

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM  
2026 REGULAR SESSION  
**Unofficial Document**

Amend printed copy of **SB 245/HCS 1**

On page 3, line 5, between "The" and "application" insert "annual license"; and

On page 3, line 8, between "number," and "business" insert "telephone number, email address,"; and

On page 5, line 18, delete "for a" and insert in lieu thereof "for an annual"; and

On page 6, line 14, after the period insert "The department may issue:

(a) A tobacco, nicotine, or vapor product license that may be renewed annually;

(b) 1. A temporary tobacco, nicotine, or vapor product license for use at fairs, festivals, and other similar events.

2. A temporary license issued under this paragraph shall be valid for no more than thirty (30) days.

3. The department shall approve or deny every application for a temporary tobacco, nicotine, or vapor product license within fourteen (14) business days; and

(c) Any other special or temporary license the department deems necessary."; and

On page 7, delete lines 8 through 9 in their entirety and insert the following in lieu thereof:

"(a) Be accompanied with a licensure renewal form for an annual license and a licensing fee required in subsection (4) of this section~~[renewed annually]~~"; and

On page 7, line 10, after "issuance" insert "for an annual license and for thirty (30) days

Amendment No. HFA

Rep. Rep. Matthew Koch

Committee Amendment \_\_\_\_\_

Signed:  \_\_\_\_\_

Floor Amendment \_\_\_\_\_

LRC Drafter: \_\_\_\_\_

Adopted: \_\_\_\_\_

Date: \_\_\_\_\_

Rejected: \_\_\_\_\_

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for a temporary license"; and

On page 7, line 12, delete "premises" and in lieu thereof insert "location~~[premises]~~"; and

On page 8, line 13, between "seeking" and "licensure" insert "annual"; and

On page 8, line 17, delete "for a" and insert in lieu thereof "for an annual~~[a]~~"; and

On page 8, delete lines 20 through 22 in their entirety and insert the following in lieu thereof:

"(b) The fee for a thirty (30) day temporary tobacco, nicotine, or vapor product license shall be fifty dollars (\$50) for each event, and the fee shall be made payable to the State Treasurer.

(c) All of the fees paid into the State Treasury for state licenses shall be credited to a revolving trust and agency account as provided in KRS 438.337 for the department."; and

On page 15, between lines 10 and 11, insert the following:

"➔SECTION 12. A NEW SECTION OF KRS 438.305 TO 438.350 IS CREATED TO READ AS FOLLOWS:

(1) The temporary license application required in Section 5 of this Act shall contain only the following information, given under oath:

(a) The name, age, Social Security number, federal employer identification number, telephone number, email address, business address, and citizenship of each applicant;

(b) If the applicant is a partner, the name, age, Social Security number, business address, and citizenship of each partner and the name and address of the partnership;

(c) The name, age, Social Security number, business address, residence, and citizenship of each individual or partner interested in the business for which the

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license is sought, together with the nature of that interest, and, if the applicant is a corporation, limited partnership company, limited liability company, or other business entity recognized by law, the name, age, Social Security number, and address of each principal owner, member, officer, and director of the applicant. The department may require the names of all owners and the ownership percentage held by each;

(d) A description of the location of the fair, festival, or other event that reasonably indicates where at the event location the products will be sold;

(e) Proof of the occurrence and duration of the fair, festival, or other event where the products will be sold; and

(f) 1. A statement that neither the applicant nor any other person referred to in this section has been convicted of:

a. Any misdemeanor directly or indirectly attributable to the sale of illicit substances or illegal tobacco, nicotine, or vapor products;

b. Any violation involving a controlled substance that is described in or classified pursuant to KRS Chapter 218A within the two (2) years immediately preceding the application;

c. Any felony within five (5) years from the later of the date of parole or the date of conviction; or

d. Knowingly providing false information to the department preceding the application.

2. A statement that the applicant or any other person referred to in this section has not had any license that has been issued under KRS Chapter 438 revoked for cause within two (2) years prior to the date of the application.

(2) If, after a license has been issued, there is a change in any of the facts required to be set

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forth in the application, a verified supplemental statement in writing giving notice of the change shall be filed with the department within ten (10) days after the change.

(3) In giving any notice or taking any action in reference to a license, the department may rely upon the information furnished in the application or in the supplemental statement connected with the application as accurate and truthful. The information required to be furnished in the application or supplemental statement shall be deemed material in any prosecution for perjury.

(4) The department shall not have the authority to establish any additional requirements for licensure or licensure renewal beyond those statutorily required.

(5) (a) Within thirty (30) days of the effective date of this Act, the department shall publish and maintain on its website the required application, renewal form, and instructions for a temporary tobacco, nicotine, or vapor product license.

(b) The application, renewal form, and instructions shall:

1. Be public-facing;
2. Be published outside of the department's licensure portal;
3. Not require a person to log into an account for access; and
4. Have a quick link for easy access on a main tab or section of the department's website."; and

Renumber subsequent sections accordingly; and

On page 16, between lines 6 and 7, insert the following:

"➔Section 17. Sections 1 to 12 of this Act shall not modify, invalidate, or otherwise negatively affect a tobacco, nicotine, or vapor product license that:

- (1) Was issued by the department prior to July 1, 2026; and
- (2) Remains in good standing with the department on July 1, 2026."; and

Renumber subsequent sections accordingly.