

1 AN ACT relating to alcoholic beverages.

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

3 ➔Section 1. KRS 243.232 is amended to read as follows:

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

1 container that states "Vintage Distilled Spirit."

2 (4) *A vintage distilled spirits licensee may request an exception to the purchase*
 3 *requirements in subsection (3) of this section and the limits in subsections (6) and*
 4 *(7) of this section from the department to purchase the entirety of a single*
 5 *collection of vintage distilled spirits constituting twenty-five (25) or more vintage*
 6 *distilled spirits packages, provided that:*

7 *(a) A vintage distilled spirits licensee may only receive this exception up to ten*
 8 *(10) times in any given twelve (12) month period;*

9 *(b) Any vintage distilled spirits bought or sold and qualifying under this*
 10 *subsection shall not count toward the limits established in subsections (6)*
 11 *and (7) of this section; and*

12 *(c) Any purchase made at a location other than the vintage distilled spirits*
 13 *licensee's premises shall be transported in accordance with KRS 243.200,*
 14 *and the purchase location shall be provided to the department in the initial*
 15 *request.*

16 (5) Vintage distilled spirits may be resold only:

17 (a) By the drink by a vintage distilled spirits licensee with a license to sell
 18 distilled spirits by the drink; and

19 (b) By the package by a vintage distilled spirits licensee with a license to sell
 20 distilled spirits by the package.

21 ~~(6)~~⁽⁵⁾ *Except as authorized in subsection (4) of this section,* a vintage distilled
 22 spirits licensee shall not purchase more than twenty-four (24) vintage distilled
 23 spirits packages from any single vintage distilled spirits seller in any given twelve
 24 (12) month period.

25 ~~(7)~~⁽⁶⁾ *Except as authorized in subsection (4) of this section,* a vintage distilled
 26 spirits seller shall not sell more than twenty-four (24) vintage distilled ~~spirits~~^{spirit}
 27 packages to any single or combination of vintage distilled spirits licensees in any

1 given twelve (12) month period. A vintage distilled spirits seller who violates~~the~~
2 ~~provisions of~~ this subsection shall be subject to the penalties set forth in KRS
3 243.990.

4 ➔Section 2. KRS 241.010 is amended to read as follows:

5 As used in KRS Chapters 241 to 244, unless the context requires otherwise:

- 6 (1) "Alcohol" means ethyl alcohol, hydrated oxide of ethyl or spirit of wine, from
7 whatever source or by whatever process it is produced;
- 8 (2) "Alcoholic beverage" means every liquid, solid, powder, or crystal, whether
9 patented or not, containing alcohol in an amount in excess of more than one percent
10 (1%) of alcohol by volume, which is fit for beverage purposes. It includes every
11 spurious or imitation liquor sold as, or under any name commonly used for,
12 alcoholic beverages, whether containing any alcohol or not. It does not include the
13 following products:
- 14 (a) Medicinal preparations manufactured in accordance with formulas prescribed
15 by the United States Pharmacopoeia, National Formulary, or the American
16 Institute of Homeopathy;
 - 17 (b) Patented, patent, and proprietary medicines;
 - 18 (c) Toilet, medicinal, and antiseptic preparations and solutions;
 - 19 (d) Flavoring extracts and syrups;
 - 20 (e) Denatured alcohol or denatured rum;
 - 21 (f) Vinegar and preserved sweet cider;
 - 22 (g) Wine for sacramental purposes; and
 - 23 (h) Alcohol unfit for beverage purposes that is to be sold for legitimate external
24 use;
- 25 (3) (a) "Alcohol vaporizing device" or "AWOL device" means any device, machine,
26 or process that mixes liquor, spirits, or any other alcohol product with pure
27 oxygen or by any other means produces a vaporized alcoholic product used

- 1 for human consumption;
- 2 (b) "Alcohol vaporizing device" or "AWOL device" does not include an inhaler,
3 nebulizer, atomizer, or other device that is designed and intended by the
4 manufacturer to dispense a prescribed or over-the-counter medication or a
5 device installed and used by a licensee under this chapter to demonstrate the
6 aroma of an alcoholic beverage;
- 7 (4) "Automobile race track" means a facility primarily used for vehicle racing that has a
8 seating capacity of at least thirty thousand (30,000) people;
- 9 (5) "Barrel-aged and batched cocktail" means an alcoholic beverage that is:
- 10 (a) Composed of:
- 11 1. Distilled spirits that have been dispensed from their original sealed
12 container; and
- 13 2. Other ingredients or alcoholic beverages;
- 14 (b) Placed into a barrel or container on the premises of a retail licensee; and
- 15 (c) Dispensed from the barrel or container as a retail sale by the drink;
- 16 (6) "Bed and breakfast" means a one (1) family dwelling unit that:
- 17 (a) Has guest rooms or suites used, rented, or hired out for occupancy or that are
18 occupied for sleeping purposes by persons not members of the single-family
19 unit;
- 20 (b) Holds a permit under KRS Chapter 219; and
- 21 (c) Has an innkeeper who resides on the premises or property adjacent to the
22 premises during periods of occupancy;
- 23 (7) "Board" means the State Alcoholic Beverage Control Board created by KRS
24 241.030;
- 25 (8) "Bottle" means any container which is used for holding alcoholic beverages for the
26 use and sale of alcoholic beverages at retail;
- 27 (9) "Brewer" means any person who manufactures malt beverages or owns, occupies,

- 1 carries on, works, or conducts any brewery, either alone or through an agent;
- 2 (10) "Brewery" means any place or premises where malt beverages are manufactured for
3 sale, and includes all offices, granaries, mash rooms, cooling rooms, vaults, yards,
4 and storerooms connected with the premises; or where any part of the process of the
5 manufacture of malt beverages is carried on; or where any apparatus connected with
6 manufacture is kept or used; or where any of the products of brewing or
7 fermentation are stored or kept;
- 8 (11) "Building containing licensed premises" means the licensed premises themselves
9 and includes the land, tract of land, or parking lot in which the premises are
10 contained, and any part of any building connected by direct access or by an
11 entrance which is under the ownership or control of the licensee by lease holdings
12 or ownership;
- 13 (12) "Cannabinoid" means a compound found in the hemp plant *Cannabis sativa* L. from
14 a United States Department of Agriculture-sanctioned domestic hemp production
15 program and does not include cannabinoids derived from any other substance;
- 16 (13) "Cannabis-infused beverage":
- 17 (a) Means a properly permitted adult-use cannabinoid liquid product intended for
18 human consumption that has intoxicating properties that change the function
19 of the nervous system and results in alterations of perception, cognition, or
20 behavior and shall not contain more than five (5) milligrams of intoxicating
21 adult-use cannabinoids per twelve (12) ounce serving; and
- 22 (b) Shall not include:
- 23 1. Medicinal cannabis regulated under KRS Chapter 218B;
- 24 2. Any type of hemp tincture; and
- 25 3. Any product containing solely nonintoxicating cannabinoids;
- 26 (14) "Caterer" means a person operating a food service business that prepares food in a
27 licensed and inspected commissary, transports the food and alcoholic beverages to

1 the caterer's designated and inspected banquet hall or to an agreed location, and
2 serves the food and alcoholic beverages pursuant to an agreement with another
3 person;

4 (15) "Charitable organization" means a nonprofit entity recognized as exempt from
5 federal taxation under Section 501(c) of the Internal Revenue Code, 26 U.S.C. sec.
6 501(c), or any organization having been established and continuously operating
7 within the Commonwealth of Kentucky for charitable purposes for three (3) years
8 and which expends at least sixty percent (60%) of its gross revenue exclusively for
9 religious, educational, literary, civic, fraternal, or patriotic purposes;

10 (16) "Cider" means any fermented fruit-based beverage containing seven percent (7%)
11 or more alcohol by volume and includes hard cider and perry cider;

12 (17) "City administrator" means city alcoholic beverage control administrator;

13 (18) "Commercial airport" means an airport through which more than five hundred
14 thousand (500,000) passengers arrive or depart annually;

15 (19) (a) "Commercial quadricycle" means a vehicle equipped with a minimum of ten
16 (10) pairs of fully operative pedals for propulsion by means of human
17 muscular power and which:

- 18 1. Has four (4) wheels;
- 19 2. Is operated in a manner similar to that of a bicycle;
- 20 3. Is equipped with a minimum of thirteen (13) seats for passengers;
- 21 4. Has a unibody design;
- 22 5. Is equipped with a minimum of four (4) hydraulically operated brakes;
- 23 6. Is used for commercial tour purposes;
- 24 7. Is operated by the vehicle owner or an employee of the owner; and
- 25 8. Has an electrical assist system that shall only be used when traveling to
26 or from its storage location while not carrying passengers.

27 (b) A "commercial quadricycle" is not a motor vehicle as defined in KRS 186.010

- 1 or 189.010;
- 2 (20) "Commissioner" means the commissioner of the Department of Alcoholic Beverage
3 Control;
- 4 (21) "Consumer" means a person, persons, or business organization who purchases
5 alcoholic beverages and who:
- 6 (a) Does not hold a license or permit issued by the department;
- 7 (b) Purchases the alcoholic beverages for personal consumption only and not for
8 resale;
- 9 (c) Is of lawful drinking age; and
- 10 (d) Receives the alcoholic beverages in territory where the alcoholic beverages
11 may be lawfully sold or received;
- 12 (22) "Convention center" means any facility which, in its usual and customary business,
13 provides seating for a minimum of one thousand (1,000) people and offers
14 convention facilities and related services for seminars, training and educational
15 purposes, trade association meetings, conventions, or civic and community events
16 or for plays, theatrical productions, or cultural exhibitions;
- 17 (23) "Convicted" and "conviction" means a finding of guilt resulting from a plea of
18 guilty, the decision of a court, or the finding of a jury, irrespective of a
19 pronouncement of judgment or the suspension of the judgment;
- 20 (24) "County administrator" means county alcoholic beverage control administrator;
- 21 (25) "Department" means the Department of Alcoholic Beverage Control;
- 22 (26) "Dining car" means a railroad passenger car that serves meals to consumers on any
23 railroad or Pullman car company;
- 24 (27) "Discount in the usual course of business" means price reductions, rebates, refunds,
25 and discounts given by wholesalers to distilled spirits and wine retailers pursuant to
26 an agreement made at the time of the sale of the merchandise involved and are
27 considered a part of the sales transaction, constituting reductions in price pursuant

- 1 to the terms of the sale, irrespective of whether the quantity discount was:
- 2 (a) Prorated and allowed on each delivery;
- 3 (b) Given in a lump sum after the entire quantity of merchandise purchased had
4 been delivered; or
- 5 (c) Based on dollar volume or on the quantity of merchandise purchased;
- 6 (28) "Distilled spirits" or "spirits" means any product capable of being consumed by a
7 human being which contains alcohol obtained by distilling, mixed with water or
8 other substances in solution, except wine, hard cider, and malt beverages;
- 9 (29) "Distiller" means any person who is engaged in the business of manufacturing
10 distilled spirits at any distillery in the state and is registered in the Office of the
11 Collector of Internal Revenue for the United States at Louisville, Kentucky;
- 12 (30) "Distillery" means any place or premises where distilled spirits are manufactured
13 for sale, and which are registered in the office of any collector of internal revenue
14 for the United States. It includes any United States government bonded warehouse;
- 15 (31) "Distributor" means any person who distributes malt beverages for the purpose of
16 being sold at retail;
- 17 (32) "Dry" means a territory in which a majority of the electorate voted to prohibit all
18 forms of retail alcoholic beverage sales through a local option election held under
19 KRS Chapter 242;
- 20 (33) "Election" means:
- 21 (a) An election held for the purpose of taking the sense of the people as to the
22 application or discontinuance of alcoholic beverage sales under KRS Chapter
23 242; or
- 24 (b) Any other election not pertaining to alcoholic beverages;
- 25 (34) "Horse racetrack" means a facility licensed to conduct a horse race meeting under
26 KRS Chapter 230;
- 27 (35) "Hotel" means a hotel, motel, or inn for accommodation of the traveling public,

1 designed primarily to serve transient patrons;

2 (36) "Investigator" means any employee or agent of the department who is regularly
3 employed and whose primary function is to travel from place to place for the
4 purpose of visiting licensees, and any employee or agent of the department who is
5 assigned, temporarily or permanently, by the commissioner to duty outside the main
6 office of the department at Frankfort, in connection with the administration of
7 alcoholic beverage statutes;

8 (37) "License" means any license issued pursuant to KRS Chapters 241 to 244;

9 (38) "Licensee" means any person to whom a license has been issued, pursuant to KRS
10 Chapters 241 to 244;

11 (39) "Limited restaurant" means:

12 (a) A facility where the usual and customary business is the preparation and
13 serving of meals to consumers, which has a bona fide kitchen facility, which
14 receives at least seventy percent (70%) of its food and alcoholic beverage
15 receipts from the sale of food, which maintains a minimum seating capacity of
16 fifty (50) persons for dining, which has no open bar, which requires that
17 alcoholic beverages be sold in conjunction with the sale of a meal, and which
18 is located in a wet or moist territory under KRS 242.1244; or

19 (b) A facility where the usual and customary business is the preparation and
20 serving of meals to consumers, which has a bona fide kitchen facility, which
21 receives at least seventy percent (70%) of its food and alcoholic beverage
22 receipts from the sale of food, which maintains a minimum seating capacity of
23 one hundred (100) persons of dining, and which is located in a wet or moist
24 territory under KRS 242.1244;

25 (40) "Local administrator" means a city alcoholic beverage control administrator, county
26 alcoholic beverage control administrator, or urban-county alcoholic beverage
27 control administrator;

- 1 (41) "Malt beverage" means any fermented undistilled alcoholic beverage of any name
2 or description, manufactured from malt wholly or in part, or from any substitute for
3 malt, and includes weak cider;
- 4 (42) "Manufacture" means distill, rectify, brew, bottle, and operate a winery;
- 5 (43) "Manufacturer" means a winery, distiller, rectifier, or brewer, and any other person
6 engaged in the production or bottling of alcoholic beverages;
- 7 (44) "Marina" means a dock or basin providing moorings for boats and offering supply,
8 repair, or other services for remuneration;
- 9 (45) "Minor" means any person who is not twenty-one (21) years of age or older;
- 10 (46) "Moist" means a territory in which a majority of the electorate voted to permit
11 limited alcoholic beverage sales by any one (1) or a combination of special limited
12 local option elections authorized by KRS Chapter 242;
- 13 (47) "Population" means the population figures established by the federal decennial
14 census for a census year or the current yearly population estimates prepared by the
15 Kentucky State Data Center, Urban Studies Center of the University of Louisville,
16 Louisville, Kentucky, for all other years;
- 17 (48) "Premises" means the land and building in and upon which any business regulated
18 by alcoholic beverage statutes is operated or carried on. "Premises" shall not
19 include as a single unit two (2) or more separate businesses of one (1) owner on the
20 same lot or tract of land, in the same or in different buildings if physical and
21 permanent separation of the premises is maintained, excluding employee access by
22 keyed entry and emergency exits equipped with crash bars, and each has a separate
23 public entrance accessible directly from the sidewalk or parking lot. Any licensee
24 holding an alcoholic beverage license on July 15, 1998, shall not, by reason of this
25 subsection, be ineligible to continue to hold his or her license or obtain a renewal,
26 of the license;
- 27 (49) "Primary source of supply" or "supplier" means the distiller, winery, brewer,

1 producer, owner of the commodity at the time it becomes a marketable product,
2 bottler, or authorized agent of the brand owner. In the case of imported products,
3 the primary source of supply means either the foreign producer, owner, bottler, or
4 agent of the prime importer from, or the exclusive agent in, the United States of the
5 foreign distiller, producer, bottler, or owner;

6 (50) "Private club" means a nonprofit social, fraternal, military, or political organization,
7 club, or nonprofit or for-profit entity maintaining or operating a club room, club
8 rooms, or premises from which the general public is excluded;

9 (51) "Private selection event" means a private event with a licensed distiller during
10 which participating consumers, retail licensees, wholesalers, distributors, or a
11 distillery's own representatives select a single barrel or a blend of barrels of the
12 distiller's products to be specially packaged for the participants;

13 (52) "Private selection package" means a bottle of distilled spirits sourced from the
14 barrel or barrels selected by participating consumers, retail licensees, wholesalers,
15 distributors, microbreweries that hold a quota retail drink or quota retail package
16 license, or a distillery's own representatives during a private selection event;

17 (53) "Public nuisance" means a condition that endangers safety or health, is offensive to
18 the senses, or obstructs the free use of property so as to interfere with the
19 comfortable enjoyment of life or property by a community or neighborhood or by
20 any considerable number of persons;

21 (54) "Qualified historic site" means:

22 (a) A contributing property with dining facilities for at least fifty (50) persons at
23 tables, booths, or bars where food may be served within a commercial district
24 listed in the National Register of Historic Places;

25 (b) A site that is listed as a National Historic Landmark or in the National
26 Register of Historic Places with dining facilities for at least fifty (50) persons
27 at tables, booths, or bars where food may be served;

- 1 (c) A distillery which is listed as a National Historic Landmark and which
2 conducts souvenir retail package sales under KRS 243.0305; or
- 3 (d) A not-for-profit or nonprofit facility listed on the National Register of Historic
4 Places;
- 5 (55) "Rectifier" means any person who rectifies, purifies, or refines distilled spirits,
6 malt, or wine by any process other than as provided for on distillery premises, and
7 every person who, without rectifying, purifying, or refining distilled spirits by
8 mixing alcoholic beverages with any materials, manufactures any imitations of or
9 compounds liquors for sale under the name of whiskey, brandy, gin, rum, wine,
10 spirits, cordials, bitters, or any other name;
- 11 (56) "Repackaging" means the placing of alcoholic beverages in any retail container
12 irrespective of the material from which the container is made;
- 13 (57) "Restaurant" means a facility where the usual and customary business is the
14 preparation and serving of meals to consumers, that has a bona fide kitchen facility,
15 and that receives at least fifty percent (50%) of its food and alcoholic beverage
16 receipts from the sale of food at the premises;
- 17 (58) "Retail container" means any bottle, can, barrel, or other container which, without a
18 separable intermediate container, holds alcoholic beverages and is suitable and
19 destined for sale to a retail outlet, whether it is suitable for delivery or shipment to
20 the consumer or not;
- 21 (59) "Retail sale" means any sale of alcoholic beverages to a consumer, including those
22 transactions taking place in person, electronically, online, by mail, or by telephone;
- 23 (60) "Retailer" means any licensee who sells and delivers any alcoholic beverage to
24 consumers, except for manufacturers with limited retail sale privileges and direct
25 shipper licensees;
- 26 (61) "Riverboat" means any boat or vessel with a regular place of mooring in this state
27 that is licensed by the United States Coast Guard to carry forty (40) or more

- 1 passengers for hire on navigable waters in or adjacent to this state;
- 2 (62) "Sale" means any transfer, exchange, or barter for consideration, and includes all
3 sales made by any person, whether principal, proprietor, agent, servant, or
4 employee, of any alcoholic beverage;
- 5 (63) "Service bar" means a bar, counter, shelving, or similar structure used for storing or
6 stocking supplies of alcoholic beverages that is a workstation where employees
7 prepare alcoholic beverage drinks to be delivered to customers away from the
8 service bar;
- 9 (64) "Sell" includes solicit or receive an order for, keep or expose for sale, keep with
10 intent to sell, and the delivery of any alcoholic beverage;
- 11 (65) "Small farm winery" means a winery whose wine production is not less than two
12 hundred fifty (250) gallons and not greater than five hundred thousand (500,000)
13 gallons in a calendar year;
- 14 (66) "Souvenir package" means a special package of distilled spirits available from a
15 licensed retailer that is:
- 16 (a) Available for retail sale at a licensed Kentucky distillery where the distilled
17 spirits were produced or bottled; or
- 18 (b) Available for retail sale at a licensed Kentucky distillery but produced or
19 bottled at another of that distiller's licensed distilleries in Kentucky;
- 20 (67) "State administrator" or "administrator" means the distilled spirits administrator or
21 the malt beverages administrator, or both, as the context requires;
- 22 (68) "State park" means a state park that has a:
- 23 (a) Nine (9) or eighteen (18) hole golf course; or
- 24 (b) Full-service lodge and dining room;
- 25 (69) "Supplemental bar" means a bar, counter, shelving, or similar structure used for
26 serving and selling distilled spirits or wine by the drink for consumption on the
27 licensed premises to guests and patrons from additional locations other than the

1 main bar;

2 (70) "Territory" means a county, city, district, or precinct;

3 (71) "Urban-county administrator" means an urban-county alcoholic beverage control
4 administrator;

5 (72) "Valid identification document" means an unexpired, government-issued form of
6 identification that contains the photograph and date of birth of the individual to
7 whom it is issued;

8 (73) "Vehicle" means any device or animal used to carry, convey, transport, or otherwise
9 move alcoholic beverages or any products, equipment, or appurtenances used to
10 manufacture, bottle, or sell these beverages;

11 (74) "Vintage distilled spirit" means:

12 (a) A private selection package; or

13 (b) A package or packages of distilled spirits that:

14 1. Are in their original manufacturer's unopened container;

15 2. Are not owned by a distillery; and

16 3. Are not otherwise available for purchase from a licensed wholesaler
17 within the Commonwealth;

18 (75) (a) "Vintage distilled spirits seller" means a nonlicensed person at least twenty-
19 one (21) years of age who is:

20 1. An administrator, executor, receiver, or other fiduciary who receives and
21 sells vintage distilled spirits in execution of the person's fiduciary
22 capacity, ***including as the fiduciary of an estate***;

23 2. A creditor who receives or takes possession of vintage distilled spirits as
24 security for, or in payment of, debt, in whole or in part;

25 3. A public officer or court official who levies on vintage distilled spirits
26 under order or process of any court or magistrate to sell the vintage
27 distilled spirits in satisfaction of the order or process; or

- 1 4. Any other person not engaged in the business of selling alcoholic
2 beverages.
- 3 (b) "Vintage distilled spirits seller" does not mean:
- 4 1. A person selling alcoholic beverages as part of an approved KRS
5 243.630 transfer; or
- 6 2. A person selling alcoholic beverages as authorized by KRS 243.540;
- 7 (76) "Warehouse" means any place in which alcoholic beverages are housed or stored;
- 8 (77) "Weak cider" means any fermented fruit-based beverage containing more than one
9 percent (1%) but less than seven percent (7%) alcohol by volume;
- 10 (78) "Wet" means a territory in which a majority of the electorate voted to permit all
11 forms of retail alcoholic beverage sales by a local option election under KRS
12 242.050 or 242.125 on the following question: "Are you in favor of the sale of
13 alcoholic beverages in (name of territory)?";
- 14 (79) "Wholesale sale" means a sale to any person for the purpose of resale;
- 15 (80) "Wholesaler" means any person who distributes alcoholic beverages for the purpose
16 of being sold at retail, but it shall not include a subsidiary of a manufacturer or
17 cooperative of a retail outlet;
- 18 (81) "Wine" means the product of the normal alcoholic fermentation of the juices of
19 fruits, with the usual processes of manufacture and normal additions, and includes
20 champagne and sparkling and fortified wine of an alcoholic content not to exceed
21 twenty-four percent (24%) by volume. It includes sake, cider, hard cider, and perry
22 cider and also includes preparations or mixtures vended in retail containers if these
23 preparations or mixtures contain not more than fifteen percent (15%) of alcohol by
24 volume. It does not include weak cider; and
- 25 (82) "Winery" means any place or premises in which wine is manufactured from any
26 fruit, or brandies are distilled as a by-product of wine or other fruit, or cordials are
27 compounded, except a place or premises that manufactures wine for sacramental

1 purposes exclusively.

2 ➔Section 3. KRS 243.990 is amended to read as follows:

- 3 (1) Any person who, by himself or herself or acting through another, directly or
4 indirectly, violates any of the provisions of KRS 243.020 to 243.670, for which no
5 other penalty is provided, shall, for the first offense, be guilty of a Class B
6 misdemeanor; and for the second and each subsequent violation, he or she shall be
7 guilty of a Class A misdemeanor. The penalties provided for in this subsection shall
8 be in addition to the revocation of the offender's license.
- 9 (2) Any person who, by himself or herself or through another, directly or indirectly,
10 violates subsection (1) of KRS 243.020 shall, for the first offense, be guilty of a
11 Class B misdemeanor; for the second offense, he or she shall be guilty of a Class A
12 misdemeanor; and for the third and each subsequent offense, he or she shall be
13 guilty of a Class D felony.
- 14 (3) Any person who violates subsection (3) of KRS 243.020 shall be guilty of a
15 violation.
- 16 (4) Any person who violates KRS 243.620 with respect to a license issued under KRS
17 243.050 or 243.082 shall be guilty of a violation.
- 18 (5) Any person who violates any of the provisions of KRS 243.720 or 243.730 or any
19 regulation issued thereunder shall be guilty of a Class A misdemeanor.
- 20 (6) Any person who violates any provision of KRS 243.710 to 243.850 shall be subject
21 to the uniform civil penalties imposed pursuant to KRS 131.180.
- 22 (7) In every case, any tax imposed by KRS 243.710 to 243.720 which is not paid on or
23 before the due date shall bear interest at the tax interest rate as defined in KRS
24 131.010(6) from the due date until the date of payment.
- 25 (8) Any person who, by himself or herself or acting through another, directly or
26 indirectly, violates KRS 243.502(1) shall, for the first offense, be guilty of a Class
27 B misdemeanor, and for the second and each subsequent violation, he or she shall

1 be guilty of a Class A misdemeanor. The penalties provided for in this subsection
2 shall be in addition to the suspension or revocation of the offender's license.

3 (9) Any person who violates the provisions of KRS 243.897 shall be subject to a fine
4 not to exceed one thousand dollars (\$1,000).

5 (10) Any vintage distilled spirits seller who, by himself or herself or acting through
6 another, directly or indirectly, violates~~any of the provisions of~~ KRS 243.232
7 ~~Z[(6)]~~ shall:

8 (a) For the first offense, pay a five hundred dollar (\$500) fine;

9 (b) For the second offense, pay a two thousand five hundred dollar (\$2,500) fine;

10 and

11 (c) For the third and each subsequent offense, pay a five thousand dollar (\$5,000)
12 fine.