

**244.050 "Treating" prohibited -- Exceptions -- Sampling license.**

- (1) No retail licensee shall give away any alcoholic beverage in any quantity or deliver it in any quantity for less than a full monetary consideration, except as provided by KRS 243.155, 243.157, and subsection (2) of this section.
- (2) The holder of a quota retail drink license, a quota retail package license, an NQ2 license, or a distillery license may, after acquiring a sampling license, allow customers to sample distilled spirits and wine under the following conditions:
  - (a) Sampling shall be permitted only on licensed premises and by licensees holding a sampling license, during regular business hours;
  - (b) A licensee shall not charge for the samples provided to customers;
  - (c) Sample sizes shall not exceed:
    1. One (1) ounce for wine; and
    2. One-half (1/2) ounce for distilled spirits; and
  - (d) A licensee shall limit a customer to:
    1. Two (2) distilled spirits samples per day; and
    2. Six (6) wine samples per day.
- (3) Retailers holding a sampling license shall:
  - (a) Notify the Department of Alcoholic Beverage Control at least seven (7) days in advance of conducting a sampling event; and
  - (b) Limit a sampling event to a period not to exceed four (4) consecutive hours between 12 noon and 8 p.m.

**Effective:** June 25, 2013

**History:** Amended 2013 Ky. Acts ch. 121, sec. 83, effective June 25, 2013. -- Amended 2010 Ky. Acts ch. 24, sec. 586, effective July 15, 2010. -- Amended 2006 Ky. Acts ch. 179, sec. 12, effective January 1, 2007. -- Amended 2004 Ky. Acts ch. 20, sec. 11, effective July 13, 2004. -- Amended 2003 Ky. Acts ch. 15, sec. 1, effective June 24, 2003. -- Amended 2000 Ky. Acts ch. 182, sec. 2, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 121, sec. 26, effective July 15, 1998. -- Amended 1976 Ky. Acts ch. 381, sec. 5. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2554b-183.

**Legislative Research Commission Note (9/18/2003).** In subsection (2) of this statute, a reference to "KRS 243.030(41)" has been changed by the Reviser of Statutes to read "KRS 243.030(40)." This change correctly codifies the amendments in 2000 Ky. Acts ch. 69, sec. 2, and 2000 Ky. Acts ch. 182, secs. 1 and 2.