

243.033 Caterer's license.

- (1) A caterer's license may be issued as a supplementary license to a caterer that holds a quota retail package license, a quota retail drink license, an NQ1 license, an NQ2 license, or a limited restaurant license.
- (2) The caterer's license may be issued as a primary license to a caterer in any wet territory or in any moist territory under KRS 242.1244 for the premises that serves as the caterer's commissary and designated banquet hall. The alcoholic beverage stock of the caterer shall be kept under lock and key during the time that the alcoholic beverages are not being used.
- (3) The caterer's license shall authorize the caterer to:
 - (a) Purchase and store alcoholic beverages in the manner prescribed in KRS 243.088, 243.250, and 244.260;
 - (b) Transport, sell, serve, and deliver alcoholic beverages by the drink at locations away from the licensed premises or at the caterer's designated banquet hall in conjunction with the catering of food and alcoholic beverages in:
 1. Cities and counties established as moist territory under KRS 242.1244 if the receipts from the catering of food are at least seventy percent (70%) of the gross receipts from the catering of both food and alcoholic beverages;
 2. Precincts established as moist territory if the receipts from the catering of food are at least ten percent (10%) of the gross receipts from the catering of both food and alcoholic beverages. This subparagraph shall supersede any conflicting provisions of KRS Chapters 241 to 244;
 3. Wet cities and counties in which quota retail drink licenses are not available if the receipts from the catering of food are at least fifty percent (50%) of the gross receipts from the catering of both food and alcoholic beverages; or
 4. All other wet territory if the receipts from the catering of food are at least thirty-five percent (35%) of the gross receipts from the catering of both food and alcoholic beverages;
 - (c) Receive and fill telephone orders for alcoholic beverages in conjunction with the ordering of food for catering services; and
 - (d) Receive payment for alcoholic beverages served on a by-the-drink, cash bar, or by-the-event basis. The caterer may bill the customer for by-the-function sales of alcoholic beverages in the usual course of the caterer's business.
- (4) A caterer licensee shall not cater alcoholic beverages at locations for which retail alcoholic beverage licenses or special temporary licenses have been issued. A caterer licensee may cater a charitable or nonprofit fundraising event for which a special temporary alcoholic beverage auction license has been issued under KRS 243.036.
- (5) The location at which alcoholic beverages are sold, served, and delivered by a caterer, pursuant to this section, shall not constitute a public place for the purpose of KRS Chapter 222. If the location is a multi-unit structure, only the unit or units at

which the function being catered is held shall be excluded from the public place provisions of KRS Chapter 222.

- (6) The caterer licensee shall post a copy of the licensee's caterer's license at the location of the function for which alcoholic beverages are catered.
- (7) All restrictions and prohibitions applying to a quota retail drink licensee and an NQ4 retail malt beverage drink licensee not inconsistent with this section shall apply to the caterer licensee.
- (8) The caterer licensee shall maintain records as set forth in KRS 244.150 and in administrative regulations promulgated by the board.
- (9) Notwithstanding subsection (3)(b) of this section, a caterer may serve alcoholic beverages to guests who are twenty-one (21) years of age or older at a private event in dry territory if:
 - (a) The alcoholic beverages were lawfully purchased in a wet or moist territory:
 1. By an individual; or
 2. At the caterer's licensed premises in wet or moist territory; and
 - (b) The alcoholic beverages are not sold in dry territory to guests at the private residence or private event regardless of whether the venue is a public place.
- (10) Notwithstanding any other provision of state law, the department shall not impose or attempt to enforce the following against a caterer:
 - (a) Any minimum number of customers, consumers, or other persons required at an event for a caterer to cater that event; and
 - (b) Any limit on the number of events a caterer may cater in any time period.

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History: Amended 2026 Ky. Acts ch. 3, sec. 1, effective March 13, 2026. -- Amended 2025 Ky. Acts ch. 130, sec. 7, effective June 27, 2025. -- Amended 2022 Ky. Acts ch. 104, sec. 2, effective July 14, 2022. -- Amended 2019 Ky. Acts ch. 201, sec. 4, effective April 9, 2019. -- Amended 2017 Ky. Acts ch. 62, sec. 33, effective June 29, 2017. -- Amended 2016 Ky. Acts ch. 80, sec. 6, effective July 15, 2016. -- Amended 2014 Ky. Acts ch. 22, sec. 4, effective July 15, 2014; and ch. 92, sec. 295, effective January 1, 2015. -- Amended 2013 Ky. Acts ch. 121, sec. 47, effective June 25, 2013. -- Amended 2007 Ky. Acts ch. 99, sec. 9, effective June 26, 2007. -- Amended 2004 Ky. Acts ch. 20, sec. 5, effective July 13, 2004. -- Amended 1998 Ky. Acts ch. 121, sec. 9, effective July 15, 1998. -- Created 1992 Ky. Acts ch. 196, sec. 1, effective July 14, 1992.