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KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM
2026 REGULAR SESSION

Amend printed copy of **HB 9/GA**

On page 36, line 17, delete "\$2,000.00" and insert in lieu thereof "\$500.00~~[\$2,000.00]~~";
and

On page 51, line 15, delete "\$570.00" and insert in lieu thereof "\$500.00"; and

On page 109, between lines 18 and 19, insert the following:

"➔Section 38. KRS 243.0307 is amended to read as follows:

(1) A sampling license may be issued to the holder of:

- (a) A quota retail drink license;
- (b) A quota retail package license;
- (c) A nonquota retail malt beverage package license;
- (d) An NQ1 license;
- (e) An NQ2 license;
- (f) An NQ4 retail malt beverage drink license; ~~or~~
- (g) A distiller's license;
- (h) A cannabis-infused beverage retail package license;**
- (i) A cannabis-infused beverage distributor's license; or**
- (j) A cannabis-infused beverage manufacturer permit from the Department for Public**

Health.

(2) **For licenses authorized by subsection (1)(a) to (g) of this section,** a sampling license shall

Amendment No. SFA 3

Rep. Sen. Jimmy Higdon

Committee Amendment _____

Signed: _____

Floor Amendment _____

LRC Drafter: _____

Adopted: _____

Date: _____

Rejected: _____

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authorize the licensee to allow customers to sample, free of charge, distilled spirits, wine, and malt beverages under the following conditions:

- (a) Sampling shall be permitted only on licensed premises and by licensees holding a sampling license, during regular business hours;
- (b) A distillery shall provide samples as authorized by KRS 243.0305;
- (c) All other licensees shall limit a customer to:
 - 1. One (1) ounce of distilled spirits samples per day;
 - 2. Six (6) ounces of wine samples per day; or
 - 3. Twelve (12) ounces of malt beverage samples per day; and
- (d) A brewer, microbrewery, or out-of-state malt beverage supplier may conduct a sampling of malt beverages as permitted by this section at the licensed premises of a retailer licensee holding a sampling license.

(3) For licenses authorized by subsection (1)(h) to (j) of this section, a sampling license shall authorize the licensee to allow customers to sample, free of charge, cannabis-infused beverages under the following conditions:

- (a) Sampling shall be permitted only on licensed premises and by licensees holding a sampling license, during regular business hours; and**
- (b) A licensee shall limit a customer to twelve (12) ounces of cannabis-infused beverage samples per day.**

(4) Retailers holding a sampling license shall:

- (a) Notify the Department of Alcoholic Beverage Control at least seven (7) days in advance of conducting a free sampling event; and
- (b) Limit a sampling event to a period not to exceed four (4) consecutive hours between 12 noon and 8 p.m.

(5)~~(4)~~ In addition to free sampling, a quota retail package licensee holding a sampling

license may also sell sample distilled spirits and wine under the following conditions:

- (a) Paid samples may be sold only on licensed premises and by licensees holding a sampling license, during regular business hours; and
- (b) A licensee shall limit a customer to purchased samples totaling no more than:
 - 1. Two (2) ounces of distilled spirits per day; and
 - 2. Nine (9) ounces of wine per day.

~~(6)(5)~~ A quota retail package licensee holding both a sampling license and a nonquota retail malt beverage package license may also sell samples of malt beverages under the following conditions:

- (a) Paid samples may be sold only on licensed premises and by licensees holding a sampling license, during regular business hours;
- (b) A licensee shall limit a customer to no more than sixteen (16) ounces of malt beverages per day; and
- (c) The retail price of a sample shall not be less than a licensee's purchase cost of the sample.

~~(7)(6)~~ No customer shall be allowed to receive a combination of free and purchased samples totaling more than:

- (a) Two (2) ounces of distilled spirits per day; and
- (b) Nine (9) ounces of wine per day.

~~(8)(7)~~ Free and paid samples provided under this section shall not constitute drink sales.

➔Section 39. KRS 243.110 is amended to read as follows:

- (1) Except as provided in subsection (3) of this section, each kind of license listed in KRS 243.030 shall be incompatible with every other kind listed in that section and no person or entity holding a license of any of those kinds shall apply for or hold a license of another kind listed in KRS 243.030.

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- (2) (a) Each kind of license listed in KRS 243.040(1), (3), or (4) shall be incompatible with every other kind listed in KRS 243.040(1), (3), or (4), and no person holding a license of any of those kinds shall apply for or hold a license of any other kind listed in KRS 243.040(1), (3), or (4).
- (b) A brewery holding a license listed in KRS 243.040(5) or (8) shall not apply for or hold a license listed in KRS 243.040(3) or (4).
- (3) (a) The holder of a quota retail package license may also hold a quota retail drink license, an NQ1 retail drink license, an NQ2 retail drink license, an NQ3 retail drink license, a cannabis-infused beverage retail package license, or a special nonbeverage alcohol license.
- (b) The holder of a transporter's license may also hold a distilled spirits and wine storage license.
- (c) The holder of a distiller's license may also hold a rectifier's license, a special nonbeverage alcohol license, a winery license, or a small farm winery license.
- (d) A commercial airline system or charter flight system retail license, a commercial airline system or charter flight system transporter's license, and a retail drink license if held by a commercial airline or charter flight system may be held by the same licensee.
- (e) A Sunday retail drink license, vintage distilled spirits license, and supplemental license may be held by the holder of a primary license.
- (f) The holder of a distiller's, winery, small farm winery, brewer, microbrewery, distilled spirits and wine supplier's, or malt beverage supplier's license may also hold a direct shipper license.
- (g) The holder of an NQ1 retail drink license, an NQ2 retail drink license, an NQ3 retail drink license, a quota retail drink license, or a limited restaurant license may also hold

- a limited nonquota package license.
- (4) (a) The holder of a cannabis-infused beverage retail package license shall not apply for or hold the license listed in KRS 243.030(5) or 243.040(3).
- (b) The holder of a cannabis-infused beverage retail package license shall also hold a:
1. Quota retail package license;
 2. *Special temporary license*;
 3. *Special Sunday retail drink license*; or
 4. *Caterer's license*.
- (c) The holder of a cannabis-infused beverage distributor's license may hold it as a primary license or as a supplemental license to a distributor's license or a wholesaler's license.
- (5) Any person may hold two (2) or more licenses of the same kind.
- (6) A person or entity shall not evade the prohibition against applying for or holding licenses of two (2) kinds by applying for a second license through or under the name of a different person or entity. The state administrator shall examine the ownership, membership, and management of applicants, and shall deny the application for a license if the applicant is substantially interested in a person or entity that holds an incompatible license.

➔Section 40. KRS 243.401 is amended to read as follows:

- (1) (a) The distribution and retail sale of cannabis-infused beverages shall be regulated solely by the Department of Alcoholic Beverage Control. The department shall adopt and exclusively enforce the administrative regulations of the Department for Public Health relating to the distribution and retail sale of cannabis-infused beverages until such time as the Department of Alcoholic Beverage Control promulgates its own administrative regulations on the subject on or before July 1, 2026.
- (b) The distribution and retail sale of packaged cannabis-infused beverages shall be

- regulated by the department. On or before July 1, 2026, the department shall promulgate administrative regulations in accordance with KRS Chapter 13A to establish the rules and procedures for this distribution and retail sale.
- (c) A local administrator shall only have authority over the distribution and retail sale of cannabis-infused beverages in its territory to the extent expressly authorized by KRS Chapters 241 to 244.
- (2) Cannabis-infused beverages shall only be available for retail sale:
- (a) By the package;
 - (b) In wet territory; and
 - (c) By the holder of ~~both a quota retail package license and~~ a cannabis-infused beverage retail package license **authorized by Section 41 of this Act.**
- (3) A person under twenty-one (21) years of age shall not purchase or consume cannabis-infused beverages. All restrictions and offenses related to minors and alcoholic beverages in KRS Chapters 241 to 244 shall also apply in the same manner to minors and cannabis-infused beverages.
- (4) If approved as a cannabis-infused beverage manufacturer by the Department for Public Health, that manufacturer may:
- (a) Self-distribute cannabis-infused beverages in the same manner as distilled spirits; ~~and~~
 - (b) Ship cannabis-infused beverages under a direct shipper license in the same manner that a direct shipper license allows the shipment of alcoholic beverages. A direct shipper licensee may sell or ship to a consumer all types of alcoholic beverages and cannabis-infused beverages that the licensee is authorized to sell; **and**
 - (c) **Sell and serve cannabis-infused beverages at fairs, festivals, and similar events in wet territory.**

(5) Cannabis-infused beverages may be shipped and delivered in the same manner as alcoholic beverages.

➔Section 41. KRS 243.403 is amended to read as follows:

(1) A cannabis-infused beverage retail package license shall only be issued as a supplemental license to the holder of a:

(a) Quota retail package license;

(b) *Special temporary license*;

(c) *Special Sunday retail drink license*; or

(d) *Caterer's license*.

(2) A cannabis-infused beverage retail package license shall authorize the licensee to sell cannabis-infused beverages at retail by the package from the licensed premises only for consumption off the licensed premises only. The licensee shall purchase cannabis-infused beverages only from the holder of a cannabis-infused beverage distributor's license.

➔Section 42. KRS 243.405 is amended to read as follows:

(1) A cannabis-infused beverage distributor's license may be issued as a primary license to a qualifying person as determined by the department or as a supplemental license to the holder of a distributor's or wholesaler's license. A cannabis-infused beverage distributor's license shall authorize the licensee to:

(a) Purchase cannabis-infused beverages from:

1. A manufacturer of cannabis-infused beverages that has been approved as a cannabis-infused beverage manufacturer by the Department for Public Health; and

2. Another holder of a cannabis-infused beverage distributor's license; ~~and~~

(b) Store cannabis-infused beverages and to sell them from its licensed premises to the holder of a:

1. Cannabis-infused beverage retail package license; or
 2. Cannabis-infused beverage distributor's license; ***and***
- (c) Sell and serve cannabis-infused beverages at fairs, festivals, and similar events in wet territory.***
- (2) A cannabis-infused beverage distributor shall transport cannabis-infused beverages only by a vehicle owned, rented, or leased and operated by the cannabis-infused beverage distributor, which has affixed to its sides at all times a sign of form and size prescribed by the board, containing among other things the name and license number of the licensee. No distilled spirits, wine, or malt beverages shall be transported on the same truck or vehicle with cannabis-infused beverages, except by a common carrier, unless the owner of that truck or vehicle holds the wholesaler's or distributor's license that allows the transport of that type of alcoholic beverage.
 - (3) A cannabis-infused beverage distributor's license shall be obtained for each separate warehouse, agent, distributor, broker, jobber, or place of business from which orders are received or cannabis-infused beverages are distributed.
 - (4) The holder of a cannabis-infused beverage distributor's license shall:
 - (a) Not hold a cannabis-infused beverage retail package license; and
 - (b) Have a licensed location in Kentucky."; andRenumber subsequent sections accordingly.