

242.1244 Local option for limited sale of alcoholic beverages purchased in conjunction with a meal -- Licenses -- Prohibition against sale without meal.

- (1) In order to promote economic development and tourism, other provisions of the Kentucky Revised Statutes notwithstanding, a city or county in which prohibition is in effect may, by petition in accordance with KRS 242.020, hold a local option election on the sale of alcoholic beverages by the drink at restaurants and dining facilities that seat a minimum of fifty (50) persons and derive a minimum of seventy percent (70%) of their gross receipts from the sale of food if alcoholic beverages are purchased in conjunction with a meal. The election shall be held in accordance with KRS 242.030(1), (2), and (5), 242.040, and 242.060 to 242.120, and the proposition on the ballot shall state "Are you in favor of the sale of alcoholic beverages by the drink in (name of city or county) at restaurants and dining facilities with a seating capacity of at least fifty (50) persons and which derive at least seventy percent (70%) of their gross receipts from the sale of food if the alcoholic beverage is purchased in conjunction with a meal?". If the majority of the votes in an election held pursuant to this subsection are "Yes," licenses may be issued to qualified restaurants and dining facilities and the licensees may be regulated and taxed in accordance with KRS 242.185(4) and (5).
- (2) The sale of alcoholic beverages under subsection (1) of this section shall be incidental to the sale of a meal. Restaurants and dining facilities that are issued a license under subsection (1) of this section shall not have an open bar and shall be prohibited from selling alcoholic beverages to any person who has not purchased or does not purchase a meal. Alcoholic beverages shall be deemed to have been purchased in conjunction with a meal if the alcoholic beverages are served after the meal is ordered and no more than one-half (1/2) hour after the meal is completed.

Effective: June 26, 2007

History: Created 2007 Ky. Acts ch. 99, sec. 8, effective June 26, 2007.