

438.337 Responsibilities of Department of Alcoholic Beverage Control in enforcement of KRS 438.305 to 438.340 -- Disposition of revenue and fines collected under KRS 138.140 and KRS 438.305 to 438.340 -- Statistics -- Enforcement plan.

- (1) The Department of Alcoholic Beverage Control shall carry out the enforcement provisions of KRS 438.305 to 438.340.
- (2) The Department of Alcoholic Beverage Control shall be entitled to the revenue produced by one-twentieth of one cent (\$0.0005) of the three-cent (\$0.03) per pack revenue collected by the Finance and Administration Cabinet from the state excise tax on the sale of cigarettes as imposed by KRS 138.140 to be deposited in a trust and agency account created in the State Treasury, and to keep fifty percent (50%) of any fines collected under KRS 438.305 to 438.340 to offset the costs of enforcement of KRS 438.305 to 438.340.
- (3) The Department of Alcoholic Beverage Control shall be responsible for maintaining statistics for compilation of required reports to be submitted to the United States Department of Health and Human Services.
- (4) The Department of Alcoholic Beverage Control shall devise a plan and time frame for enforcement to determine by random inspection if the percentage of retailers or distributors making illegal sales to persons under the age of twenty-one (21) does or does not exceed federal guidelines preventing tobacco sales to persons under the age of twenty-one (21).

Effective: March 26, 2020

History: Amended 2020 Ky. Acts ch. 35, sec. 8, effective March 26, 2020. -- Amended 2010 Ky. Acts ch. 24, sec. 1933, effective July 15, 2010. -- Created 2000 Ky. Acts ch. 423, sec. 9, effective July 14, 2000.