location other than its regular or alternate regular place of mooring, all alcoholic beverages shall be kept locked.
 - (c) A riverboat licensed under this subsection shall not take on or discharge passengers when mooring or making landfall in dry option territory.
- (4)
 - (a) A holder of an NQ2 retail drink license operating as a restaurant may purchase alcoholic beverages by the package from licensees authorized to sell distilled spirits, wine, and malt beverages at retail, but only if those alcoholic beverages have first gone through the three (3) tier system.
 - (b) Any purchase made pursuant to this subsection shall:
 1. Only be sold by the drink for consumption on the licensed premises or off-premises consumption pursuant to KRS 243.081;
 2. Be reported quarterly on a form prescribed by the department; and
 3. Include a copy of each receipt of purchase.
 - (c) A holder of an NQ2 retail drink license shall not purchase at retail more than:
 1. Nine (9) liters of distilled spirits per month;
 2. Nine (9) liters of wine per month; and

3. Three (3) cases of malt beverages per month.

Effective: June 27, 2025

History: Amended 2025 Ky. Acts ch. 130, sec. 2, effective June 27, 2025. -- Amended 2021 Ky. Acts ch. 20, sec. 3, effective March 15, 2021. -- Amended 2017 Ky. Acts ch. 62, sec. 47, effective June 29, 2017. -- Amended 2014 Ky. Acts ch. 22, sec. 11, effective July 15, 2014. -- Created 2013 Ky. Acts ch. 121, sec. 41, effective June 25, 2013.