

**243.029 Taxes on sales of alcoholic beverages owed by direct shipper licensees.**

- (1) For purposes of this section, "taxes" associated with the purchase of alcoholic beverages includes any applicable:
  - (a) Sales tax;
  - (b) Use tax;
  - (c) Excise tax;
  - (d) Wholesale tax equivalent at the rate set out in KRS 243.884. If a wholesale price is not readily available, the direct shipper licensee shall calculate the wholesale cost to be seventy percent (70%) of the retail price of the alcoholic beverages;
  - (e) Regulatory license fees; and
  - (f) Other assessments.
- (2) For purposes of this section and for other tax purposes, each sale and delivery of alcoholic beverages under a direct shipper license is a sale occurring at the address of the consumer. For each tax remittance or collected group of tax remittances, the direct shipper licensee shall include its federal tax identification number.
- (3) A direct shipper licensee that sells alcoholic beverages under its direct shipper license for shipment to a consumer shall charge the consumer all applicable taxes and shall sell the alcoholic beverages with all applicable taxes included in the selling price. The applicable taxes shall be separately identified on the consumer's invoice. The taxes shall be collected by the direct shipper licensee from the consumer.
- (4) The amount of the taxes to be paid by the direct shipper licensee under this section shall be calculated based on the sale of the alcoholic beverages occurring at the location identified as the consumer's address on the shipping label.
- (5) For taxes owed by a direct shipper licensee under this section, the direct shipper licensee shall meet the standards of the destination state, including filing a return that contains its license number and federal tax identification number.

**Effective:** July 15, 2020

**History:** Created 2020 Ky. Acts ch. 80, sec. 3, effective July 15, 2020.