

1 AN ACT relating to alcoholic beverages.

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

3 ➔Section 1. KRS 243.100 is amended to read as follows:

4 **(1)** An individual shall not become a licensee if the individual:

5 ~~{(1)}~~(a) Has been convicted of any felony until five (5) years have passed from
6 the date of conviction, release from custody or incarceration, parole, or
7 termination of probation, whichever is later;

8 (b) Has been convicted of any misdemeanor involving a controlled substance that
9 is described in or classified pursuant to KRS Chapter 218A in the two (2)
10 years immediately preceding the application;

11 (c) Has been convicted of any misdemeanor directly or indirectly attributable to
12 the use of alcoholic beverages or cannabis-infused beverages in the two (2)
13 years immediately preceding the application;

14 (d) Is under the age of twenty-one (21) years; or

15 (e) Has had any license relating to the regulation of the manufacture, sale, and
16 transportation of alcoholic beverages or the regulation of the sale, distribution,
17 or transportation of cannabis-infused beverages revoked for cause or has been
18 convicted of a violation of any statute within KRS Chapters 241 to 244, until
19 the expiration of two (2) years from the date of the revocation or conviction.

20 (2) A partnership, limited partnership, limited liability company, corporation,
21 governmental agency, or other business entity recognized by law shall not be
22 licensed if:

23 (a) Each principal owner, partner, member, officer, and director does not qualify
24 under subsection (1)(a), (b), (c), (d), and (e) of this section;

25 (b) It has had any license relating to the regulation of the manufacture, sale, and
26 transportation of alcoholic beverages or the regulation of the sale, distribution,
27 or transportation of cannabis-infused beverages revoked for cause or has been

1 convicted of a violation of any statute within KRS Chapters 241 to 244, until
2 the expiration of two (2) years from the date of the revocation or conviction;
3 or

4 (c) Any principal owner, partner, member, officer, or director, or any business
5 entity in which they were directly or indirectly interested, has had any license
6 revoked for cause or has been convicted of a violation of any statute within
7 KRS Chapters 241 to 244, until the expiration of the later of two (2) years
8 from the date of the revocation or two (2) years from the date of conviction.

9 (3) The provisions of subsection (1)(a) and (b) shall apply to anyone applying for a new
10 license under this chapter after July 15, 1998, but shall not apply to those who
11 renew a license that was originally issued prior to July 15, 1998, or an application
12 for a supplemental license where the original license was issued prior to July 15,
13 1998.

14 (4) A person shall not evade license disqualification by applying for a license through
15 or under the name of a different person. The state administrators shall examine the
16 ownership, membership, and management of all license applicants, and shall deny
17 the application if a disqualified person has a direct or indirect interest in the
18 applicant's business. The department may issue administrative subpoenas and
19 summonses to determine ownership of an applicant or to investigate alleged
20 violations by a licensee.

21 (5) A direct shipper license applicant shall be exempt from the requirements of this
22 section, and shall instead follow the requirements set forth in KRS 243.027.