

243.450 Causes for denial of license.

- (1) A license shall be denied:
 - (a) If the applicant or the premises for which the license is sought does not comply fully with all alcoholic beverage control statutes and the administrative regulations of the board;
 - (b) If the applicant has not obtained approval from the local ABC administrator for a county or city license required at the proposed premises;
 - (c) If the applicant has done any act for which a revocation of license would be authorized; or
 - (d) If the applicant has made any false material statement in its application.
- (2) A license may be denied by a state administrator for any reason that the administrator, in the exercise of the administrator's sound discretion, deems sufficient. Among those factors that the administrator shall consider in the exercise of this discretion are:
 - (a) Public sentiment in the area;
 - (b) Number of licensed outlets in the area;
 - (c) Potential for future growth;
 - (d) Type of area involved;
 - (e) Type of transportation available;
 - (f) Financial potential of the area; and
 - (g) Applicant's status as a delinquent taxpayer as defined in KRS 131.1815.
- (3) 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. 10, effective March 12, 2021. -- Amended 2017 Ky. Acts ch. 62, sec. 72, effective June 29, 2017. -- Amended 1998 Ky. Acts ch. 121, sec. 19, effective July 15, 1998. -- Amended 1982 Ky. Acts ch. 411, sec. 1, effective July 15, 1982. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 2554b-134, 2554b-139.

Legislative Research Commission Note (6/20/2005). 2005 Ky. Acts chs. 11, 85, 95, 97, 98, 99, 123, and 181 instruct the Reviser of Statutes to correct statutory references to agencies and officers whose names have been changed in 2005 legislation confirming the reorganization of the executive branch. Such a correction has been made in this section.