

243.884 Wholesale sales tax imposed -- Rate -- Report and payment -- Exemptions.

- (1) (a) For the privilege of making "wholesale sales" or "sales at wholesale" of beer, wine, or distilled spirits, a tax is hereby imposed upon all wholesalers of wine and distilled spirits and upon all distributors of beer.
- (b) Prior to July 1, 2015, the tax shall be imposed at the rate of eleven percent (11%) of the gross receipts of any such wholesaler or distributor derived from "sales at wholesale" or "wholesale sales" made within the Commonwealth except as provided in subsection (3) of this section.
- (c) On and after July 1, 2015, the following rates shall apply:
 1. For distilled spirits, eleven percent (11%) of wholesale sales or sales at wholesale; and
 2. For wine and beer:
 - a. Ten and three-quarters of one percent (10.75%) for wholesale sales or sales at wholesale made on or after July 1, 2015, and before June 1, 2016;
 - b. Ten and one-half of one percent (10.5%) for wholesale sales or sales at wholesale made on or after June 1, 2016, and before June 1, 2017;
 - c. Ten and one-quarter of one percent (10.25%) for wholesale sales or sales at wholesale made on or after June 1, 2017, and before June 1, 2018; and
 - d. Ten percent (10%) for wholesale sales or sales at wholesale made on or after June 1, 2018.
- (2) Wholesalers of distilled spirits and wine and distributors of malt beverages shall pay and report the tax levied by this section on or before the 20th day of the calendar month next succeeding the month in which possession or title of the distilled spirits, wine or malt beverages is transferred from the wholesaler or distributor to retailers or consumers in this state, in accordance with rules and regulations of the Department of Revenue designed reasonably to protect the revenues of the Commonwealth.
- (3) Gross receipts from sales at wholesale or wholesale sales shall not include the following sales:
 - (a) Sales made between wholesalers or between distributors; and
 - (b) Sales made by a small farm winery or wholesaler of wine produced by a small farm winery, if that small farm winery produces no more than fifty thousand (50,000) gallons of wine per year.

Effective: July 15, 2016

History: Amended 2016 Ky. Acts ch. 80, sec. 20, effective July 15, 2016. -- Amended 2014 Ky. Acts ch. 102, sec. 18, effective July 15, 2014. -- Amended 2006 Ky. Acts ch. 179, sec. 11, effective January 1, 2007. -- Amended 2005 Ky. Acts ch. 85, sec. 660, effective June 20, 2005; and ch. 168, sec. 74, effective June 1, 2005. -- Amended 2000 Ky. Acts ch. 167, sec. 3, effective July 14, 2000. -- Amended 1994 Ky. Acts ch. 451, sec. 4, effective July 15, 1994. -- Created 1982 Ky. Acts ch. 390,

sec. 4, effective June 1, 1982.