



## Commonwealth of Kentucky Public Protection Cabinet

**Andy Beshear, Governor**

**Kerry B. Harvey, Secretary**

### **What Happens After a Local Option Election?**

Once a territory is voted wet, prohibition ceases 60 days after the election is certified by the county clerk. See, KRS 242.190, 242.200.

#### **Next Steps**

The legislative body of the area affected shall by ordinance create:

1. An office of Alcoholic Beverage Administrator. See, KRS 241.160.
  - The city or county attorney should start the process of creating the local ABC office.
  - The local appointing authority shall appoint the ABC Administrator who shall be sworn and execute a surety bond in an amount not less than \$1,000. See, KRS 241.160, 241.170, 241.180, 241.110.
2. Establish ordinances and local fees. See, KRS 243.070, 243.610, 243.060, KRS 243.600.
3. Applications. See, KRS 243.390.
4. Training requirements, Sunday sales, Election Day sales. See, KRS 244.290, 244.295, 244.480.

Requirements for local ABC administrator (county and city) are as follows:

1. No member of the board or member of his or her immediate family shall have any interest in any premises or business where alcoholic beverages are manufactured, stored, or sold. Nor shall he or she receive any commission or profit from any person applying for or receiving any license or permit.
2. Must be at least thirty years old and must have been a citizen of the state and resident of that county for at least two years preceding the date of appointment.
3. See, KRS 241.120, KRS 241.100.
4. Approval of the local administrator must be obtained prior to submission to the state ABC office. See, KRS 243.370.

### **Licensing Application Process**

Interested parties may begin the application process through ABC's online portal 60 days after the county clerk certifies the election at [https://abc.ky.gov/ppc/new\\_default.aspx](https://abc.ky.gov/ppc/new_default.aspx)

Applicants are required to submit an advertisement in a local newspaper declaring intent to apply for a license. See KRS 243.360. A license cannot be issued for at least 30 days from the date of the advertisement. See, KRS 243.360, 243.430.

It takes approximately 45-60 days for the ABC to process a new application due to premises inspections and various other tasks performed by the ABC Licensing and Enforcement personnel. See, KRS 241.090, 241.010(27).

There are different applications processes for quota licenses and non-quota licenses:

- ABC will accept non-quota applications after the initial 60 days.
- New quota applications will not be accepted until ABC has placed an advertisement one time in the local newspaper informing the public of the availability of quota licenses and the number available. An applicant for a quota license cannot apply for a license after the 60-day wait period. ABC will accept applications for 30 days following the advertisement in the newspaper. See, 804 KAR 9:010(2) (c).\

The number of quota retail package licenses issued by ABC in any county shall not exceed a number equal to one for every 2,300 residents. See, 804 KAR 9:010(1).