

### **243.110 Incompatible licenses.**

- (1) Except as provided in subsection (3) of this section, each kind of license listed in KRS 243.030 shall be incompatible with every other kind listed in that section and no person or entity holding a license of any of those kinds shall apply for or hold a license of another kind listed in KRS 243.030.
- (2)
  - (a) Each kind of license listed in KRS 243.040(1), (3), or (4) shall be incompatible with every other kind listed in KRS 243.040(1), (3), or (4), and no person holding a license of any of those kinds shall apply for or hold a license of any other kind listed in KRS 243.040(1), (3), or (4).
  - (b) A brewery holding a license listed in KRS 243.040(5) or (8) shall not apply for or hold a license listed in KRS 243.040(3) or (4).
- (3)
  - (a) The holder of a quota retail package license may also hold a quota retail drink license, an NQ1 retail drink license, an NQ2 retail drink license, an NQ3 retail drink license, or a special nonbeverage alcohol license.
  - (b) The holder of a transporter's license may also hold a distilled spirits and wine storage license.
  - (c) The holder of a distiller's license may also hold a rectifier's license, a special nonbeverage alcohol license, a winery license, or a small farm winery license.
  - (d) A commercial airline system or charter flight system retail license, a commercial airline system or charter flight system transporter's license, and a retail drink license if held by a commercial airline or charter flight system may be held by the same licensee.
  - (e) A Sunday retail drink license and supplemental license may be held by the holder of a primary license.
  - (f) The holder of a distiller's, winery, small farm winery, brewer, microbrewery, distilled spirits and wine supplier's, or malt beverage supplier's license may also hold a direct shipper license.
  - (g) The holder of an NQ1 retail drink license, an NQ2 retail drink license, or a limited restaurant license may also hold a limited nonquota package license.
- (4) Any person may hold two (2) or more licenses of the same kind.
- (5) A person or entity shall not evade the prohibition against applying for or holding licenses of two (2) kinds by applying for a second license through or under the name of a different person or entity. The state administrator shall examine the ownership, membership, and management of applicants, and shall deny the application for a license if the applicant is substantially interested in a person or entity that holds an incompatible license.

**Effective:** March 29, 2022

**History:** Amended 2022 Ky. Acts ch. 39, sec. 7, effective March 29, 2022. -- Amended 2021 Ky. Acts ch. 13, sec. 6, effective March 12, 2021. -- Amended 2020 Ky. Acts ch. 80, sec. 16, effective July 15, 2020; and ch. 102, sec. 18, effective July 15, 2020. -- Amended 2017 Ky. Acts ch. 62, sec. 51, effective June 29, 2017. -- Amended 2015 Ky. Acts ch. 26, sec. 1, effective June 24, 2015. -- Amended 2013 Ky. Acts ch. 121, sec. 58, effective June 25, 2013. -- Amended 2006 Ky. Acts ch. 179, sec. 9, effective January 1, 2007. -- Amended 1998 Ky. Acts ch. 121, sec. 10, effective July 15, 1998. -- Amended 1996 Ky.

Acts ch. 95, sec. 5, effective July 15, 1996. -- Amended 1976 Ky. Acts ch. 380, sec. 2; and ch. 381, sec. 4. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 2554b-128, 2554b-130.

**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.