

1 AN ACT relating to the age requirement for serving alcoholic beverages.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 244.090 is amended to read as follows:

- 4 (1) A person holding any license shall not knowingly employ in connection with the  
5 licensed business any person who:
- 6 (a) Has been convicted of any felony within the last two (2) years;
- 7 (b) Has been twice convicted of any misdemeanor or offense directly or indirectly  
8 attributable to the use of alcoholic beverages within the last two (2) years;
- 9 (c) **For the purposes of selling and serving alcoholic beverages,** is under the age  
10 of twenty (20) years, unless the person~~[-is]~~ employed **is at least eighteen (18)**  
11 **years of age**~~[-:~~
- 12 ~~1. In a bottling house or room of a licensed distiller, winery, brewer, or~~  
13 ~~rectifier;~~
- 14 ~~2. In an office of a wholesaler or manufacturer that is maintained in a~~  
15 ~~building separate from the warehouses or factory;~~
- 16 ~~3. At premises licensed only with a nonquota retail malt beverage package~~  
17 ~~license, and the person employed to sell malt beverages is at least~~  
18 ~~eighteen (18) years of age] and under the supervision of a person twenty~~  
19 ~~(20) years of age or older[-; or~~
- 20 ~~4. In any of the following establishments, if the employment is in a~~  
21 ~~capacity that does not involve the sale or serving of alcoholic beverages:~~
- 22 ~~a. A restaurant that derives at least fifty percent (50%) of its food and~~  
23 ~~alcoholic beverage sales from the sale of food for consumption on~~  
24 ~~the licensed premises; or~~
- 25 ~~b. Any other establishment with alcoholic beverage sales not~~  
26 ~~exceeding fifty percent (50%) of its gross sales]; or~~
- 27 (d) Within two (2) years prior to the date of the person's employment, has had any

1 license issued under KRS Chapters 241 to 244 or under any other act or  
2 ordinance relating to the regulation of the manufacture, sale, or transportation  
3 of alcoholic beverages revoked for cause.

4 (2) The provisions of paragraphs (a) and (b) of subsection (1) of this section shall not  
5 apply if the employee's duties do not involve the sale, service, delivery, or traffic in  
6 alcoholic beverages at the licensed premises.

7 (3) *A person under the age of twenty (20) years of age whose employment is*  
8 *authorized under subsection (1) of this section shall not have duties that include*  
9 *bartending or any activities listed in KRS 529.010(3).*

10 (4) *A person who is at least eighteen (18) years of age whose employment does not*  
11 *include the sale or service of alcoholic beverages may work in the warehouse of a*  
12 *wholesaler or distributor if there is an employee on the premises who is twenty-*  
13 *one (21) years of age or older.*

14 (5) Violation of this section shall subject both employer and employee to penalties  
15 provided in this chapter and shall be cause for revocation of license.