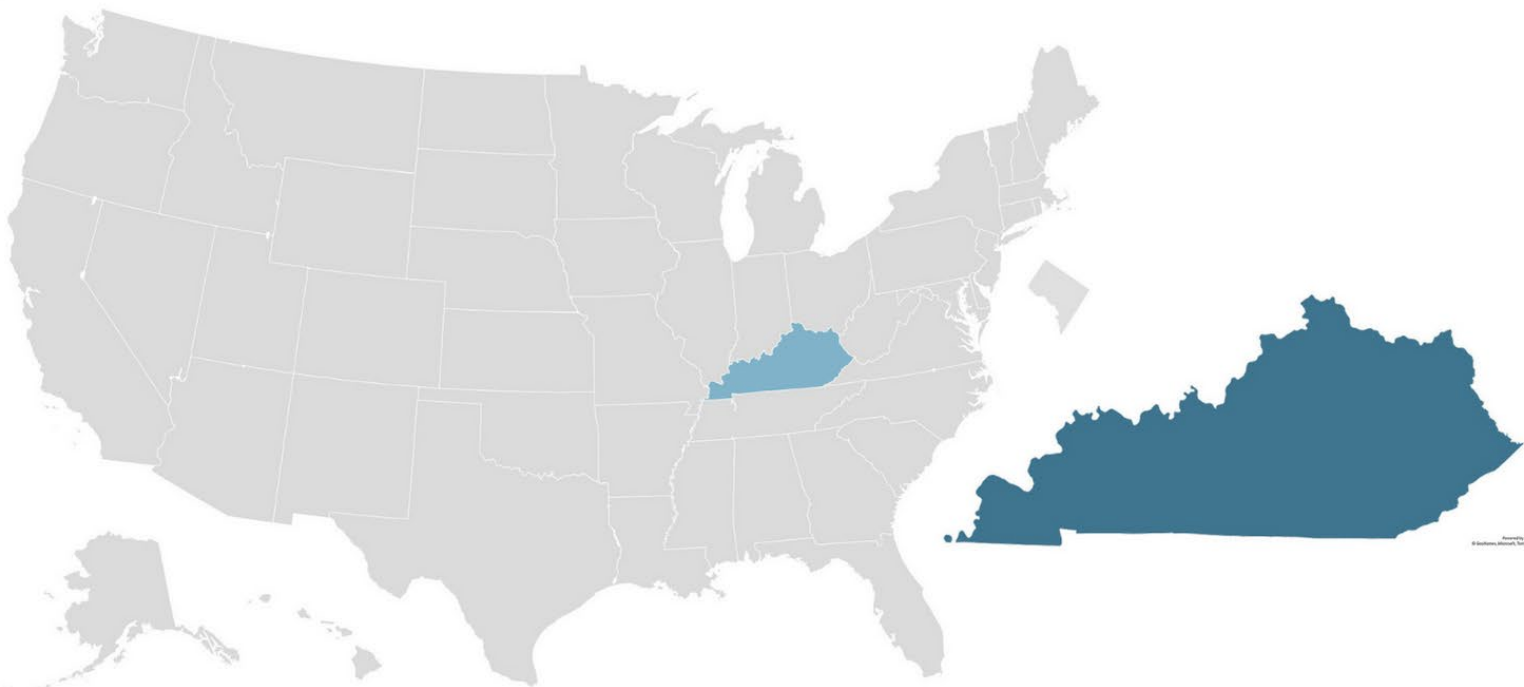




**SAMHSA**  
Substance Abuse and Mental Health  
Services Administration

**Kentucky**

# 2022 STATE REPORTS – UNDERAGE DRINKING PREVENTION AND ENFORCEMENT



**ICCPUD**

**THE INTERAGENCY COORDINATING COMMITTEE  
ON THE PREVENTION OF UNDERAGE DRINKING (ICCPUD)**

This *State Report* is required by the Sober Truth on Preventing (STOP) Underage Drinking Act (Pub. L. 109-422), enacted by Congress in 2006 and reauthorized in December 2016 as part of the 21st Century Cures Act (Pub. L. 114-255). The STOP Act requires an annual report “on each State’s performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking.” As directed by the STOP Act, the State Reports were prepared by the Interagency Coordinating Committee on the Prevention of Underage Drinking (ICCPUD), chaired by Miriam Delphin-Rittmon, Ph.D., the Assistant Secretary for Mental Health and Substance Use, U.S. Department of Health and Human Services (HHS).

**Time Period Covered by this *State Report*:** This *State Report* primarily includes data from calendar year 2020 and 2021. Regional and state profile data were drawn from the most recently available federal survey data as of 2020. State legal data reflect the status of the law as of January 1, 2021. State survey data, collected in 2021, were drawn from the most recent 12-month period in which the states maintained the data.

**Source of Data:** For each state, overall population information was taken from 2010 Census data. Data about the portion of each state’s population comprising 12-to 20-year-olds, as well as facts about past-month alcohol use and binge use, were averaged from the 2017 through 2020 National Surveys on Drug Use and Health (NSDUH), SAMHSA’s Center for Behavioral Health Statistics and Quality (CBHSQ), and the NSDUH special data analysis (2021). Confidence intervals for these estimates are available from CBHSQ’s Division of Surveillance and Data Collection on request. The Centers for Disease Control and Prevention’s Alcohol-Related Disease Impact (ARDI) application (updated May 2022) served as the resource for data about alcohol-attributable deaths from 2015–2019 among youth under age 21. ARDI was also the source for state-level data on years of potential life lost as a result of underage alcohol-related fatalities. The National Center for Statistics and Analysis’s Fatality Analysis Reporting System (FARS) provided the 2020 data used to present statistics about fatalities among 15- to 20-year-old drivers. State legal policy data were obtained from the following sources: 1) the National Institute on Alcohol Abuse and Alcoholism’s Alcohol Policy Information System (APIS) website (<https://alcoholpolicy.niaaa.nih.gov/>); 2) legal research planned and managed by the ICCPUD.

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# KENTUCKY



THE INTERAGENCY COORDINATING COMMITTEE  
ON THE PREVENTION OF UNDERAGE DRINKING (ICCPUD)



## Kentucky

State Population: 4,477,251

Population Ages 12–20: 535,000

Past-Month Alcohol Use	
<b>Ages 12–20</b>	
Past-Month Alcohol Use – Number (Percentage)	101,000 (18.8%)
Past-Month Binge Alcohol Use – Number (Percentage)	59,000 (11.0%)
<b>Ages 12–14</b>	
Past-Month Alcohol Use – Number (Percentage)	5,000 (3.0%)
Past-Month Binge Alcohol Use – Number (Percentage)	1,000 (0.6%)
<b>Ages 15–17</b>	
Past-Month Alcohol Use – Number (Percentage)	31,000 (18.8%)
Past-Month Binge Alcohol Use – Number (Percentage)	18,000 (10.6%)
<b>Ages 18–20</b>	
Past-Month Alcohol Use – Number (Percentage)	64,000 (33.1%)
Past-Month Binge Alcohol Use – Number (Percentage)	40,000 (20.6%)
<b>Adults Ages 21+</b>	
Past-Month Alcohol Use – (Percentage)	1,450,000 (45.5%)
Past-Month Binge Alcohol Use – (Percentage)	688,000 (21.6%)
Average Age of Initiation	
Average Age of Initiation	16.1
Alcohol-Attributable Deaths and Years of Potential Life Lost Under the Age of 21 <sup>1</sup>	
Alcohol-Attributable Deaths (under 21)	59
Years of Potential Life Lost (under 21)	3,340
Fatal Crashes Involving a 15- to 20-Year-Old Driver With Blood Alcohol Concentration (BAC) > 0.01% <sup>2</sup>	
Number of Fatalities Involving 15- to 20-Year-Old Driver With BAC > 0.01%	12
Percentage of All Fatal Crashes Involving a 15- to 20-Year-Old Driver	12%

<sup>1</sup> The Alcohol-Related Disease Impact Application was updated May 2022 to reflect new methodology for calculating the average annual alcohol-attributable deaths, and it reflects national and state annual averages from 2015–2019.

<sup>2</sup> Alcohol-related fatalities are estimates derived from a sophisticated statistical procedure. The estimates are rounded to the nearest whole number; however, percentages as displayed are calculated from the unrounded estimates and may not equal those calculated from the rounded estimates. Totals may not equal the sum of components due to independent rounding.



## Behavioral Health Care Overview<sup>1</sup>

The Kentucky Department for Behavioral Health, Developmental and Intellectual Disabilities (DBHDID) administers a comprehensive, community-based system of behavioral health care for adults with serious mental illness (SMI), children with severe emotional disabilities (SED), and their families, adults and youth with substance use disorders, and individuals with co-occurring mental health and substance use disorders. DBHDID is developing a statewide network of early intervention services and supports to address transition age youth and young people experiencing multiple behavioral health issues, including first episode psychosis. With guidance from SAMHSA's Strategic Plan: FY2019 - FY2023, the DBHDID strives to further promote access to a full continuum of care for mental health and substance use disorders, and to provide necessary resources and data to assist community providers in local-level decision-making, including policies, program development and the provision of evidence-based practices.

DBHDID is Kentucky's designated State Mental Health Authority (SMHA) and Single State Agency for Substance Abuse Services (SSA), as well as the State Opioid Treatment Authority (SOTA). Per Kentucky Revised Statute (KRS) 194.030, DBHDID is designated as the primary state agency for developing and administering programs for the prevention, detection and treatment of behavioral health disorders (adults and children); including developing and administering treatment, rehabilitation, and recovery services for individuals with behavioral health disorders and developmental and intellectual disabilities. The Department receives state general funds allocated for the prevention and treatment of behavioral health (mental health and substance use) disorders in a biennial budget and is charged with administering the funds to achieve its service and quality goals.

Within DBHDID, there are four Divisions, including: Administration and Financial Management; Developmental and Intellectual Disabilities; Program Integrity and Behavioral Health. The Division of Behavioral Health is a product of the merger of the Division of Substance Abuse and the Division of Mental Health in July 2004. With an increased focus on the treatment needs of individuals with co-occurring disorders (mental health and substance use) at the national, state and local level, the Division is aimed at ensuring an integrated, seamless service system. DBHDID's Division of Behavioral Health is comprised of the Director's Office and four Branches, including:

- Behavioral Health Prevention and Promotion Branch
- Adult Substance Abuse Treatment and Recovery Services Branch
- Children's Behavioral Health and Recovery Services Branch
- Adult Mental Health Services and Recovery Branch

Kentucky is divided into fourteen (14) geographic regions for the purposes of planning and providing publicly funded community mental health, substance use and prevention services. A Regional Board has been established as the planning authority for behavioral health programs in

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<sup>1</sup> Extracted from fiscal year (FY) 2022/2023 – (Kentucky) State Behavioral Health Assessment and Plan, Substance Abuse Prevention and Treatment Block Grant (SABG), CSAP, Division of State Programs, Center for Substance Abuse Treatment, Division of State and Community Assistance: Planning Step One. Assess the strengths and needs of the service system to address the specific populations.

each region and these generally align with the Area Development Districts (ADD) throughout the Commonwealth. County and municipal governments generally do not provide community behavioral health services. A Regional Board is an independent, non-profit organization that is governed by a volunteer board of directors that broadly represents stakeholders (including consumers and family members) and counties in the region. All agencies are licensed by the Cabinet for Health and Family Services as a “Community Mental Health Center.” In July 2019, two (2) of the region’s Community Mental Health Centers merged to become one of the largest behavioral healthcare organizations in Southern Kentucky. LifeSkills, Inc. (Region 4) and the Pennyroyal Center (Region 2) became a merged entity with a total over 875 employees and 26 service locations. The combined entity continues to operate under the LifeSkills and Pennyroyal Center names in their respective regions.

KRS 210.410 authorizes the Secretary of the CHFS to make state grants and other funding allocations to Regional Boards to provide, at a minimum, the following behavioral health services: Inpatient Services; Outpatient Services; Partial Hospitalization or Psychosocial Rehabilitation Services; Emergency Services; Consultation and Education Services; and Services for Individuals with an Intellectual Disability. Behavioral health services, including mental health services for adults and children, substance abuse services for adults and adolescents, and services for individuals with co-occurring disorders are provided in county level clinics and a number of services may be provided off-site in homes, school and in other community locations. In addition to the clinics, there are fourteen (14) Regional Prevention Centers established to provide technical assistance and training on evidence-based prevention strategies. While the main focus is aimed at Primary Prevention for substance abuse, they also support some selective and indicated prevention strategies (using funds other than those set aside for Primary Prevention) when those activities directly support the Primary Prevention goals for each region identified through a comprehensive needs assessment. With its available resources of state general funds, block grant/other federal funds, and awarded agency funds, DBHDID contracts with the fourteen (14) private, not-for-profit CMHCs to provide services to citizens in all 120 counties of the state.

### **Expenditures for Substance Abuse Prevention and Treatment**

All states receive federal funds for substance abuse prevention through Substance Abuse Prevention and Treatment Block Grant (SABG) funds, administered by the Substance Abuse and Mental Health Services Administration (SAMHSA). Exhibit 1 shows the sources that Kentucky used for expenditures on substance abuse prevention and treatment in 2021. As indicated, other federal funds and SABG funds account for the largest sources (79 percent and 14.5 percent, respectively).<sup>2</sup>

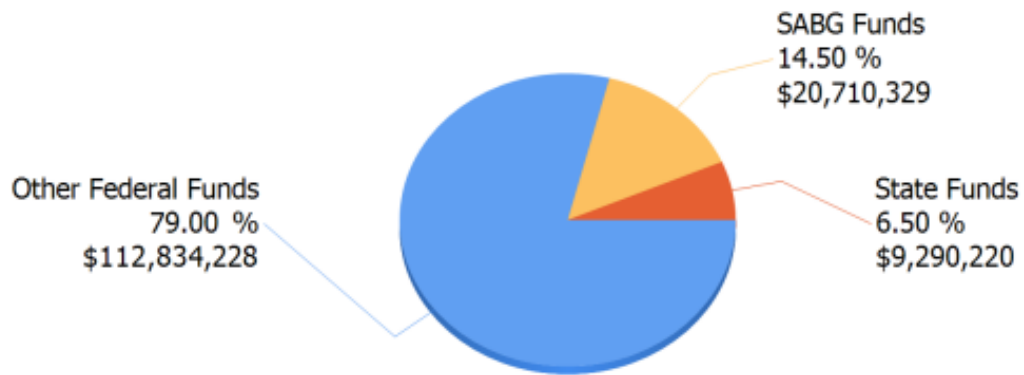
States submit Behavioral Assessment and Plan reports that include their priorities for use of SABG funds, as well as planned expenditures. For FY 2022-2023, Kentucky designated reducing alcohol use among 10<sup>th</sup> graders as priority number four for use of SABG funds.<sup>3</sup>

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<sup>2</sup> WebBGAS State Profile, 2021 SABG and Community Mental Health Block Grant (MHBG) Reports – Kentucky 2021.

<sup>3</sup> FY 2022/2023 – (Kentucky) State Behavioral Assessment and Plan, SABG, CSAP, Division of State Programs, Center for Substance Abuse Treatment, Division of State and Community Assistance: Table 1: Priority Areas and Annual Performance Indicators.

**Exhibit 1: Sources of Kentucky's 2021 Expenditures for Substance Abuse Prevention and Treatment**



## State Performance: Laws, Enforcement, and Programs

As mandated by the STOP Act, this report details Kentucky's performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking. The following sections address these measures:

***State Laws and Policies:*** These underage drinking prevention policies have been identified as best practices (or as promising practices suitable for ongoing evaluation) and fall into six categories:

- underage possession or purchase of alcohol
- underage drinking and driving
- alcohol availability
- sales and delivery to consumers at home
- alcohol pricing
- enforcement policies

***STOP Act State Survey Data:*** The STOP Act requires annual reporting of data from the 50 states and the District of Columbia on their performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking. Administered since 2011, the STOP Act State Survey collects data on the following topics:

- enforcement programs to promote compliance with underage drinking laws and regulations
- programs targeted to youth, parents, and caregivers to deter underage drinking
- state interagency collaborations to implement prevention programs, best-practice standards, collaborations with tribal governments, and participation in underage drinking media campaigns
- state expenditures on the prevention of underage drinking



## Underage Possession or Purchase of Alcohol

Kentucky-Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
<ul style="list-style-type: none"> <li>Is possession allowed if parent or guardian is present or consents?</li> </ul>	No
<ul style="list-style-type: none"> <li>Is possession allowed if spouse is present or consents?</li> </ul>	No
Is there an exception based on location?	No

Kentucky-Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
<ul style="list-style-type: none"> <li>Is consumption allowed if parent or guardian is present or consents?</li> </ul>	N/A
<ul style="list-style-type: none"> <li>Is consumption allowed if spouse is present or consents?</li> </ul>	N/A
Is there an exception based on location?	N/A

Kentucky-Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
<ul style="list-style-type: none"> <li>Is internal possession allowed if parent or guardian is present or consents?</li> </ul>	N/A
<ul style="list-style-type: none"> <li>Is internal possession allowed if spouse is present or consents?</li> </ul>	N/A
Is there an exception based on location?	N/A

Kentucky-Underage Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	No

Kentucky-Underage False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor's driver's license suspension?	Yes, through a judicial process

Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	No
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	No
Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	No
Do state statutes or regulations mandate that state driver's licenses for persons under 21 be easily distinguishable from licenses for persons 21 and over?	Yes
May the retailer seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	No
Does an affirmative defense exist for the retailer?	Yes
<ul style="list-style-type: none"> <li>Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?</li> </ul>	Yes
<ul style="list-style-type: none"> <li>Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?</li> </ul>	No
Does the retailer have the right to sue the minor for use of a false ID?	No
May the retailer detain a minor who used a false ID?	No

### Underage Drinking and Driving

Kentucky-Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0.02
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	0
What is the maximum age to which the limit applies?	21

Kentucky-Loss of Driving Privileges for Alcohol Violations by Minors ("Use/Lose" Laws)	
Is there a "use/lose" law that suspends or revokes a minor's driving privileges for alcohol violations?	No
What types of violation lead to license suspension or revocation?	

• Purchase of alcohol	N/A
• Possession of alcohol	N/A
• Consumption of alcohol	N/A
The law applies to people under what age?	N/A
Is suspension or revocation mandatory or discretionary?	N/A
What is the length of suspension/revocation?	
Minimum number of days	N/A
Maximum number of days	N/A

Kentucky-Graduated Driver's Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians or other adults (other than instructors)?	16
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	6
What is the minimum number of hours of driving with parents, guardians or adults before advancing to intermediate stage?	60 (10 of which must be at night)
Intermediate Stage	
What is the minimum age for driving without adult supervision?	16 years, 6 months
For night driving, when does adult supervision requirement begin?	Midnight
Can law enforcement stop a driver for night driving violation as a primary offense?	Yes
Are there restrictions on passengers?	Yes, no more than one unrelated passenger under 20, unless accompanied by instructor.
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	No
License Stage	
What is the minimum age for full license privileges and lifting of restrictions?	17

## Alcohol Availability

Kentucky-Furnishing Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
• Is furnishing allowed if the parent or guardian supplies the alcohol?	Yes
• Is furnishing allowed if the spouse supplies the alcohol?	No

Is there an exception based on location?	No
<b>Affirmative Defense for Sellers and Licensees</b>	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No

<b>Kentucky-Responsible Beverage Service (RBS)</b>	
Is there a state law pertaining to Beverage Service Training?	No
If training is mandatory, who must participate?	N/A
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	N/A
• Discounts in dram shop liability insurance, license fees, or other	N/A
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	N/A
• Protection against license revocation for sales to minors or sales to intoxicated persons	N/A
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	N/A
Does the RBS law apply to new or existing licensees?	N/A

<b>Kentucky-Minimum Ages for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)</b>	
What is the minimum age requirement for off-premises retail establishments?	
Beer	18
Wine	20
Spirits	20
Does a manager or supervisor have to be present when an underage person is selling beverages?	Yes
Notes: Although 20 years of age is the minimum age requirement to sell alcoholic beverages at both off-sale and on-sale establishments, 18-year-olds may stock, arrange displays, accept payment for, and sack malt beverages by the package, under the supervision of a person 20 years of age or older.	

<b>Kentucky-Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)</b>	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	20
Wine	20
Spirits	20

What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	20
Wine	20
Spirits	20
Does a manager or supervisor have to be present when an underage person is selling beverages?	No

#### Kentucky-Distance Limitations Applied to New Alcohol Outlets Near Universities, Colleges, and Primary and Secondary Schools

<b>Colleges and Universities</b>	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A
<b>Primary and Secondary Schools</b>	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A

#### Kentucky-Dram Shop Liability

Does a statute create dram shop liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	No
Does common law dram shop liability exist?	No

#### Kentucky-Social Host Liability

Does a statute create social host liability?	No
Does the statute limit damages that may be recovered?	N/A
Does the statute limit who may be sued?	N/A
Does the statute limit elements or standards of proof?	N/A
Does common law social host liability exist?	No

#### Kentucky-Prohibitions Against Hosting Underage Drinking Parties

Does a statute prohibit hosting underage drinking parties?	No
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Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	N/A
What action by underage guest triggers a violation?	N/A
Property type covered by the law?	N/A
What level of knowledge by the host is required?	N/A
Does host's preventive action protect him/her from being held liable?	N/A
Are there any exceptions for underage guests?	N/A

Kentucky-Keg Registration	
How is a keg defined (in gallons)?	No law
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	No law
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	No law
What purchaser information is collected?	
Must the retailer collect the name and address?	No law
Must the retailer collect the ID number, name and address on license or other government information?	No law
Must the retailer collect the address at which keg will be consumed?	No law
Must warning information be given to purchaser?	No law
Is a deposit required?	No law
Does law cover disposable kegs?	No law

Kentucky-High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

### Sales and Delivery to Consumers at Home

Kentucky-Retailer Interstate Shipments of Alcohol	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Permitted
Wine	Permitted
Spirits	Permitted

Notes: A quota retail package license holder with eighty percent (80%) of its monthly gross sales receipts from sales to Kentucky residents ("package store") is permitted to ship alcoholic beverages to Kentucky customers at addresses in a wet territory. If a visitor signs up and pays for a subscription to a distilled spirits or wine club/program at the package store, the package store can ship a monthly order to the Kentucky visitor at an address located in a wet territory.

<b>Kentucky-Direct Shipments/Sales</b>	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Wine and distilled spirits
Must purchaser make mandatory trip to producer before delivery is authorized?	Yes
<b>Age verification requirements</b>	
Must the producer/shipper verify purchaser's age before sale?	No
Must the common carrier (deliverer) verify age of recipients?	Yes
<b>State approval/permit requirements</b>	
Must the producer/manufacturer obtain state license or permit?	Yes
Must the common carrier (deliverer) be approved by a state agency?	Yes
<b>Recording/reporting requirements</b>	
Must the producer/manufacturer record/report purchaser's name?	No
Must the common carrier (deliverer) record/report recipient's name?	No
<b>Shipping label requirements</b>	
Must the label state "Package contains alcohol"?	Yes
Must the label state "Recipient must be 21 years old"?	Yes
Notes: If Kentucky microbreweries or distilleries hold the proper retail licenses, then the Kentucky Department of Alcoholic Beverage Control interprets the laws to allow shipping to customers. Ky. Rev. Stat. Ann. § § 243.0305, 243.157, 243.200, 243.280. See also Ky. Advisory Opinions 2017-001 and 2017-002. In-state and out-of-state distilleries and winery licenses are permitted to ship spirits or wine to Kentucky residents who purchased the distilled spirits or wine, subscription, or club program membership, in person while visiting the distillery or winery.	

<b>Kentucky-Home Delivery</b>	
Is home delivery of alcohol permitted?	
Beer	Permitted
Wine	Permitted
Spirits	Permitted

Kentucky- Direct to Consumer	
Is there a policy allowing on-premises retailers to deliver alcohol to a consumer at home?	Yes
Which on-premises retailers can provide delivery of alcoholic beverages? <ul style="list-style-type: none"> <li>• Restaurant</li> <li>• Bar license</li> <li>• Third party license</li> </ul>	Yes Yes Yes
Which types of alcohol are permitted to be delivered? <ul style="list-style-type: none"> <li>• Beer</li> <li>• Wine</li> <li>• Spirits</li> <li>• Mixed Drinks</li> </ul>	Yes Yes Yes Yes
Requirements and Restrictions	
Are there restrictions in place addressing details of the delivery? <ul style="list-style-type: none"> <li>• Hours limited</li> <li>• Amount of alcohol limited</li> <li>• Food requirement</li> </ul>	No Yes Yes
Are there certain requirements that the delivery person must meet? <ul style="list-style-type: none"> <li>• Must be 21</li> <li>• Must check ID at point of delivery</li> <li>• Must receive payment regardless of delivery completion</li> </ul>	Yes No No
Notes: Limited to amount of alcohol that "a reasonable person would purchase with a meal."	

### Alcohol Pricing

Kentucky-Alcohol Taxes	
<b>Beer</b>	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.08
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	10.00%
Retail tax rate (if applicable)	



If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	10.00%
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 3.2 – 6% alcohol beer if applicable	
<b>Wine</b>	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$0.50
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	10.00%
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	10.00%
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant

<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 6 – 14% alcohol wine if applicable	
<b>Spirits</b>	
Control system for spirits?	No
Specific excise tax per gallon for 40% alcohol spirits	\$1.92
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	11.00%
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	11.00%
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 15 – 50% alcohol spirits if applicable	

<b>Kentucky-Low-Price, High-Volume Drink Specials</b>	
Are on-premises retailers prohibited from offering the following types of drink specials?	
Free beverages	Yes
Multiple servings at one time	No
Multiple servings for same price as single serving	No

Reduced price for a specified day or time (i.e., happy hours)	No
Unlimited beverages for fixed price	No
Increased volume without increase in price	No

<b>Kentucky-Wholesaler Pricing Restrictions</b>	
<b>Beer</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No
<b>Wine</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days maximum)
<b>Spirits</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days maximum)

## Enforcement Policies

Kentucky-Compliance Check Protocols	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	Yes
What is the minimum age a decoy may be to participate in a compliance check?	18
What is the maximum age a decoy may be to participate in a compliance check?	20
Are there appearance requirements for the decoy?	Yes, shall have appearance and character indicating true age.
Does decoy carry ID during compliance check?	Not specified
May decoy verbally exaggerate his or her actual age?	Not specified
Is decoy training mandated, recommended, prohibited, or not specified?	Not specified

Kentucky-Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties that are imposed on retailers for furnishing to a minor?	Yes
What is the time period for defining second, third, and subsequent offenses?	N/A
What is the penalty for the first offense?	N/A
What is the penalty for the second offense?	N/A
What is the penalty for the third offense?	N/A
What is the penalty for the fourth offense?	N/A
<p>Notes: The Alcoholic Beverage Control Board, or the local alcoholic beverage administrator, may order a suspension of the license for any cause for which it may, but is not required to, revoke the license under the provisions of KRS 243.490 and 243.500. However, the licensee may, subject to the approval of the Alcoholic Beverage Control Board or the local alcoholic beverage administrator, pay in lieu of part or all of the days of any suspension period, a sum of fifty dollars (\$50) per day.</p>	

## Kentucky State Survey Responses

### State Agency Information

Agency with primary responsibility for enforcing underage drinking laws:

Kentucky Department of Alcoholic Beverage Control

### Enforcement Strategies

State law enforcement agencies use:

Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol–Related Fatality Investigations	Yes

Local law enforcement agencies use:

Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol–Related Fatality Investigations	No

State has a program to investigate and enforce direct sales/shipment laws No

Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors Not applicable

Such laws are also enforced by local law enforcement agencies Not applicable

### Enforcement Statistics

State collects data on the number of minors found in possession Yes

Number of minors found in possession<sup>1</sup> by state law enforcement agencies 0

Number pertains to the 12 months ending 12/31/2020

Data include arrests/citations issued by local law enforcement agencies Yes

State conducts underage compliance checks/decoy operations<sup>2</sup> to determine whether alcohol retailers are complying with laws prohibiting sales to minors Yes

Data are collected on these activities Yes

Number of retail licensees in state<sup>3</sup> 11,000

Number of licensees checked for compliance by state agencies (including random checks) 225

Number of licensees that failed state compliance checks 28

Numbers pertain to the 12 months ending 12/31/2020

Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments On-sale establishments only

State conducts **random** underage compliance checks/decoy operations Yes

Number of licensees subject to **random** state compliance checks/decoy operations No data

Number of licensees that failed **random** state compliance checks No data

Local agencies conduct underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors Yes

Data are collected on these activities No

Number of licensees checked for compliance by local agencies Not applicable

Number of licensees that failed local compliance checks Not applicable

Numbers pertain to the 12 months ending Not applicable

### Sanctions

State collects data on fines imposed on retail establishments that furnish to minors Yes

Number of fines imposed by the state<sup>4</sup> No data

Total amount in fines across all licensees No data

Smallest fine imposed \$2,500

Largest fine imposed \$3,500

Numbers pertain to the 12 months ending 12/31/2020

<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing to minors</i>	Yes
Number of suspensions imposed by the state <sup>5</sup>	Fines were paid in lieu of suspensions
Total days of suspensions across all licensees	Not applicable
Shortest period of suspension imposed (in days)	Not applicable
Longest period of suspension imposed (in days)	Not applicable
Numbers pertain to the 12 months ending	12/31/2020
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing to minors</i>	Yes
Number of license revocations imposed <sup>6</sup>	0
Numbers pertain to the 12 months ending	12/31/2020

**Additional Clarification**

No data

<sup>1</sup> Or having consumed or purchased per state statutes.

<sup>2</sup> Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors.

<sup>3</sup> Excluding special licenses such as temporary, seasonal, and common carrier licenses.

<sup>4</sup> Does not include fines imposed by local agencies.

<sup>5</sup> Does not include suspensions imposed by local agencies.

<sup>6</sup> Does not include revocations imposed by local agencies.

**Underage Drinking Prevention Programs Operated or Funded by the State**

**Responsible Beverage Server Training**

Number of youth served	Not Applicable
Number of parents served	Not Applicable
Number of caregivers served	5,757
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report:	<a href="http://kyalcoholprevention.org">http://kyalcoholprevention.org</a>
URL for more program information:	<a href="http://kyalcoholprevention.org">http://kyalcoholprevention.org</a>

**Program Description:** The responsible beverage server training is designed to train servers on appropriate serving practices in order to decrease the number of illegal alcohol sales to underage youth and intoxicated patrons through educational programs that (1) help managers and servers/sellers understand state-, community-, and establishment-level alcohol policies and potential consequences for failing to comply with such policies (e.g., criminal and civil liability, job loss, etc.) and (2) provide the necessary skills to comply with these policies.

**Guidance/technical assistance offered to community stakeholders related to social host ordinance implementation.**

Number of youth served	Not Applicable
Number of parents served	Not Applicable
Number of caregivers served	249
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not Applicable
URL for more program information:	Not Applicable

**Program Description:** Prevention specialists are trained to provide technical assistance and guidance to community stakeholders to enact social host ordinances in their communities. These values represent the number of individuals who received technical assistance on this topic.

**Awareness Campaign**

Number of youth served	Not Applicable
Number of parents served	122
Number of caregivers served	Not Applicable
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not Applicable
URL for more program information:	Not Applicable

**Program Description:** Awareness campaigns are environmental prevention strategies geared toward increasing public awareness about underage drinking and youth access to alcohol as well as strengthening laws against providing alcohol to a minor. One of these campaigns, "Sticker Shock," places brightly colored stickers on multipacks of beer and wine coolers that appeal to underage drinkers.

**Coaches Initiative/Life of an Athlete**

Number of youth served	107
Number of parents served	Not Applicable
Number of caregivers served	Not Applicable
Program has been evaluated	No
Evaluation report is available	Not Applicable
URL for evaluation report:	Not Applicable
URL for more program information:	<a href="http://kyalcoholprevention.org">kyalcoholprevention.org</a>

**Program Description:** This is an upstream prevention program designed to enhance the well-being of athletes by educating coaches and athletes about the consequences of alcohol and drug use.

**Technical assistance provided to support existing ordinances, laws, regulations and policies that promote reduction of access to alcohol among youth**

Number of youth served	Not Applicable
Number of parents served	Not Applicable
Number of caregivers served	1,894
Program has been evaluated	No
Evaluation report is available	Not Applicable
URL for evaluation report:	Not Applicable
URL for more program information:	Not Applicable

**Program Description:** Prevention specialist are trained to provide technical assistance and guidance to community stakeholders to enact or support existing ordinances, laws, regulations, and policies that promote reduction of access to alcohol among youth. These values represent the number of individuals who received technical assistance on this topic.

**Keg Registration Technical Assistance Provision**

Number of youth served	Not Applicable
Number of parents served	Not Applicable
Number of caregivers served	0
Program has been evaluated	No
Evaluation report is available	Not Applicable
URL for evaluation report:	Not Applicable
URL for more program information:	Not Applicable

**Program Description:** Prevention specialist are trained to provide technical assistance and guidance to community stakeholders to enact ordinances related to keg registration. These values represent the number of individuals who received technical assistance on this topic.

**Miscellaneous strategies to engage parents and other adults to address underage drinking**

Number of youth served	Not Applicable
Number of parents served	652

Number of caregivers served	652
Program has been evaluated	No
Evaluation report is available	Not Applicable
URL for evaluation report:	Not Applicable
URL for more program information:	Not Applicable

**Program Description:** These efforts are focused on providing information and guidance to parents and community stakeholders; they are separate from specific programs noted above. These strategies include general efforts to raise awareness and promote calls to action focused on reducing underage drinking.

**Too Good For Drugs**

Number of youth served	40,330
Number of parents served	Not Applicable
Number of caregivers served	33
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not Applicable
URL for more program information:	<a href="https://toogoodprograms.org/collections/too-good-for-drugs">https://toogoodprograms.org/collections/too-good-for-drugs</a>

**Program Description:** The Too Good for Drugs programs empower children with the social-emotional learning and substance abuse prevention skills they need to lead happy and healthy lives. The program is designed for youth in grades K-9. The program focuses on efforts to raise awareness and reduce youth alcohol and ATOD use.

**Youth Empowerment System to encourage youth engagement**

Number of youth served	56,500
Number of parents served	Not Applicable
Number of caregivers served	170,719
Program has been evaluated	No
Evaluation report is available	Not Applicable
URL for evaluation report:	Not Applicable
URL for more program information:	<a href="http://dbhdid.ky.gov/dbh/sa-yes.aspx">http://dbhdid.ky.gov/dbh/sa-yes.aspx</a>

**Program Description:** Youth who participate in Youth Empowerment System (YES) are guided through the selection of appropriate prevention strategies to address underage drinking in their communities. Additionally, they compose grants and implement projects based on priorities identified through data analysis.

**Kentucky Moms Maternal Assistance Toward Recovery-Making Healthy Choices**

Number of youth served	Not Applicable
Number of parents served	350
Number of caregivers served	Not Applicable
Program has been evaluated	No
Evaluation report is available	Not Applicable
URL for evaluation report:	Not Applicable
URL for more program information:	<a href="http://dbhdid.ky.gov/dbh/kymomsmatr.aspx">http://dbhdid.ky.gov/dbh/kymomsmatr.aspx</a>

**Program Description:** Kentucky Moms Maternal Assistance Toward Recovery (MATR) aims to reduce harm to the children of expectant Kentucky mothers who are at risk for using alcohol, tobacco, and other drugs by assisting them during and after pregnancy. This service is a collaboration between health departments, prenatal clinics, and community mental health centers.

**Additional Underage Drinking Prevention Programs Operated or Funded by the State**

Server Training in Alcohol Regulations



The Education Branch of the Alcoholic Beverage Control exists to make the Commonwealth of Kentucky a safer place through education by offering Server Training in Alcohol Regulations (STAR) and by providing information through public outreach.

Effective immediately, all certificates of completion will be electronically delivered. The Department of Alcoholic Beverage Control will no longer provide paper certificates.

STAR is a responsible beverage server training course developed by the Alcoholic Beverage Control.

- STAR is Kentucky-specific regarding alcohol laws

#### Goals

- Educating licensees regarding valid and fake identifications
- Reducing illegal alcohol sales to minors
- Reducing sales to persons who are already intoxicated
- Promoting responsible consumption
- Providing information to sellers and servers to protect themselves from third-party liability lawsuits
- Educating licensees and servers about Kentucky liquor laws

Number of youth (persons under age 21) served: Not applicable

Number of parents (individuals with primary responsibility for the well-being of a minor, including biological and adoptive parents, grandparents, foster parents, extended family, etc.) served: Not applicable

Number of caregivers (people who provide services to youth including teachers, coaches, health and mental health care providers, human services and juvenile justice workers) served: Not applicable

Has this program been evaluated? No

The Kentucky Department of Behavioral Health funds an underage drinking prevention program through its block grant and discretionary grant funds by contracting with regional prevention centers across the state. Funds are expended on primary prevention programs only. The programs noted in the section above are encompassed in this area (<http://dbhdid.ky.gov/dbh/sa-rpc.aspx>).

#### Additional Clarification

Kentucky Department of Behavioral Health contracts with Regional Prevention Centers (RPCs) within the community mental health system to provide prevention programming. The state funds an alcohol prevention specialist who focuses on providing best practices and evidence-based information to prevention providers across the state, specifically through the RPCs (<https://dbhdid.ky.gov/dbh/sa-pes.aspx>).

#### Additional Information Related to Underage Drinking Prevention Programs

<i>State collaborates with federally recognized tribal governments in the prevention of underage drinking</i>	No recognized tribal governments
Description of collaboration: Not applicable	
<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i>	Yes
Description of program: See individual program efforts noted in above section. The state also has a State Epidemiological Outcomes Workgroup that utilizes data to inform program ( <a href="https://penguin-owl-j7ep.squarespace.com/new-page-68">https://penguin-owl-j7ep.squarespace.com/new-page-68</a> ).	
<i>State collaborates with/participates in media campaigns to prevent underage drinking</i>	Yes
Federal campaigns: "Talk. They Hear You.", Easiest Place	Yes
Regional and local media campaigns: See the Signs KY, Sticker Shock	Yes
Local school district efforts: Examples can be found at these two sites. Media-Local board for the Kentucky Agency for Substance Abuse Policy ( <a href="http://estillpowellasap.org">estillpowellasap.org</a> ); (20+) Madison County Youth in Action   Facebook	Yes

Other:	No
<i>State collaborates with/participates in SAMHSA’s national media campaign, “Talk. They Hear You.”</i>	Yes
State officially endorses TTHY efforts	Yes
State commits state resources for TTHY	Yes
State forwards TTHY materials to local areas	Yes
Other:	No
<i>State procures funding for TTHY</i>	Yes
Pro bono	No
Donated air time	No
Earned media	No
Other: Local providers procure funding for these efforts.	Yes
<i>State has adopted or developed best practice standards for underage drinking prevention programs</i>	Yes
Agencies/organizations that established best practices standards:	
Federal agency(ies): Not Applicable	No
Agency(ies) within your state: RPCs	Yes
Nongovernmental agency(ies): Not Applicable	No
Other: Not Applicable	No
Best practice standards description: Kentucky uses evidence-based curriculum only. Assemblies, drunk goggles, and other scare tactic-type presentations (i.e., mock crashes) cannot be supported with state and federal pass-through funds.	
<b>Additional Clarification</b>	
State commits state resources for TTHY through RPCs.	
<b>State Interagency Collaboration</b>	
<i>A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities</i>	Yes
<i>Committee contact information:</i>	
Name: State Epidemiological Outcomes Workgroup, Patti Clark (Chairwoman)	
Email: patti.clark@ky.gov	
Address: 275 E. Main St, 4 W-G, Frankfort, KY 40601	
Phone: 502-782-2474	
<i>Agencies/organizations represented on the committee:</i>	
Behavioral Health	
Public Health	
KY Office of Drug Control Policy	
Family Resource and Youth Service Centers	
KY Office of Health Data and Analytics	
KY Violent Death Reporting System	
KY Injury Prevention and Research Center	
REACH of Louisville	
University of Louisville	
University of Kentucky	
Kentucky Agency of Substance Abuse Policy	
Kentucky Suicide Prevention Enhancement Specialist	
Kentucky Alcohol Prevention Enhancement Specialist	
Kentucky Regional Prevention Centers	
Child Fatality Review Team	
<i>A website or other public source exists to describe committee activities</i>	Yes
URL or other means of access: <a href="https://penguin-owl-j7ep.squarespace.com/new-page-68">https://penguin-owl-j7ep.squarespace.com/new-page-68</a>	
<b>Underage Drinking Reports</b>	
<i>State has prepared a plan for preventing underage drinking in the last 3 years</i>	No
Prepared by: Not applicable	

Plan can be accessed via: Not applicable

State has prepared a report on preventing underage drinking in the last 3 years No

Prepared by: Not applicable

Report can be accessed via: Not applicable

#### Additional Clarification

Not Applicable

#### State Expenditures for the Prevention of Underage Drinking

##### Compliance checks in retail outlets:

Estimate of state funds expended Data not available

Estimate based on the 12 months ending Data not available

##### Checkpoints and saturation patrols:

Estimate of state funds expended Data not available

Estimate based on the 12 months ending Data not available

##### Community-based programs to prevent underage drinking:

Estimate of state funds expended Data Not Available

Estimate based on the 12 months ending Data not available

##### K–12 school-based programs to prevent underage drinking:

Estimate of state funds expended Data Not Available

Estimate based on the 12 months ending Data Not Available

##### Programs targeted to institutes of higher learning:

Estimate of state funds expended Data Not Available

Estimate based on the 12 months ending Data Not Available

##### Programs that target youth in the juvenile justice system:

Estimate of state funds expended Data Not Available

Estimate based on the 12 months ending Data not available

##### Programs that target youth in the child welfare system:

Estimate of state funds expended Data Not Available

Estimate based on the 12 months ending Data not available

##### Other programs:

Programs or strategies included: Data Not Available

Estimate of state funds expended: Data not available

Estimate based on the 12 months ending: Data not available

#### Funds Dedicated to Underage Drinking

##### State derives funds dedicated to underage drinking from the following revenue streams:

Taxes No data

Fines No data

Fees No data

Other: No Data No data

##### Description of funding streams and how they are used:

No Data

#### Additional Clarification

No Data





**THE INTERAGENCY COORDINATING COMMITTEE  
ON THE PREVENTION OF UNDERAGE DRINKING (ICCPUD)**

ICCPUD