

1 AN ACT relating to alcoholic beverages.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 243 IS CREATED TO
4 READ AS FOLLOWS:

5 (1) As used in this section and Section 2 of this Act:

6 (a) "Collection" means a group of twenty-five (25) or more vintage distilled
7 spirits packages received by the licensee from one (1) single individual; and

8 (b) "Package" or "vintage distilled spirits package" means a container holding
9 a minimum of seven hundred fifty (750) milliliters of vintage distilled
10 spirits.

11 (2) The department may grant a vintage distilled spirits licensee or vintage distilled
12 spirits seller an exception to the twenty-four (24) vintage distilled spirits package
13 limit established in Section 2 of this Act if the distilled spirits constitute the
14 entirety of one (1) collection.

15 (3) A vintage distilled spirits seller shall be eligible for an exception under this
16 section if the seller:

17 (a) Meets the definition of a vintage distilled spirits seller in KRS 241.010; or

18 (b) Is responsible for settling the estate of a decedent who possessed the
19 collection of vintage distilled spirits.

20 (4) A vintage distilled spirits licensee may purchase the entirety of a collection of
21 vintage distilled spirits that qualify under this section.

22 (5) A vintage distilled spirits seller or vintage distilled spirits licensee may only claim
23 this exception up to twelve (12) times in any given twelve (12) month period.

24 (6) Any vintage distilled spirits bought or sold and qualifying under this section shall
25 not count toward the twenty-four (24) vintage distilled spirits package limit
26 established in Section 2 of this Act.

27 ➔Section 2. KRS 243.232 is amended to read as follows:

- 1 (1) A vintage distilled spirits license may be issued as a supplementary license to a
2 licensee that holds a primary license that permits the sale of distilled spirits by the
3 package or by the drink.
- 4 (2) A vintage distilled spirits licensee shall file a monthly report with the department,
5 which shall be established and maintained by the department, utilizing a form
6 prescribed by the department that includes the following information:
- 7 (a) The number of vintage distilled spirits packages purchased in the preceding
8 thirty (30) days in total, with each purchase matched to the individual from
9 whom the vintage distilled spirits were purchased;
- 10 (b) The date of each purchase;
- 11 (c) The name, address, and phone number of each individual from whom vintage
12 distilled spirits were purchased;
- 13 (d) A detailed description of the vintage distilled spirits purchased, including the
14 brand name and the size of the packages;~~and~~
- 15 (e) **Whether the vintage distilled spirits packages constituted the entirety of an**
16 **exempt collection purchased as authorized in Section 1 of this Act;**
- 17 **(f) Whether the vintage distilled spirits were shipped to the vintage distilled**
18 **spirits licensee or purchased in person by the vintage distilled spirits**
19 **licensee at its licensed premises; and**
- 20 **(g)** The number of vintage distilled spirits packages that the licensee has
21 previously purchased from the same individual and the dates of those
22 purchases.
- 23 (3) Vintage distilled spirits licensees shall purchase all vintage distilled spirits **from a**
24 **vintage distilled spirits seller**~~[in person at its licensed premises]~~, and at the time of
25 **receipt of the vintage distilled spirits**~~[purchase]~~, the vintage distilled spirits licensee
26 shall immediately place a conspicuous sticker, not readily removable, on the bottle
27 or container that states "Vintage Distilled Spirit."

- 1 (4) Vintage distilled spirits may be resold only:
- 2 (a) By the drink by a vintage distilled spirits licensee with a license to sell
- 3 distilled spirits by the drink; and
- 4 (b) By the package by a vintage distilled spirits licensee with a license to sell
- 5 distilled spirits by the package.
- 6 (5) Except as authorized by Section 1 of this Act, a vintage distilled spirits licensee
- 7 shall not purchase more than twenty-four (24) vintage distilled spirits packages
- 8 from any single vintage distilled spirits seller in any given twelve (12) month
- 9 period.
- 10 (6) Except as authorized by Section 1 of this Act, a vintage distilled spirits seller shall
- 11 not sell more than twenty-four (24) vintage distilled ~~spirits~~^[spirit] packages to any
- 12 single or combination of vintage distilled spirits licensees in any given twelve (12)
- 13 month period. A vintage distilled spirits seller who violates the provisions of this
- 14 subsection shall be subject to the penalties set forth in KRS 243.990.
- 15 (7) A vintage distilled spirits seller may ship vintage distilled spirits to a vintage
- 16 distilled spirits licensee without holding a direct shipper license or other license
- 17 under KRS Chapters 241 to 244 if the vintage distilled spirits:
- 18 (a) Are shipped through a common carrier;
- 19 (b) Are shipped directly to the vintage distilled spirits licensee's licensed
- 20 premises;
- 21 (c) Have an outer package conspicuously labeled with the words "CONTAINS
- 22 ALCOHOL: SIGNATURE OF PERSON AGE 21 OR OLDER REQUIRED
- 23 FOR DELIVERY"; and
- 24 (d) May be lawfully received by the vintage distilled spirits licensee.
- 25 (8) A vintage distilled spirits package licensee may ship vintage distilled spirits
- 26 directly to a consumer, subject to the same privileges, duties, and limitations
- 27 established for a direct shipper license under KRS 243.027 to 243.029.