

244.165 Unlawful sale and shipment by out-of-state seller directly to a Kentucky consumer -- Permissible shipments of wine into Kentucky by out-of-state small farm wineries -- Penalty.

- (1) Except as provided in subsection (2) of this section, it shall be unlawful for any person in the business of selling alcoholic beverages in another state or country to ship or cause to be shipped any alcoholic beverage directly to any Kentucky resident who does not hold a valid wholesaler or distributor license issued by the Commonwealth of Kentucky.
- (2) A small farm winery located in another state may ship wine to a customer in Kentucky if:
 - (a) The wine is purchased by the customer in person at the winery;
 - (b) The wine is shipped by licensed common carrier; and
 - (c) The amount of wine shipped is limited to two (2) cases per customer per visit.
- (3) Any person who violates subsection (1) of this section shall, for the first offense, be mailed a certified letter by the office ordering that person to cease and desist any shipments of alcoholic beverages to Kentucky residents, and for the second and each subsequent offense, be guilty of a Class D felony.

Effective: January 1, 2007

History: Amended 2006 Ky. Acts ch. 179, sec. 2, effective January 1, 2007. -- Created 1996 Ky. Acts ch. 72, sec. 1, effective July 15, 1996.

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.