

**243.036 Special temporary distilled spirits and wine auction license.**

- (1) A special temporary distilled spirits and wine auction license may be issued to a charitable organization, upon the payment of the fee set forth in KRS 243.030 and upon satisfaction of the requirements prescribed by administrative regulation promulgated by the department.
- (2) A special temporary distilled spirits and wine auction license shall authorize the charitable organization to:
  - (a) Purchase, transport, receive, possess, store, sell, and deliver distilled spirits and wine to be sold at auction in the manner prescribed by administrative regulation promulgated by the department;
  - (b) Obtain distilled spirits and wine from distillers, rectifiers, vintners, wholesalers, distributors, retailers, or any other person, by gift or donation, for the purpose of charity auctions in the manner prescribed by administrative regulation promulgated by the department; and
  - (c) Receive payment for distilled spirits and wine sold at auctions in the manner prescribed by administrative regulation promulgated by the department.
- (3) Each distilled spirits and wine auction conducted by a charitable organization shall be subject to all restrictions and limitations contained in KRS Chapters 241 to 244 and the administrative regulations issued under those chapters and shall be authorized only on the days and only during the hours that the sale of alcoholic beverages is otherwise authorized in the county or municipality.
- (4) The location at which the distilled spirits and wine are auctioned under this section shall not constitute a public place for the purpose of KRS Chapter 222. Distilled spirits and wine auctions may be conducted on licensed or unlicensed premises. The charitable organization possessing a special temporary distilled spirits and wine auction license shall post a copy of the license at the location of the auction. During this period not more than one (1) auction shall be held.
- (5) A special temporary distilled spirits and wine auction license shall not be issued for any period longer than thirty (30) days. During this period not more than one (1) auction shall be held.
- (6) Notwithstanding any other provision of KRS Chapters 241 to 244, a distiller, rectifier, vintner, wholesaler, distributor, or retailer may donate, give away, or deliver any of its products to a charitable organization possessing a special temporary distilled spirits and wine auction license under this section.
- (7) All restrictions and prohibitions applying to a distilled spirits and wine retail package and distilled spirits and wine by the drink license, not inconsistent with this section, shall apply to a special temporary distilled spirits and wine auction license.

**Effective:** July 15, 2010

**History:** Amended 2010 Ky. Acts ch. 24, sec. 563, effective July 15, 2010. -- Amended 1998 Ky. Acts ch. 518, sec. 8, effective April 13, 1998. -- Created 1996 Ky. Acts ch. 44, sec. 1, effective July 15, 1996.