

**438.3065 Transitional license.**

- (1) A transitional license may be issued by the commissioner during the time a transfer of an ongoing business is being processed under the following conditions:
  - (a) The purchaser shall file an application for a permanent license pursuant to KRS 438.3063 with the department;
  - (b)
    1. The purchaser shall, before applying for a license, advertise by publication its intention to apply for a license in a newspaper, online, or in print, in the county or city in which the retail establishment is located.
    2. The department shall prescribe the form and content of the advertisement by promulgation of administrative regulations in accordance with KRS Chapter 13A.
    3. The advertisement shall contain the following statement: "Any person may protest the approval of the license by writing the Department of Alcoholic Beverage Control within thirty (30) days of the date of legal publication."
    4. Any protest received after the thirty (30) day period shall be considered expired and shall not be considered a valid legal protest by the department; and
  - (c) The purchaser shall pay all application and licensing fees for the permanent license established under KRS 438.3063.
- (2) If the requirements in subsection (1) of this section are met, the commissioner may issue a transitional license with a term of up to sixty (60) days, plus one (1) thirty (30) day renewal license, to the purchaser for a nonrefundable processing fee of sixty dollars (\$60). All transitional licenses immediately expire upon the issuance to the purchaser of one (1) or more permanent licenses.
- (3) Upon completion of the sale of the business, the purchaser shall not operate the business on the previous retailer's license.
- (4) The transitional license shall not be transferable or used for an application to move a business from one (1) location to another location.
- (5) The transitional license shall entitle the holder to the same privileges and restrictions of the permanent license or licenses for which the holder applied under subsection (1)(a) of this section.

**Effective:** January 1, 2026

**History:** Created 2025 Ky. Acts ch. 78, sec. 6, effective January 1, 2026.