

**244.090 Persons whom licensees may not employ -- Partial exception.**

- (1) A person holding any license under KRS Chapters 241 to 244 shall not knowingly employ in connection with his or her business any person who:
  - (a) Has been convicted of any felony within the last two (2) years. The provisions of this paragraph shall apply to any new applicant for a license issued under this chapter after July 15, 1998, but shall not apply to renewals of licenses that were originally issued prior to July 15, 1998, or supplemental licenses related to an original license if the original license was issued prior to July 15, 1998;
  - (b) Has been twice convicted of any misdemeanor or offense directly or indirectly attributable to the use of intoxicating liquors within the last two (2) years;
  - (c) Is under the age of twenty (20) years, unless the person is employed:
    1. In a bottling house or room of a licensed distiller, winery, brewer, or rectifier;
    2. In an office of a wholesaler or manufacturer that is maintained in a building separate from the warehouses or factory or as provided in KRS 244.087; or
    3. In any of the following establishments, if the employment is in a capacity that does not involve the sale or serving of alcoholic beverages:
      - a. A restaurant that derives at least fifty percent (50%) of its food and beverage sales from the sale of food for consumption on the licensed premises; or
      - b. Any other establishment with alcoholic beverage sales not exceeding fifty percent (50%) of its gross sales; or
  - (d) Within two (2) years prior to the date of his employment, has had any license issued under KRS Chapters 241 to 244 or under any other act or ordinance relating to the regulation of the manufacture, sale, or transportation of alcoholic beverages revoked for cause.
- (2) The provisions of paragraphs (a) and (b) of subsection (1) of this section shall not apply if the employee's duties do not involve the sale, service, delivery, or traffic in alcoholic beverages at the licensed premises.
- (3) Violation of this section shall subject both employer and employee to penalties provided in this chapter and shall be cause for revocation of license.

**Effective:** June 25, 2013

**History:** Amended 2013 Ky. Acts ch. 121, sec. 84, effective June 25, 2013. -- Amended 2012 Ky. Acts ch. 125, sec. 7, effective July 12, 2012. -- Amended 2000 Ky. Acts ch. 435, sec. 15, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 522, sec. 20, effective July 15, 1998. -- Amended 1994 Ky. Acts ch. 467, sec. 1, effective July 15, 1994. -- Amended 1988 Ky. Acts ch. 208, sec. 1, effective July 15, 1988. -- Amended 1978 Ky. Acts ch. 194, sec. 19, effective June 17, 1978. -- Amended 1974 Ky. Acts ch. 389, sec. 2. -- Amended 1942 Ky. Acts ch. 168, secs. 6 and 15. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2554b-155.