

243.390 Sworn information to be contained in applications -- Verified supplemental statement -- Presumption of reliability of supplied information -- Exemption.

- (1) The board may require through the promulgation of an administrative regulation that license applications contain the following information, given under oath:
 - (a) The name, age, Social Security number, address, residence, and citizenship of each applicant;
 - (b) If the applicant is a partner, the name, age, Social Security number, address, residence, and citizenship of each partner and the name and address of the partnership;
 - (c) The name, age, Social Security number, address, residence, and citizenship of each individual or partner interested in the business for which the license is sought, together with the nature of that interest, and, if the applicant is a corporation, limited partnership company, limited liability company, or other business entity recognized by law, the name, age, Social Security number, and address of each principal owner, member, officer, and director of the applicant. The department may require the names of all owners and the ownership percentage held by each;
 - (d) The premises to be licensed, stating the street and number, if the premises has a street number, and a description that will reasonably indicate the location of the premises;
 - (e)
 1. A statement that neither the applicant nor any other person referred to in this section has been convicted of:
 - a. Any misdemeanor directly or indirectly attributable to alcoholic beverages;
 - b. Any violation involving a controlled substance that is described in or classified pursuant to KRS Chapter 218A within the two (2) years immediately preceding the application;
 - c. Any felony, within five (5) years from the later of the date of parole or the date of conviction; or
 - d. Providing false information to the department preceding the application; and
 2. A statement that the applicant or any other person referred to in this section has not had any license that has been issued under any alcoholic beverage statute revoked for cause within two (2) years prior to the date of the application;
 - (f) A statement that the applicant will in good faith abide by every state and local statute, regulation, and ordinance relating to the manufacture, sale, use of, and trafficking in alcoholic beverages; and
 - (g) Any other information necessary for the department to administer KRS Chapters 241 to 244.
- (2) If, after a license has been issued, there is a change in any of the facts required to be set forth in the application, a verified supplemental statement in

writing giving notice of the change shall be filed with the department within ten (10) days after the change.

- (3) In giving any notice or taking any action in reference to a license, the department may rely upon the information furnished in the application or in the supplemental statement connected with the application. This information, as against the licensee or applicant, shall be conclusively presumed to be correct. The information required to be furnished in the application or supplemental statement shall be deemed material in any prosecution for perjury.
- (4) A direct shipper license applicant shall be exempt from the requirements of this section and shall instead meet the requirements for its license type as set forth in KRS 243.027.

Effective: March 12, 2021

History: Amended 2021 Ky. Acts ch. 13, sec. 9, effective March 12, 2021. -- Amended 2017 Ky. Acts ch. 61, sec. 4, effective June 29, 2017; and ch. 62, sec. 69, effective June 29, 2017. -- Amended 2010 Ky. Acts ch. 24, sec. 574, effective July 15, 2010. -- Amended 1998 Ky. Acts ch. 522, sec. 10, effective July 15, 1998. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2554b-134.