

243.480 Suspension of licenses -- Payments in lieu of suspension -- Appeal.

- (1) Upon proceedings for the revocation of any license under KRS 243.520, the Alcoholic Beverage Control Board, or the local alcoholic beverage administrator, may in its or his or her discretion order a suspension of the license for any cause for which it may, but is not required to, revoke the license under the provisions of KRS 243.490 and 243.500. However, the licensee may have the alternative, subject to the approval of the Alcoholic Beverage Control Board or the local alcoholic beverage administrator, to pay in lieu of part or all of the days of any suspension period, a sum as follows:
 - (a) Except for violations arising from retail sales activities, including sales under licenses issued pursuant to KRS 243.086 and sales at retail under KRS 243.0305:
 1. Distillers, rectifiers, wineries, and brewers, one thousand dollars (\$1,000) per day;
 2. Wholesale liquor licensees, four hundred dollars (\$400) per day; and
 3. Wholesale beer licensees, four hundred dollars (\$400) per day;
 - (b)
 1. Retail licensees authorized to sell distilled spirits, wine, or beer by the package or drink, fifty dollars (\$50) per day; and
 2. Distillers, wineries, and brewers for violations arising from their retail sales activities, including sales by distillers under licenses issued pursuant to KRS 243.086 and sales at retail under KRS 243.0305, fifty dollars (\$50) per day; and
 - (c) All remaining licensees, fifty dollars (\$50) per day.
- (2) Payments in lieu of suspension or for board-ordered agency server training, collected on a cost recovery basis, collected by the Alcoholic Beverage Control Board shall be deposited in the State Treasury and credited to the general expenditure fund. Payments in lieu of suspension collected by local alcoholic beverage administrators shall be deposited and used as local alcoholic beverage license tax receipts are deposited and used.
- (3) In addition to or in lieu of a suspension of a license, the board may order a licensee to pay for and require attendance and completion by some or all of the licensee's alcoholic beverage servers in the department's server training program.
- (4) Appeals from orders of suspension and the procedure thereon shall be the same as are provided for orders of revocation in KRS Chapter 13B.

Effective: June 29, 2017

History: Amended 2017 Ky. Acts ch. 59, sec. 4, effective June 29, 2017. -- Amended 2013 Ky. Acts ch. 121, sec. 76, effective June 25, 2013. -- Amended 2010 Ky. Acts ch. 24, sec. 577, effective July 15, 2010. -- Amended 2004 Ky. Acts ch. 20, sec. 9, effective July 13, 2004. -- Amended 1998 Ky. Acts ch. 522, sec. 12, effective July 15, 1998. -- Amended 1990 Ky. Acts ch. 252, sec. 1, effective July 13, 1990. -- Amended 1958 Ky. Acts ch. 66, sec. 1, effective June 19, 1958. -- Amended 1942 Ky. Acts ch. 168, secs. 5 and 14. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2554b-145.