

1 AN ACT relating to the transport of alcoholic beverages to retail licensees.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 243.170 is amended to read as follows:

- 4 (1) A wholesaler may sell, deliver, and transport distilled spirits and wine at wholesale,
5 and from the licensed premises only, to:
- 6 (a) Other wholesalers;
 - 7 (b) Retailers; or
 - 8 (c) A point out of the state to persons authorized by the law of the state of their
9 residence, and by the United States government if located in the United States,
10 to receive the distilled spirits and wine.
- 11 (2) A wholesaler may purchase distilled spirits and wine at wholesale from licensed
12 distillers, rectifiers, wineries, or other wholesalers and from nonresidents authorized
13 by the law of the states of their residence, and by the United States government if
14 located in the United States, to make the sales. A wholesaler may not transport
15 distilled spirits and wine from any point to his or her own licensed premises, except
16 as provided in KRS 243.200(12).
- 17 (3) No wholesaler shall sell or contract to sell, give away, or deliver any distilled spirits
18 or wine to any person in Kentucky who is not licensed to receive, possess,
19 distribute, or sell distilled spirits and wine, and no wholesaler shall sell or contract
20 to sell, give away, or deliver any distilled spirits or wine to any consumer. This
21 section does not permit sales or deliveries of distilled spirits in Kentucky by
22 licensed wholesalers to nonresidents who are not licensed by their own states.
- 23 (4) A wholesaler may extend credit on distilled spirits and wine sold to retail licensees
24 for a period not to exceed thirty (30) days from the date of invoice, with the date of
25 invoice included in the total number of days. When the thirty (30) day period has
26 passed without payment in full, no wholesaler shall sell to the licensee except for
27 cash on delivery.

1 **(5) A wholesaler shall make deliveries to retail licensees on a timely basis and at no**
2 **time shall a delivery to a retail licensee exceed one (1) week after the date on**
3 **which the order was received.**

4 ➔Section 2. KRS 243.180 is amended to read as follows:

5 (1) A distributor's license shall authorize the licensee to:

6 (a) Purchase malt beverages from Kentucky breweries or from out-of-state
7 breweries or distributors licensed to do business by the state in which they are
8 located;

9 (b) Import a non-United States brand malt beverage from an importer or
10 wholesaler registered with the Kentucky Department of Revenue;

11 (c) Sell his or her products to the holder of a special nonbeverage alcohol license;
12 or

13 (d) Store malt beverages and to sell them only, from the licensed premises, to
14 other distributors, to licensed retailers, to any of its employees for home
15 consumption, and to charitable or fraternal organizations holding group
16 meetings, picnics, or outings.

17 (2) A distributor shall transport malt beverages only by a vehicle owned, rented, or
18 leased and operated by the distributor, which has affixed to its sides at all times a
19 sign of form and size prescribed by the state board, containing among other things
20 the name and license number of the licensee. No distilled spirits or wine shall be
21 transported on the same truck or vehicle with malt beverages, except by a common
22 carrier, unless the owner of such truck or vehicle holds a wholesaler's license.

23 (3) A distributor's license must be obtained for each separate warehouse, agent,
24 distributor, broker, jobber, or place of business from which orders are received or
25 beverages are distributed unless it is a licensed brewery.

26 **(4) A distributor shall make deliveries to retail licensees on a timely basis and at no**
27 **time shall a delivery to a retail licensee exceed one (1) week after the date on**

1 *which the order was received.*