

1 AN ACT related to alcoholic beverages.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 242.360 is amended to read as follows:

- 4 (1) When a peace officer discovers any person in dry territory in the act of illegally
5 possessing or transporting alcoholic beverages in any vehicle, ~~he~~ **the peace officer**
6 shall at once seize the vehicle and any and all alcoholic beverages found in it and
7 arrest any person or persons in charge thereof.
- 8 (2) Upon conviction of a person arrested under subsection (1), the court shall order the
9 vehicle seized sold at public auction unless the owner of the vehicle proves that it
10 was being used without his **or her** knowledge, consent or approval.
- 11 (3) The expenses of keeping and selling the vehicle and all valid recorded liens that are
12 established by intervention at a hearing as being bona fide shall be paid out of the
13 proceeds of the sale. The lienor must prove that the property was being used without
14 his **or her** knowledge, consent or approval.
- 15 (4) After the satisfaction of expenses and liens, the court shall direct that the balance of
16 the proceeds be paid to the circuit clerk, who shall transmit the balance as in the
17 case of other forfeitures. The court shall order all sales to be made by the sheriff,
18 who shall receive and be allowed the same fees as allowed for sales under
19 execution.