

**CHAPTER 39****( HB 237 )**

AN ACT relating to alcoholic beverages.

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

➔Section 1. KRS 243.020 is amended to read as follows:

- (1) A person shall not do any act authorized by any kind of license with respect to the manufacture, storage, sale, purchase, transporting, or other traffic in alcoholic beverages unless the person holds or is an independent contractor, agent, servant, or employee of a person who holds the kind of license that authorizes the act, or is a third party utilized by a direct shipper licensee as set forth in KRS 243.027.
- (2) The holding of any permit from the United States government to traffic in alcoholic beverages without the corresponding requisite state and local licenses shall in all cases raise a rebuttable presumption that the holder of the United States permit is unlawfully trafficking in alcoholic beverages.
- (3) Except as permitted by KRS 243.033, 243.036, 243.155, 243.157, and 243.260, a person, conducting a place of business patronized by the public, who is not a licensee authorized to sell alcoholic beverages, shall not permit any person to sell, barter, loan, give away, or drink alcoholic beverages on the premises of the place of business.
- (4) A licensee shall not permit any consumer to possess, give away, or drink alcoholic beverages on the licensed premises that are not purchased from the licensee.
- (5) In a moist territory, the only types of licenses that may be issued are those that directly correspond with the types of sales approved by the voters through moist elections within the territory, unless otherwise specifically authorized by statute.
- (6) *Notwithstanding subsections (3) and (4) of this section, with the written permission of a licensed entertainment destination center:*
  - (a) *A retail drink licensee located wholly within a licensed entertainment destination center or that has a storefront sharing a physical boundary with that licensed entertainment destination center may allow persons on the licensee's premises to possess and drink alcoholic beverages that were purchased from another retail drink licensee located wholly within, or that has a storefront sharing a physical boundary with, the licensed entertainment destination center; and*
  - (b) *A nonlicensed place of business that is located wholly within a licensed entertainment destination center or that has a storefront sharing a physical boundary with that licensed entertainment destination center may allow persons on its property to possess and drink alcoholic beverages that were purchased from a retail drink licensee located wholly within, or that has a storefront sharing a physical boundary with, the licensed entertainment destination center.*

**Signed by Governor March 21, 2023.**