

243.230 Premises for which retail package, drink, and malt beverage licenses may be issued.

- (1) Except as limited by subsection (2) of this section, quota retail drink licenses may be issued for premises located within urban-county governments, incorporated cities, or elsewhere in counties if those cities and counties maintain an adequate police force.
- (2) Quota retail drink licenses may not be issued to premises located within a city or a county that has enacted an ordinance preventing the issuance of these licenses within the jurisdiction of the local government.
- (3) (a) Quota retail package licenses may be issued only for premises located within:
 1. Incorporated cities; or
 2. Elsewhere in counties containing an urban-county government or a city with a population equal to or greater than eight thousand (8,000) if those counties maintain an adequate police force.(b) If one (1) or more quota retail package licenses have been issued to establishments in a county that does not contain a city meeting the population requirements of paragraph (a) of this subsection prior to January 1, 2015, then that county shall continue to be treated in a manner as if the county meets the qualifications of paragraph (a) of this subsection.
- (4) Notwithstanding subsection (3) of this section, the department may, after a field investigation, issue a quota retail package license to premises not located within any city if the county maintains an adequate police force under KRS 70.540 and 70.150 to 70.170, and if:
 - (a) Substantial aggregations of population would otherwise not have reasonable access to a licensed vendor;
 - (b) The premises to be licensed under this subsection shall be used exclusively for the sale of distilled spirits and wine by the package and malt beverages, where applicable, and shall not be used in any manner, in connection with a dance hall, roadhouse, restaurant, store, or any other commercial enterprise, except as a drug store in which a registered pharmacist is employed.
- (5) No quota retail package license or quota retail drink license for the sale of distilled spirits or wine shall be issued for any premises used as or in connection with the operation of any business in which a substantial part of the commercial transaction consists of selling at retail staple groceries or gasoline and lubricating oil.

Effective: June 29, 2017

History: Amended 2017 Ky. Acts ch. 62, sec. 62, effective June 29, 2017. -- Amended 2014 Ky. Acts ch. 22, sec. 15, effective July 15, 2014; and ch. 92, sec. 298, effective January 1, 2015. -- Amended 2013 Ky. Acts ch. 121, sec. 67, effective June 25, 2013. -- Amended 1998 Ky. Acts ch. 121, sec. 14, effective July 15, 1998. -- Amended 1994 Ky. Acts ch. 48, sec. 3, effective July 15, 1994. Amended 1992 Ky. Acts ch. 37, sec. 2, effective July 14, 1992. -- Amended 1988 Ky. Acts ch. 24, sec. 2, effective July 15, 1988. -- Amended 1984 Ky. Acts ch. 59, sec. 1, effective July 13, 1984. -- Amended 1980 Ky. Acts ch. 188, sec.

229, effective July 15, 1980. -- Amended 1972 Ky. Acts ch. 96, sec. 3. -- Amended 1944 Ky. Acts ch. 154, sec. 33. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 2554b-129, 2554b-154.