

**244.480 Sales of malt beverages when polls are open permitted in wet or moist territory -- Power of local governments to regulate -- Sunday sales.**

- (1) Except as permitted by subsection (4) of this section, no brewer or distributor shall deliver any malt beverages on Sunday or between the hours of midnight and 6 a.m. on any other day.
- (2) Except as permitted by subsection (4) of this section, a licensee authorized to sell malt beverages at retail shall not sell, give away, or deliver any malt beverages between midnight and 6 a.m. or at any time during the twenty-four (24) hours of a Sunday.
- (3)
  - (a) A licensee authorized to sell malt beverages at retail may sell malt beverages during the hours the polls are open on a primary, or regular, local option, or special election day unless the licensee is located where the legislative body of an urban-county government, consolidated local government, charter county government, unified local government, city, or county, in which traffic in malt beverages is permitted by KRS Chapter 242 has adopted an ordinance after June 25, 2013, that prohibits the sale of alcoholic beverages or limits the hours and times in which alcoholic beverages may be sold within its jurisdictional boundaries on any primary, or regular, local option, or special election day.
  - (b) This subsection shall only apply in a wet or moist territory.
  - (c) Notwithstanding any other provisions of the Kentucky Revised Statutes to the contrary, the fiscal court of a county shall not by ordinance or any other means:
    1. Supersede, reverse, or modify any decision made pursuant to this subsection by the legislative body of a city within that county; or
    2. Impose an action upon a city within that county when that city has taken no formal action pursuant to this subsection.
- (4) A licensee may sell or deliver malt beverages on Sunday and during the times and hours as permitted by a local ordinance of the legislative body of an urban-county government, consolidated local government, charter county government, unified local government, city, or county with local jurisdiction. The ordinance shall not prohibit the sale, gift, or delivery of any malt beverages between 6 a.m. and midnight during any day, except Sunday.

**Effective:** June 29, 2017

**History:** Amended 2017 Ky. Acts ch. 62, sec. 109, effective June 29, 2017. -- Amended 2016 Ky. Acts ch. 80, sec. 18, effective July 15, 2016. -- Amended 2014 Ky. Acts ch. 22, sec. 24, effective July 15, 2014; and ch. 92, sec. 301, effective January 1, 2015. -- Amended 2013 Ky. Acts ch. 121, sec. 96, effective June 25, 2013. -- Amended 2007 Ky. Acts ch. 99, sec. 12, effective June 26, 2007. -- Amended 1998 Ky. Acts ch. 522, sec. 24, effective July 15, 1998. -- Amended 1994 Ky. Acts ch. 252, sec. 3, effective July 15, 1994. -- Amended 1982 Ky. Acts ch. 411, sec. 3, effective July 15, 1982. -- Amended 1944 Ky. Acts ch. 154, sec. 28. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2554b-207.