

242.270 C.O.D. shipments of alcoholic beverages in dry territory prohibited -- Same prohibition on C.O.D. shipments to any moist territory unless sale of alcoholic beverages specifically authorized under limited local option election - Immunity for common carriers -- Absolute defense.

- (1) No person shall sell or deliver any alcoholic beverages that are to be paid for on delivery, in dry territory.
- (2) Such transactions shall be deemed sales at the place where the money is paid or the goods delivered.
- (3) This section shall also apply to the sale or delivery of any alcoholic beverages that are to be paid for on delivery in moist territory unless the sale of the alcoholic beverage in question has been specifically authorized in that moist territory under a limited local option election.
- (4) No properly licensed common carrier or any of its employees acting on behalf of a consignor shall be liable for a violation of this section.
- (5) Proof that the purchaser represented in writing that the delivery address is located in wet territory shall be an absolute defense to a violation of this section on behalf of a retailer, winery, small farm winery, or distillery in connection with the delivery or shipment of alcoholic beverages purchased at retail.

Effective: April 13, 2018

History: Amended 2018 Ky. Acts ch. 164, sec. 11, effective April 13, 2018. -- Amended 2013 Ky. Acts ch. 121, sec. 26, effective June 25, 2013. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2554c-23.