

**243.020 License required -- Federal license presumptions -- Operator of unlicensed place not to permit drinking -- Licenses permitted in moist territory.**

- (1) A person shall not do any act authorized by any kind of license with respect to the manufacture, storage, sale, purchase, transporting, or other traffic in alcoholic beverages unless he or she holds the kind of license that authorizes the act.
- (2) The holding of any permit from the United States government to traffic in alcoholic beverages without the corresponding requisite state and local licenses shall in all cases raise a rebuttable presumption that the holder of the United States permit is unlawfully trafficking in alcoholic beverages.
- (3) Except as provided in KRS 243.036 and 243.260, a person, conducting a place of business patronized by the public, who does not hold a license to sell distilled spirits, wine, or malt beverages, shall not permit any person to sell, barter, loan, give away, or drink distilled spirits, wine, or malt beverages on the premises of his or her place of business.
- (4) Any distilled spirits or wine in excess of three (3) gallons (twelve (12) liters) shall not be stored or kept except upon the licensed premises of a person who is the holder of a license provided for in KRS 243.030.
- (5) In a moist territory, the only types of licenses that may be issued are those that directly correspond with the types of sales approved by the voters through moist elections within the territory, unless otherwise specifically authorized by statute.

**Effective:** June 25, 2013

**History:** Amended 2013 Ky. Acts ch. 121, sec. 44, effective June 25, 2013. -- Amended 1998 Ky. Acts ch. 121, sec. 8, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 44, sec. 4, effective July 15, 1996. -- Amended 1978 Ky. Acts ch. 194, sec. 9, effective June 17, 1978. --. Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 2554b-150, 2554b-153, 2554b-165, 2554b-194.