

**CHAPTER 182****(HB 472)**

AN ACT relating to distilled spirits and wine.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

Section 1. KRS 243.030 is amended to read as follows:

The following kinds of distilled spirits and wine licenses may be issued by the administrator of the distilled spirits unit, the fees for which shall be:

- |      |  |            |
|------|--|------------|
| (1)  | Distiller's license, per annum .....   | \$2,500.00 |
| (2)  | Rectifier's license, per annum .....   | \$2,500.00 |
| (3)  | Blender's license, per annum .....   | \$2,500.00 |
| (4)  | Vintner's license, per annum .....   | \$1,000.00 |
| (5)  | Small winery license, per annum .....  | \$100.00   |
|      | (a) Small winery off-premises retail license, per annum .....  | \$25.00    |
| (6)  | Wholesaler's license, per annum .....  | \$2,000.00 |
| (7)  | Retail package license, per annum:   |            |
|      | (a) In counties containing cities of the first class .....   | \$800.00   |
|      | (b) In counties containing cities of the second class .....  |            |
|      | \$700.00 (c) In counties containing cities of the third class  |            |
|      | ..... \$600.00 (d) In counties containing cities of the  |            |
|      | fourth class .....   | \$500.00   |
|      | (e) In all other counties .....  | \$400.00   |
| (8)  | Retail drink license, motel drink license, restaurant drink license, or supplemental bar license, per annum: |            |
|      | (a) In counties containing cities of the first class .....   | \$1,000.00 |
|      | (b) In counties containing cities of the second class .....  |            |
|      | \$700.00 (c) In counties containing cities of the third class  |            |
|      | ..... \$600.00   |            |
|      | (d) In counties containing cities of the fourth class .....  | \$500.00   |
| (9)  | Transporter's license, per annum .....   | \$100.00   |
| (10) | Dining car license, per annum .....  | \$100.00   |
| (11) | Special nonbeverage alcohol vendor's license, per annum .....  | \$50.00    |
| (12) | Special industrial alcohol license, per annum .....  | \$50.00    |
| (13) | Special nonindustrial alcohol license, per annum .....   | \$50.00    |

- (14) Special agent's or solicitor's license, per annum ..... \$25.00
- (15) Special storage or warehouse license and bottling house storage license,  
per annum ..... \$500.00
- (16) Special temporary liquor license, per event ..... \$100.00
- (17) Special private club license, per annum ..... \$300.00
- (18) Special Sunday retail drink license, per annum ..... \$500.00
- (19) Nonresident, special agent or solicitor's license, per annum ..... \$100.00
- (20) Transport permit, nonresident license, per annum ..... \$100.00
- (21) Through transporter's license, per annum ..... \$100.00
- (22) Freight forwarder's license, per annum ..... \$100.00
- (23) Restaurant wine license, per annum..... \$500.00
- (24) Farm winery license, per annum ..... \$100.00
- (a) Farm winery, off-premises retail outlet license, per annum ..... \$25.00
- (25) Special temporary wine license, per event ..... \$50.00
- (26) Caterer's license, per annum ..... \$800.00
- (27) Souvenir retail liquor license, per annum ..... \$500.00
- (28) Special temporary distilled spirits and wine  
auction license, per event ..... \$100.00
- (29) Airport drink license, per annum ..... \$1,000.00
- (30) Convention center or convention hotel complex  
license, per annum ..... \$5,000.00
- (31) Extended hours, supplemental license, per annum ..... \$2,000.00
- (32) Horse race track license, per annum ..... \$2,000.00
- (33) Air or rail system license, per annum ..... \$2,000.00
- (34) Riverboat license, per annum ..... \$1,000.00
- (35) Bottling house license, per annum ..... \$1,000.00
- (36) Hotel in-room license, per annum ..... \$200.00
- (37) Bonded warehouse license, per annum ..... \$1,000.00
- (38) Air transporter liquor license, per annum ..... \$500.00
- (39) ***Sampling license, per annum.....\$100.00***
- (40) Replacement or duplicate license ..... \$25.00
- ~~(41)~~(40) Other special licenses the board finds necessary for the proper regulation and control of the traffic in distilled spirits and wine and provides for by administrative regulation. In fixing

the amount of license taxes that are required to be fixed by the board, it shall have regard for the value of the privilege granted.

A nonrefundable application fee of fifty dollars (\$50) shall be charged to process each new application under this section, except for subsections (5), (9), (11), (12), (13), (14), (16), (19), (20), (21), (22), (24), (25), (28), and ~~(40)~~~~(39)~~. The application fee shall be applied to the licensing fee if the application is issued and shall be retained by the department if the license is denied.

Section 2. KRS 244.050 is amended to read as follows:

- (1) No retail licensee shall give away any alcoholic beverage in any quantity, or deliver it in any quantity for less than a full monetary consideration, except as provided by KRS 243.155, 243.156,~~and~~ 243.157, *and subsection (2) of this section.*
- (2) *A retailer licensed to sell distilled spirits and wine under subsections (7) or (27) of Section 1 of this Act may, after acquiring a license under subsection (39) of Section 1 of this Act, allow customers to sample distilled spirits and wine under the following conditions:*
  - (a) *Sampling shall be permitted only on licensed premises and, for retailers licensed under subsection (27) of Section 1 of this Act, during regular business hours; (b) A licensee shall not charge for the samples provided to customers; (c) Sample sizes shall not exceed:*
    1. *One (1) ounce for wine; and*
    2. *One-half (1/2) ounce for distilled spirits;**and (d) A licensee shall limit a customer to:*
    1. *Two (2) distilled spirits samples per day; and*
    2. *Six (6) wine samples per day.*
- (3) *Retailers licensed under subsection (7) of Section 1 of this Act shall:*
  - (a) *Notify the Department of Alcoholic Beverage Control at least seven (7) days in advance of conducting a sampling event; and*
  - (b) *Limit a sampling event to a period not to exceed four (4) consecutive hours between 12 noon and 8 p.m.*

Approved March 28, 2000