

**243.034 Business authorized by limited restaurant license within wet territory or certain moist precincts -- Prohibition against sale of alcohol without meal -- Package sales prohibited.**

- (1) A limited restaurant license may be issued to an establishment meeting the definition criteria established in KRS 241.010(35) as long as the establishment is within:
  - (a) Any wet territory; or
  - (b) Any moist precinct that has authorized the sale of alcoholic beverages under KRS 242.1244.
- (2) A limited restaurant license shall authorize the licensee to purchase, receive, possess, and sell distilled spirits, wine, and malt beverages at retail by the drink for consumption on the licensed premises. The licensee shall purchase distilled spirits, wine, and malt beverages only from licensed wholesalers or distributors. The license shall not authorize the licensee to sell distilled spirits, wine, or malt beverages by the package.
- (3) The holder of a limited restaurant license shall maintain at least seventy percent (70%) of its gross receipts from the sale of food and maintain the minimum applicable seating requirement required for the type of limited restaurant license.
- (4)
  - (a) A limited restaurant as defined by KRS 241.010(35)(b) shall:
    1. Only sell distilled spirits, wine, and malt beverages incidental to the sale of a meal; and
    2. Not have an open bar and shall not sell distilled spirits, wine, and malt beverages to any person who has not purchased or does not purchase a meal.
  - (b) Distilled spirits, wine, and malt beverages shall be deemed to be purchased in conjunction with a meal if the distilled spirits, wine, and malt beverages are served after the meal is ordered and no more than one-half (1/2) hour after the meal is completed.

**Effective:** July 15, 2016

**History:** Amended 2016 Ky. Acts ch. 80, sec. 7, effective July 15, 2016. -- Amended 2014 Ky. Acts ch. 22, sec. 5, effective July 15, 2014. -- Created 2013 Ky. Acts ch. 121, sec. 37, effective June 25, 2013.