

242.250 Distributing, soliciting or receiving contracts or orders in dry territory prohibited, when -- Same prohibition on contracts or orders to any moist territory unless sale of alcoholic beverages specifically authorized under limited local option election -- Immunity for licensed common carriers -- Absolute defense.

- (1) No person, while representing either the buyer or seller, shall distribute, solicit, or receive contracts, proposals, or orders for the purchase or sale of any alcoholic beverages, or distribute any handbills or posters advertising them in dry territory.
- (2) Each act of distributing, soliciting, or receiving contracts, proposals, or orders as denounced in subsection (1), and each day in which advertising matter is distributed, shall constitute a separate offense.
- (3) This chapter shall not prevent any manufacturer of or wholesale dealer in alcoholic beverages, or any authorized agent of either from making contracts of barrel, case, or package lots in any dry or moist territory, if his or her distilleries, breweries, wineries, or warehouses are located in that territory and his or her products are to be shipped into territory, either within or without the state, where alcoholic beverages may lawfully be sold.
- (4) Subsections (1) and (2) of this section shall also apply to moist territory unless the sale of the alcoholic beverage in question has been specifically authorized in that moist territory under a limited local option election.
- (5) No properly licensed common carrier or any of its employees acting on behalf of a consignor shall be liable for a violation of this section.
- (6) Proof that the purchaser represented in writing that the delivery address is located in wet territory shall be an absolute defense to a violation of this section on behalf of a retailer, winery, small farm winery, or distillery in connection with the delivery or shipment of alcoholic beverages purchased at retail.

Effective: April 13, 2018

History: Amended 2018 Ky. Acts ch. 164, sec. 9, effective April 13, 2018. -- Amended 2013 Ky. Acts ch. 121, sec. 24, effective June 25, 2013. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2554c-19.