

1 AN ACT relating to tax rebates for certain state-owned facilities.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 139 IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) As used in this section:*

6 *(a) "Event" means an entertainment happening for which:*

7 *1. The public venue and ticket sales are open to the public;*

8 *2. Three (3) or more musical artists perform; and*

9 *3. The number of patrons attending the qualifying attraction, when*
10 *aggregated for all three (3) events, equals or exceeds ninety percent*
11 *(90%) of the verified attendance at the attraction held during the*
12 *immediately preceding calendar year;*

13 *(b) "Public venue" means a building:*

14 *1. Owned by the Commonwealth of Kentucky;*

15 *2. That is a multipurpose facility open to the general public for programs*
16 *and performances conducted within it;*

17 *3. Located in a consolidated local government; and*

18 *4. Has a seating capacity of at least six thousand five hundred (6,500)*
19 *seats but not more than twenty thousand (20,000) seats; and*

20 *(c) "Qualifying attraction" means a part of a series of at least three (3)*
21 *separate concert events that occur within the same calendar year where*
22 *each event has a duration of two (2) or more consecutive days.*

23 *(2) (a) Notwithstanding KRS 134.580 and KRS 139.770, a public venue may be*
24 *granted a sales tax rebate of the Kentucky sales tax generated by the sale of*
25 *admissions and tangible personal property during a qualifying attraction.*

26 *(b) Sales of tangible personal property at the public venue eligible for a sales*
27 *tax rebate pursuant to this section shall include food, concessions,*

1 souvenirs, and any other taxable property.

2 (c) The tax rebate shall be reduced by the vendor compensation allowed under
3 KRS 139.570.

4 (d) The public venue shall have no obligation to refund or otherwise return any
5 amount of the sales tax rebate to the persons from whom the sales tax was
6 collected.

7 (3) (a) To be eligible for a sales tax rebate under this section, the public venue
8 shall file an application with the department in the form prescribed by the
9 department through the promulgation of an administrative regulation in
10 accordance with KRS Chapter 13A.

11 (b) The application shall be submitted at least sixty (60) days prior to the date of
12 the first event constituting the qualifying attraction for which a sales tax
13 rebate is sought.

14 (4) The department shall accept applications for sales tax rebates under this section
15 for qualifying attractions held on or after January 1, 2025. The department shall
16 review each application determine whether it satisfies the requirements of this
17 section, pending the verification of required attendance.

18 (5) (a) A qualified applicant shall file a request for a sales tax rebate within sixty
19 (60) days following the end of the calendar quarter during which sales
20 eligible for rebate are completed in the calendar quarter.

21 (b) The request may aggregate eligible sales regarding the qualifying attraction
22 from the immediately preceding quarter to the next quarter if an event took
23 place in more than one (1) calendar quarter.

24 (c) Only one (1) rebate request shall be made for each qualifying attraction.

25 (d) The request shall be submitted in the form prescribed by the department
26 through the promulgation of an administrative regulation in accordance
27 with KRS Chapter 13A, and shall include supporting information and

- 1 documentation as determined necessary by the department to verify
2 attendance at the qualifying attraction and the amount of the requested tax
3 rebate.
- 4 (6) The department shall review the request, determine eligibility, verify the amount
5 of sales tax rebate due to the public venue, and pay the amount determined due
6 within forty-five (45) days of receipt of whichever is later of:
- 7 (a) The initial request; or
8 (b) All necessary supporting information.
- 9 (7) Interest shall not be allowed or paid on any sales tax rebate payment made under
10 this section.