

243.088 Nonquota type 4 or NQ4 retail malt beverage drink license -- Issuance to holders of quota retail drink license, microbrewery license, small farm winery license, or other businesses selling for consumption on premises -- Permitted activities -- Sales at service stations -- Restrictions on purchasing.

- (1) A "Nonquota type 4" or "NQ4" retail malt beverage drink license may be issued to the holder of a quota retail drink license, microbrewery license, small farm winery license, or any other business wishing to sell malt beverages by the drink for consumption on the premises only.
- (2) An NQ4 retail malt beverage drink license shall authorize the licensee to:
 - (a) Sell malt beverages at retail by the drink from only the licensed premises for consumption at the licensed premises only; and
 - (b) Purchase malt beverages only from a distributor, except for purchases made pursuant to subsection (5) of this section.
- (3) The holder of an NQ4 retail malt beverage drink license may also hold a nonquota retail malt beverage package license.
- (4) A nonquota retail malt beverage drink license shall not be issued to any premises from which gasoline and lubricating oil are sold or from which the servicing and repair of motor vehicles is conducted, unless there is maintained in inventory on the premises for sale at retail not less than five thousand dollars (\$5,000) of food, groceries, and related products valued at cost. For purposes of this subsection, the term "food and groceries" has the meaning provided in KRS 243.280. This section shall not apply to any licensed premises that sells no fuel other than marine fuel.
- (5)
 - (a) The holder of an NQ4 retail malt beverage drink license may purchase malt beverages by the package from licensees authorized to sell malt beverages at retail, but only if those malt 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;
 2. Be reported quarterly on a form prescribed by the department; and
 3. Include a copy of each receipt of purchase.
 - (c) The holder of an NQ4 retail malt beverage drink license shall not purchase at retail more than three (3) cases of malt beverages per month.

Effective: June 27, 2025

History: Amended 2025 Ky. Acts ch. 130, sec. 3, effective June 27, 2025. -- Created 2013 Ky. Acts ch. 121, sec. 43, effective June 25, 2013.