

**241.110 County judge/executive as county administrator -- Appointment of person other than county judge/executive -- Investigators and clerks -- Powers and jurisdiction -- Constitutional oath.**

- (1) The fiscal court of any county in which traffic in alcoholic beverages is not forbidden under KRS Chapter 242 may by resolution declare that regulation of the traffic in that county is necessary. The county judge/executive shall immediately constitute a county alcoholic beverage control administrator for the county. However, the county judge/executive may decline to accept this office, or after accepting the office, the county judge/executive may resign from the office, and in either event, notwithstanding the provisions of KRS 241.120 to and including KRS 241.150, the county judge/executive may promptly appoint a person at least thirty (30) years of age, who at the time of the appointment has been a citizen of the state and a resident of that county for at least two (2) years next preceding the date of appointment, and who is able to qualify to serve at the pleasure of the county judge/executive as county alcoholic beverage control administrator for that county. Before entering upon the duties of county alcoholic beverage control administrator appointed by the county judge/executive, the appointee shall take the oath prescribed by Section 228 of the Constitution. Upon the qualification and appointment of this person as county alcoholic beverage control administrator for the county, the person shall immediately notify the department.
- (2) The compensation of the county alcoholic beverage control administrator, appointed by the county judge/executive, shall be fixed by the fiscal court in accordance with KRS 64.530. The county judge/executive may also appoint any investigators and clerks deemed necessary for the proper conduct of the county alcoholic beverage control administrator's office, their salaries likewise shall be fixed by the fiscal court pursuant to KRS 64.530, and they will serve at the pleasure of the county judge/executive.
- (3) No person shall be a county alcoholic beverage control administrator, an investigator, or an employee of the county under the supervision of the county alcoholic beverage control administrator, who would be disqualified to be a member of the board under KRS 241.100.
- (4)
  - (a) The county alcoholic beverage control administrator, appointed by the county judge/executive, and the administrator's investigators, shall have full police powers of peace officers, and their jurisdiction shall be over the unincorporated areas of the county and within the corporate limits of any city in the county not having its own administrator. They may inspect any premises where alcoholic beverages are manufactured, sold, stored, or otherwise trafficked in, without first obtaining a search warrant.
  - (b) The county judge/executive, serving as the county alcoholic beverage control administrator, shall not have the power to make arrests unless he or she is certified under KRS 15.380 to 15.404.
- (5) Before entering upon official duties, each county administrator shall take the oath prescribed in Section 228 of the Constitution.

**Effective:** June 29, 2023

**History:** Amended 2023 Ky. Acts ch. 170, sec. 12, effective June 29, 2023. --

Amended 2017 Ky. Acts ch. 62, sec. 9, effective June 29, 2017. -- Amended 1954 Ky. Acts ch. 139, sec. 1, effective June 17, 1954. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2554b-110.