

1 AN ACT relating to alcoholic beverages.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 243 IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) As used in this section and Section 2 of this Act:*

6 *(a) "Collection" means a group of twenty-five (25) or more vintage distilled*
7 *spirits packages received by the licensee from one (1) single individual; and*

8 *(b) "Package" or "vintage distilled spirits package" means a container holding*
9 *a minimum of seven hundred fifty (750) milliliters of vintage distilled*
10 *spirits.*

11 *(2) The department may grant a vintage distilled spirits licensee or vintage distilled*
12 *spirits seller an exception to the twenty-four (24) vintage distilled spirits package*
13 *limit established in Section 2 of this Act if the distilled spirits constitute the*
14 *entirety of one (1) collection.*

15 *(3) A vintage distilled spirits seller shall be eligible for an exception under this*
16 *section if the seller:*

17 *(a) Meets the definition of a vintage distilled spirits seller in KRS 241.010; or*

18 *(b) Is responsible for settling the estate of a decedent who possessed the*
19 *collection of vintage distilled spirits.*

20 *(4) A vintage distilled spirits licensee may purchase the entirety of a collection of*
21 *vintage distilled spirits that qualify under this section.*

22 *(5) A vintage distilled spirits seller or vintage distilled spirits licensee may only claim*
23 *this exception up to twelve (12) times in any given twelve (12) month period.*

24 *(6) Any vintage distilled spirits bought or sold and qualifying under this section shall*
25 *not count toward the twenty-four (24) vintage distilled spirits package limit*
26 *established in Section 2 of this Act.*

27 ➔Section 2. KRS 243.232 is amended to read as follows:

- 1 (1) A vintage distilled spirits license may be issued as a supplementary license to a
2 licensee that holds a primary license that permits the sale of distilled spirits by the
3 package or by the drink.
- 4 (2) A vintage distilled spirits licensee shall file a monthly report with the department,
5 which shall be established and maintained by the department, utilizing a form
6 prescribed by the department that includes the following information:
- 7 (a) The number of vintage distilled spirits packages purchased in the preceding
8 thirty (30) days in total, with each purchase matched to the individual from
9 whom the vintage distilled spirits were purchased;
- 10 (b) The date of each purchase;
- 11 (c) The name, address, and phone number of each individual from whom vintage
12 distilled spirits were purchased;
- 13 (d) A detailed description of the vintage distilled spirits purchased, including the
14 brand name and the size of the packages; ~~and~~
- 15 (e) **Whether the vintage distilled spirits packages constituted the entirety of an**
16 **exempt collection purchased as authorized in Section 1 of this Act;**
- 17 (f) **Whether the vintage distilled spirits were shipped to the vintage distilled**
18 **spirits licensee or purchased in person by the vintage distilled spirits**
19 **licensee at its licensed premises; and**
- 20 (g) The number of vintage distilled spirits packages that the licensee has
21 previously purchased from the same individual and the dates of those
22 purchases.
- 23 (3) Vintage distilled spirits licensees shall purchase all vintage distilled spirits **from a**
24 **vintage distilled spirits seller**~~[in person at its licensed premises]~~, and at the time of
25 **receipt of the vintage distilled spirits**~~[purchase]~~, the vintage distilled spirits licensee
26 shall immediately place a conspicuous sticker, not readily removable, on the bottle
27 or container that states "Vintage Distilled Spirit."

- 1 (4) Vintage distilled spirits may be resold only:
- 2 (a) By the drink by a vintage distilled spirits licensee with a license to sell
- 3 distilled spirits by the drink; and
- 4 (b) By the package by a vintage distilled spirits licensee with a license to sell
- 5 distilled spirits by the package.
- 6 (5) **Except as authorized by Section 1 of this Act,** a vintage distilled spirits licensee
- 7 shall not purchase more than twenty-four (24) vintage distilled spirits packages
- 8 from any single vintage distilled spirits seller in any given twelve (12) month
- 9 period.
- 10 (6) **Except as authorized by Section 1 of this Act,** a vintage distilled spirits seller shall
- 11 not sell more than twenty-four (24) vintage distilled ~~spirits~~ ~~spirit~~ packages to any
- 12 single or combination of vintage distilled spirits licensees in any given twelve (12)
- 13 month period. A vintage distilled spirits seller who violates the provisions of this
- 14 subsection shall be subject to the penalties set forth in KRS 243.990.
- 15 **(7) A vintage distilled spirits seller may ship vintage distilled spirits to a vintage**
- 16 **distilled spirits licensee without holding a direct shipper license or other license**
- 17 **under KRS Chapters 241 to 244 if the vintage distilled spirits:**
- 18 **(a) Are shipped through a common carrier;**
- 19 **(b) Are shipped directly to the vintage distilled spirits licensee's licensed**
- 20 **premises;**
- 21 **(c) Have an outer package conspicuously labeled with the words "CONTAINS**
- 22 **ALCOHOL: SIGNATURE OF PERSON AGE 21 OR OLDER REQUIRED**
- 23 **FOR DELIVERY"; and**
- 24 **(d) May be lawfully received by the vintage distilled spirits licensee.**
- 25 **(8) A vintage distilled spirits package licensee may ship vintage distilled spirits**
- 26 **directly to a consumer, subject to the same privileges, duties, and limitations**
- 27 **established for a direct shipper license under KRS 243.027 to 243.029.**