

### **243.640 Continuance in business by representative of defunct licensee.**

- (1) If a corporation, limited liability company, limited partnership, partnership, or other business entity recognized by law that holds a license is dissolved, or if a receiver, assignee for the benefit of creditors, or a guardian or conservator for the property of a licensee is appointed during the time for which a license was approved, or if a licensee dies during the time for which the license was issued and a personal representative is appointed for the licensee's estate, that corporation, limited liability company, limited partnership, partnership, other business entity recognized by law, receiver or assignee, or the personal representative of the estate of the deceased or individual adjudged to be mentally disabled, may be permitted to continue the business upon the licensed premises for the balance of the term for which the license was effective, and any renewed license approved by the state administrator, with the same rights and subject to the same restrictions and liabilities as if they had been the original licensee.
- (2) Before continuing the business the receiver, assignee, personal representative, or committee shall file a statement with the state administrator or administrators setting forth the facts and circumstances by which they have succeeded to the rights of the original licensee. The administrator or administrators may, in the exercise of the administrator's sound discretion, permit or refuse to permit the continuance of the business.
- (3) If the administrator permits the continuance of the business, the license shall be submitted to the administrator, and the administrator shall write or stamp across the face of the license the words: "... is permitted to exercise the rights and privileges of the original licensee as (assignee, receiver, personal representative, or committee, as the case may be) of the original licensee for the unexpired term of this license." The endorsement on the face of the license shall be dated and signed by the person making it.

**Effective:** June 29, 2017

**History:** Amended 2017 Ky. Acts ch. 62, sec. 84, effective June 29, 2017. -- Amended 1998 Ky. Acts ch. 121, sec. 25, effective July 15, 1998. -- Amended 1982 Ky. Acts ch. 141, sec. 77, effective July 1, 1982. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2554b-148.

**Legislative Research Commission Note** (6/20/2005). 2005 Ky. Acts chs. 11, 85, 95, 97, 98, 99, 123, and 181 instruct the Reviser of Statutes to correct statutory references to agencies and officers whose names have been changed in 2005 legislation confirming the reorganization of the executive branch. Such a correction has been made in this section.

**Note:** 1980 Ky. Acts ch. 396, sec. 81 would have amended this section effective July 1, 1982. However, 1980 Ky. Acts ch. 396 was repealed by 1982 Ky. Acts ch. 141, sec. 146, also effective July 1, 1982.