

244.165 Unlawful sale and shipment by out-of-state seller directly to a Kentucky consumer -- Penalty.

- (1) Except as provided in KRS 243.027 to 243.029, it shall be unlawful for any person in the business of selling alcoholic beverages in another state or country to deliver or ship or cause to be delivered or shipped any alcoholic beverage directly to any Kentucky consumer who does not hold a valid wholesaler or distributor license issued by the Commonwealth.
- (2) A licensed transporter or common carrier making deliveries or shipments pursuant to this section shall deliver or ship directly to consumers over twenty-one (21) years of age in packages clearly marked "Alcoholic Beverages, adult signature (21 years of age or over) required," and shall request adult-signature-only service from the carrier. A licensed common carrier shall not knowingly ship unlicensed alcoholic beverage shipments into the Commonwealth. Deliveries or shipments of alcoholic beverages shall only be made into areas of the state in which alcoholic beverages may be lawfully sold. When the shipper requests adult-signature-only service, it shall be a violation for a common carrier not to inspect government-issued identification for proof of age. No properly licensed common carrier or any of its employees acting on behalf of a consignor shall be liable for a violation of any provision of KRS 242.250, 242.260, or 242.270 prohibiting the delivery or shipment of alcoholic beverages into areas of the state in which alcoholic beverages are not lawfully sold.
- (3) Any person who violates subsection (1) of this section shall, for the first offense, be mailed a certified letter by the department ordering that person to cease and desist any deliveries or shipments of alcoholic beverages to Kentucky residents, and the department shall mail a copy of the certified letter to the licensing authority where the person is located. Any subsequent violations may result in further legal action.

Effective: July 15, 2020

History: Amended 2020 Ky. Acts ch. 80, sec. 21, effective July 15, 2020. -- Amended 2018 Ky. Acts ch. 164, sec. 7, effective April 13, 2018. -- Amended 2010 Ky. Acts ch. 24, sec. 589, effective July 15, 2010. -- Amended 2006 Ky. Acts ch. 179, sec. 2, effective January 1, 2007. -- Created 1996 Ky. Acts ch. 72, sec. 1, effective July 15, 1996.