

**243.082 Nonquota type 1 or NQ1 retail drink license -- Issuance to a convention center or convention hotel complex, horse racetrack, automobile racetrack, railroad system, commercial airline system or charter flight system, or state park -- Privileges, duties, and restrictions for eligible entities.**

- (1) A "Nonquota type 1" or "NQ1" retail drink license may be issued to an applicant operating as, or in:
  - (a) A convention center or a convention hotel complex;
  - (b) A horse racetrack;
  - (c) An automobile racetrack;
  - (d) A railroad system;
  - (e) A commercial airlines system or charter flight system; or
  - (f) A state park.
- (2) A qualifying convention center or a convention hotel complex, horse racetrack, or an automobile racetrack holding an NQ1 retail drink license may purchase, receive, possess, and sell distilled spirits, wine, and malt beverages at retail by the drink for consumption on the licensed premises. The license shall permit all distilled spirits, wine, or malt beverage sales on the premises without additional supplemental licenses. The licensee shall purchase distilled spirits, wine, or malt beverages only from licensed wholesalers or distributors. The holder of an NQ1 retail drink license under this section shall comply with the requirements of KRS 243.250. An NQ1 retail drink license held under this section shall not authorize the licensee to sell distilled spirits, wine, or malt beverages by the package.
- (3) Notwithstanding any other law, a qualifying convention center or a convention hotel complex holding an NQ1 retail drink license may also hold a supplemental hotel in-room service license.
- (4) A qualifying railroad system holding an NQ1 retail drink license may purchase, receive, possess, and sell distilled spirits, wine, and malt beverages at retail by the drink or by the package, upon any train that includes a dining car and is operated by the licensee in the state. Sales shall be made only while the train is in motion. Notwithstanding any other law, a railroad system holding an NQ1 retail drink license may sell alcoholic beverages in unbroken packages smaller than two hundred (200) milliliters of distilled spirits and one hundred (100) milliliters of wine and may purchase alcoholic beverages from nonresidents.
- (5) A qualifying commercial airlines system or charter flight system holding an NQ1 retail drink license may purchase, receive, possess, and sell distilled spirits, wine, and malt beverages at retail by the drink, and by miniature bottle, for consumption upon regularly scheduled or charter flights of the licensee, in and out of Kentucky. The license shall authorize the licensee to store distilled spirits, wine, and malt beverages for retail sale at a location or locations, if operating from more than one (1) airport in Kentucky, as designated on the license application.
- (6) An NQ1 retail drink license may be issued to any qualifying applicant within a state park meeting the criteria established in KRS 241.010 so long as the state park is located, in whole or in part, within:

- (a) Any wet territory; or
  - (b) Any precinct that has authorized the sale of alcoholic beverages under KRS 242.022.
- (7) Any licensee holding an NQ1 retail drink license located in a qualifying state park may purchase, receive, possess, and sell distilled spirits, wine, and malt beverages at retail by the drink for consumption on the licensed premises. The license shall permit all distilled spirits, wine, or malt beverage sales on the premises without additional supplemental licenses. The licensee shall only purchase distilled spirits, wine, or malt beverages from licensed wholesalers or distributors. The holder of an NQ1 retail drink license under this subsection shall comply with the requirements of KRS 243.250. An NQ1 retail drink license held under this subsection shall not authorize the licensee to sell distilled spirits, wine, or malt beverages by the package.

**Effective:** July 15, 2014

**History:** Amended 2014 Ky. Acts ch. 20, sec. 3, effective July 15, 2014; and ch. 22, sec. 10, effective July 15, 2014. -- Created 2013 Ky. Acts ch. 121, sec. 40, effective June 25, 2013.

**Legislative Research Commission Note (7/15/2014).** This statute was amended by 2014 Ky. Acts chs. 20 and 22, which do not appear to be in conflict and have been codified together.