

244.240 Distiller, rectifier, winery, or wholesaler not to be interested in retail premises -- Transactions prohibited -- Discounts in the usual course of business -- Retailer not to demand violation of this section -- Permitted activities.

- (1) No distiller, rectifier, winery, or wholesaler and no employee, servant, or agent of a distiller, rectifier, winery, or wholesaler shall:
 - (a) Except as provided in KRS 243.0305 and 243.155, be interested directly or indirectly in any way in any premises where distilled spirits or wine is sold at retail or in any business devoted wholly or partially to the sale of distilled spirits or wine at retail;
 - (b) Make or cause to be made any loan to any person engaged in the manufacture or sale of distilled spirits or wine at wholesale or retail;
 - (c) Make any gift or render any kind of service whatsoever, directly or indirectly, to any licensee that may tend to influence the licensee to purchase the product of the distiller, rectifier, winery, or wholesaler; or
 - (d) Enter into a contract with any retail licensee under which the licensee agrees to confine the licensee's sales to distilled spirits or wine manufactured or sold by one (1) or more distillers, rectifiers, wineries, or wholesalers. This type of contract shall be void.
- (2) Nothing in this section shall prohibit the giving of discounts in the usual course of business if the same discounts are offered to all licensees holding the same license type buying similar quantities.
- (3) A retailer shall not require or demand that a distiller, rectifier, winery, or wholesaler violate this section.
- (4) This section shall not prohibit a distiller from:
 - (a) Supplying a retailer with barrels for the purpose of holding barrel-aged and batched cocktails; and
 - (b) Selling private selection packages as authorized in KRS 243.0305(4)(a)3.

Effective: March 29, 2022

History: Amended 2022 Ky. Acts ch. 39, sec. 12, effective March 29, 2022. -- Amended 2018 Ky. Acts ch. 164, sec. 8, effective April 13, 2018. -- Amended 2017 Ky. Acts ch. 62, sec. 103, effective June 29, 2017. -- Amended 2016 Ky. Acts ch. 80, sec. 24, effective July 15, 2016. -- Amended 2013 Ky. Acts ch. 121, sec. 88, effective June 25, 2013. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2554b-168.