

103 KAR 41:150. Cigarette subjobber licenses.

RELATES TO: KRS 138.130

STATUTORY AUTHORITY: KRS 131.130(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 131.130(1) authorizes the Department of Revenue to promulgate administrative regulations necessary for the administration and enforcement of all tax laws in Kentucky. This administrative regulation establishes requirements for a cigarette "subjobber" to regularly supply Kentucky tax paid inventory to "retail locations."

Section 1. Definition. "Retail location" means a place of business making any sales of cigarettes to the ultimate consumer, including premises upon which cigarettes are sold through vending machines and premises from where internet sales are made, but not sales for further distribution or processing.

Section 2. A subjobber may simultaneously act in a wholesale and a retail capacity, but the invoices, inventories, and sales records shall be separately maintained.

Section 3. A subjobber shall accept delivery of cigarettes at the wholesaler's place of business or the subjobber's licensed business location. A subjobber shall not have cigarettes delivered directly to the retailer by the wholesaler on his behalf.

Section 4. (1) This administrative regulation shall replace Revenue Circular 73C455.

(2) Revenue Circular 73C455 is hereby rescinded and shall be null, void, and unenforceable. (33 Ky.R. 2819; 3160; eff. 5-4-2007; Crt eff. 9-4-2019.)