

1 AN ACT relating to the serving of alcoholic beverages.

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

3 ➔Section 1. KRS 244.090 is amended to read as follows:

4 (1) A person holding any license shall not knowingly employ in connection with the
5 licensed business any person who:

6 (a) Has been convicted of any felony within the last two (2) years;

7 (b) Has been twice convicted of any misdemeanor or offense directly or indirectly
8 attributable to the use of alcoholic beverages within the last two (2) years;

9 (c) Is under the age of twenty (20) years, unless the person is employed:

10 1. By~~[In a bottling house or room of]~~ a licensed distiller, winery, brewer,~~[~~
11 ~~or]~~ rectifier, ***manufacturer, wholesaler, or distributor and the***
12 ***employment duties do not involve the retail sale or serving of alcoholic***
13 ***beverages;***

14 2. ~~[In an office of a wholesaler or manufacturer that is maintained in a~~
15 ~~building separate from the warehouses or factory;~~

16 3. ~~]~~***By a business holding***~~[At premises licensed]~~ only~~[with]~~ a nonquota
17 retail malt beverage package license, and the person employed to sell
18 malt beverages is at least eighteen (18) years of age and under the
19 supervision of a person twenty (20) years of age or older; or

20 ~~3.~~~~[4.]~~***By any***~~[In any of the following establishments, if the employment is in a~~
21 ~~capacity that does not involve the sale or serving of alcoholic beverages:~~

22 a. ~~A]~~ restaurant ***or***~~[that derives at least fifty percent (50%) of its food~~
23 ~~and alcoholic beverage sales from the sale of food for consumption~~
24 ~~on the licensed premises; or~~

25 b. ~~Any]~~ other ***business whose***~~[establishment with]~~ alcoholic beverage
26 sales ***do*** not ***exceed***~~[exceeding]~~ fifty percent (50%) of its gross
27 sales; ***and***

1 **a. The person employed to sell or serve alcoholic beverages is at**
2 **least eighteen (18) years of age and under the supervision of a**
3 **person twenty (20) years of age or older; or**

4 **b. The employment duties do not involve the retail sale or serving**
5 **of alcoholic beverages; or**

6 (d) Within two (2) years prior to the date of the person's employment, has had any
7 license issued under KRS Chapters 241 to 244 or under any other act or
8 ordinance relating to the regulation of the manufacture, sale, or transportation
9 of alcoholic beverages revoked for cause.

10 (2) The provisions of paragraphs (a) and (b) of subsection (1) of this section shall not
11 apply if the employee's duties do not involve the sale, service, delivery, or traffic in
12 alcoholic beverages at the licensed premises.

13 (3) Violation of this section shall subject both employer and employee to penalties
14 provided in this chapter and shall be cause for revocation of license.