

**211.285 Alcohol wellness and responsibility education fund.**

- (1) There is hereby created the alcohol wellness and responsibility education fund, which shall provide moneys on a matching basis for educational information and materials that deter or eliminate underage drinking. The fund shall consist of moneys generated from one percent (1%) of the excise tax collected from the sale and distribution of malt beverages under KRS 243.720, one percent (1%) of the wholesale tax collected from distributors of malt beverages and microbreweries under KRS 243.884, and all proceeds from public auctions conducted by the Alcoholic Beverage Control Board under KRS 241.060 and 243.540.
- (2) The alcohol wellness and responsibility education fund shall be established in the State Treasury as a trust and agency account under KRS 45.253. Moneys in the account shall be distributed by the State Treasurer to the Alcohol Wellness and Responsibility Education Corporation, a nonprofit organization that is organized under the laws of this state, upon the authorization of the secretary of the Public Protection Cabinet. The moneys shall be awarded to the corporation solely to fund educational programs to deter or eliminate underage drinking and promote alcohol responsibility measures.
- (3) The secretary of the Public Protection Cabinet shall authorize that moneys from the fund be disbursed to the corporation upon the secretary's receipt of a certification from the corporation showing the moneys the corporation has received from malt beverage distributors, microbreweries, auctions, and other private sources since the last certification. The moneys disbursed from the fund shall be equal to the contributions that the corporation has received from its members and other private sources during that period. The moneys in the fund shall be disbursed in accordance with a schedule established by the secretary, and shall be disbursed until the moneys in the fund are exhausted or until the moneys in the fund lapse in accordance with subsection (4) of this section, whichever comes first.
- (4) Moneys that are credited to the fund and not issued to the corporation shall lapse at the end of the fiscal year and shall be returned to the general fund.
- (5) As a condition of receiving the governmental funds, the corporation's board of directors shall include the following among its directors:
  - (a) All duly elected statewide constitutional officers or designees;
  - (b) The President of the Senate or designee, who shall serve as a nonvoting member;
  - (c) The Speaker of the House or designee, who shall serve as a nonvoting member;
  - (d) The secretary of the Public Protection Cabinet or designee;
  - (e) The commissioner of the Department of Alcoholic Beverage Control or designee;
  - (f) A representative of the malt beverage industry submitted by the Kentucky Beer Wholesalers' Association;
  - (g) A representative of the malt beverage industry submitted by the Kentucky Malt Beverage Council; and

- (h) A representative of the distilled spirits industry submitted by the Kentucky Distillers' Association.
- (6) All expenditures of moneys from the fund shall be approved by a majority of those persons set out in subsection (5)(a) and (d) to (h) of this section. If the moneys from the fund are not expended in their entirety, any moneys that remain unused by the corporation at the end of the fiscal year shall be returned to the general fund.
- (7) Any moneys from the fund that are not expended shall be returned to the general fund upon the dissolution of the corporation.
- (8) The Alcohol Wellness and Responsibility Education Corporation may accept applications for grants by Kentucky high schools, colleges and universities, and other entities that promote alcohol responsibility, and the board of directors shall develop criteria for the awarding of any funds by application.
- (9) Any high school in the Commonwealth of Kentucky that was registered with the Department of Education as of July 1, 2024, may make an application to the Alcohol Wellness and Responsibility Education Corporation by February 28 of each year and shall be granted a minimum of one thousand dollars (\$1,000) annually from the funds contributed by the alcohol wellness and responsibility education fund for the single purpose of supporting "Project Graduation" events.

**Effective:** April 4, 2024

**History:** Amended 2024 Ky. Acts ch. 46, sec. 15, effective April 4, 2024. -- Amended 2018 Ky. Acts ch. 16, sec. 5, effective July 14, 2018. -- Amended 2010 Ky. Acts ch. 24, sec. 308, effective July 15, 2010. -- Amended 2005 Ky. Acts ch. 99, sec. 352, effective June 20, 2005. -- Created 1998 Ky. Acts ch. 225, sec. 1, effective July 15, 1998.