

CHAPTER 59**(SB 29)**

AN ACT relating to alcoholic beverages.

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

Section 1. KRS 244.130 is amended to read as follows:

- (1) Except in conformity with regulations of the board, no licensee under KRS 243.020 to 243.670 shall advertise or cause or permit to be advertised in any manner any product which he or she is licensed to manufacture or sell.
- (2) Subsection (1) of this section shall not prohibit:
 - (a) Advertising in newspapers, magazines, or periodicals having a general circulation;
 - (b) Promotional advertising on radio or television limited to no more than the name of the licensee and the products the licensee is permitted to manufacture or sell;
 - (c) Promotional advertising containing the names of establishments or products displayed on uniforms or equipment of sporting teams; *or*
 - (d) *Promotional advertising mailed or delivered to a consumer's residence.*

SECTION 2. A NEW SECTION OF KRS CHAPTER 230 IS CREATED TO READ AS FOLLOWS:

In order to promote economic development and tourism, other provisions of the Kentucky Revised Statutes notwithstanding, the Alcoholic Beverage Control Board may issue a horse race track license under KRS 243.030 and a retail malt beverage license under KRS 243.040 to a horse track that is licensed under KRS 230.300 and is located in a city that has, in whole or in part, voted to discontinue prohibition. The license issued under this section shall be in effect only for race track premises where live racing meets were held in 2006. Nothing in this section shall be construed as authorizing the issuance of any alcoholic beverage license on any part of the track's premises that is located outside the city's limits.

Approved March 21, 2007.