

FILED WITH LRC
TIME: 11:30 am

MAY 15 2026

Ange Darnell

REGULATIONS COMPILER

STATEMENT OF EMERGENCY

804 KAR 13:011E *40*

Pursuant to KRS 13A.190(1)(a)3., 2025 Ky. Acts Ch. 78 (SB 100), and 2026 Ky. Acts Ch. 70 (SB 245), this emergency administrative regulation is being promulgated to meet an imminent deadline for the promulgation of an administrative regulation that is established by state statute. The Department of Alcoholic Beverage Control (the "Department") has issued approximately 5,500 tobacco, nicotine, or vapor product licenses. 2025 Ky. Acts Ch. 78 (SB 100), which the Governor signed into law on March 24, 2025, requires the Department to ensure the safe and reasonable regulation of tobacco, nicotine, and vapor products within the Commonwealth. Senate Bill 245, which the Governor signed into law on April 10, 2026, requires the Department to prescribe and publish forms to apply for tobacco, nicotine, or vapor product licenses within 30 days of its signature. SB 245, Sections 2, 5, and 19.

Senate Bill 245 further requires any tobacco retailers not already licensed to remit applications for tobacco, nicotine, or vapor product licenses within 60 days of its signature. SB 245, §§ 15, 19. To ensure that retailers that are mandated to apply for tobacco, nicotine, or vapor product licenses are able to do so within the statutorily required timeframe, this emergency administrative regulation is being promulgated to implement a tobacco, nicotine, or vapor product licensing, enforcement, and administrative structure as soon as possible.