

# ALCOHOL PREVENTION ENHANCEMENT SITE

[www.kyprevention.com](http://www.kyprevention.com)

Tara McGuire | Bluegrass Prevention Center  
Lexington, KY | 859.225.3296 | [tkmcguire@bluegrass.org](mailto:tkmcguire@bluegrass.org)



## SB 13 (BR 84)

An act relating to the sale of alcoholic beverages on election days, public safety, local options for election, and licensing

SB 13, otherwise called the Election Day bill, was introduced during the 2013 KY Legislative Session.

The legislation cleared the Senate by a 29-8 vote, and was approved on the House floor by a 50-46 margin after provisions of other pending alcohol legislation was added to the bill by way of a floor amendment (HFA3) and title change (HFA4). The Senate approved the revised bill.

The bill was signed by the Governor on April 4, and became law June 24th, 2013.

For more information on SB 13 or other KY Legislation, go to: [www.lrc.ky.gov](http://www.lrc.ky.gov)

### 1.

#### PERMIT ALCOHOL SALES ON ELECTION DAY

Kentucky is one of only two states that have laws on the books prohibiting sales while the polls are open. The legislation enacted this year repeals the statewide ban permitting local governments to enact an ordinance to prohibit Election Day sales within its jurisdiction if it chooses to do so. This is only for the first 4 classes of cities. If no local ordinance exists, retail alcohol sales will be permitted by default under state law. The bill also eliminates the provision of state law that requires any business holding an ABC license to close the day that a local option election is held.

### 2.

#### ENACT MEDICAL AMNESTY

This new Medical Amnesty Law grants criminal immunity from prosecution for certain alcohol related offenses when a person seeks emergency medical assistance for him/her self or someone else due to alcohol over consumption, or acts along with another person in requesting emergency medical assistance.

### 3.

#### REVISE "DISORDERLY PREMISES" LAW

SB 13 amended KRS 244.120 to forbid licensees, patrons or employees to cause or allow a licensed premise to be disorderly including acts that cause a public inconvenience, annoyance, or alarm, or create a risk through:

- (a) Engaging in violent, tumultuous, or threatening behavior;
- (b) Making unreasonable noise;
- (c) Failing to meet minimum health and safety codes
- (d) Creating a public nuisance; or
- (e) Engaging in criminal activity that would constitute a capital offense, felony, or misdemeanor

# SB 13

## **2013 Kentucky Legislative Session:**

***An act relating to the sale of alcoholic beverages on election days, public safety, local options for election, and licensing***

### **4.**

#### **LOCAL OPTIONS FOR ELECTION**

Following the repeal of national Prohibition, Kentucky lawmakers enacted legislation governing the sale and licensing of alcoholic beverages in the Commonwealth. Over time, incremental changes were made, but only to address specific one-time issues. The result has been a patchwork of laws and regulations that are duplicative, outdated and cumbersome to administer.

SB 13 revised local options for election laws to simplify, remove outdated language, and provide clarity to KRS in regards to city classes; precincts and territories; alcohol sales on election days; rising cost of special elections on cities; and other issues related to local elections.

### **5.**

#### **LICENSING**

Simplifies and reduces the number of license types without changing any existing privileges or permissible activities related to production, sales, etc. SB 13 consolidates similar license types and unnecessary types into one new type so as to simplify the licensing scheme.

It reduces state license types from 88 types to 44 types without eliminating any existing license privileges.

It changes the name of several license types and fees associated with all licenses.

**Not all license types were changed or renamed.**

*For additional information and the listing of license types, go to:*

<http://www.kaco.org/en/media/17857/KACO%20KLC%20info%20sheet.pdf>

The Alcohol Prevention Enhancement Site (PES) disseminates the latest national research as well as up-to-date information on statewide and local issues. The Alcohol PES provides technical assistance and training around effective alcohol environmental strategies to reduce alcohol availability to underage youth. Through the well-planned, thoughtful implementation of local and state policies a positive and lasting effect on the community environment is possible. The overall goal for any project activity or research-based initiative is reduction of harmful consequences of illegal use and abuse of alcohol by underage youth.

**KY Alcohol Prevention Enhancement Site**  
[www.kyprevention.com](http://www.kyprevention.com)