

## Part 2

### Organization and Operations of Commission and Department

#### **32B-2-201 Alcoholic Beverage Control Commission created.**

- (1) There is created the "Alcoholic Beverage Control Commission." The commission is the governing board over the department.
- (2)
  - (a) The commission is composed of seven part-time commissioners appointed by the governor with the consent of the Senate.
  - (b) No more than four commissioners may be of the same political party.
- (3)
  - (a) Except as required by Subsection (3)(b), as terms of commissioners expire, the governor shall appoint each new commissioner or reappointed commissioner to a four-year term.
  - (b) Notwithstanding the requirements of Subsection (3)(a), the governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of no more than three commissioners expire in a fiscal year.
- (4)
  - (a) When a vacancy occurs on the commission for any reason, the governor shall appoint a replacement for the unexpired term with the consent of the Senate.
  - (b) Unless removed in accordance with Subsection (6), a commissioner shall remain on the commission after the expiration of a term until a successor is appointed by the governor, with the consent of the Senate.
- (5) A commissioner shall take the oath of office.
- (6)
  - (a) The governor may remove a commissioner from the commission for cause, neglect of duty, inefficiency, or malfeasance after a public hearing conducted by:
    - (i) the governor; or
    - (ii) an impartial hearing examiner appointed by the governor to conduct the hearing.
  - (b) At least 10 days before the hearing described in Subsection (6)(a), the governor shall provide the commissioner notice of:
    - (i) the date, time, and place of the hearing; and
    - (ii) the alleged grounds for the removal.
  - (c) The commissioner shall have an opportunity to:
    - (i) attend the hearing;
    - (ii) present witnesses and other evidence; and
    - (iii) confront and cross examine witnesses.
  - (d) After a hearing under this Subsection (6):
    - (i) the person conducting the hearing shall prepare written findings of fact and conclusions of law; and
    - (ii) the governor shall serve a copy of the prepared findings and conclusions upon the commissioner.
  - (e) If a hearing under this Subsection (6) is held before a hearing examiner, the hearing examiner shall issue a written recommendation to the governor in addition to complying with Subsection (6)(d).
  - (f) A commissioner has five days from the day on which the commissioner receives the findings and conclusions described in Subsection (6)(d) to file written objections to the recommendation before the governor issues a final order.

- (g) The governor shall:
  - (i) issue the final order under this Subsection (6) in writing; and
  - (ii) serve the final order upon the commissioner.
- (7) A commissioner may not receive compensation or benefits for the commissioner's service, but may receive per diem and travel expenses in accordance with:
  - (a) Section 63A-3-106;
  - (b) Section 63A-3-107; and
  - (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.
- (8)
  - (a) The governor shall annually appoint the chair of the commission. A commissioner serves as chair to the commission at the pleasure of the governor. If removed as chair, the commissioner continues to serve as a commissioner unless removed as a commissioner under Subsection (6).
  - (b) The commission shall elect:
    - (i) another commissioner to serve as vice chair; and
    - (ii) other commission officers as the commission considers advisable.
  - (c) A commissioner elected under Subsection (8)(b) shall serve in the office to which the commissioner is elected at the pleasure of the commission.
- (9)
  - (a) Each commissioner has equal voting rights on a commission matter when in attendance at a commission meeting.
  - (b) Four commissioners is a quorum for conducting commission business.
  - (c) A majority vote of the quorum present at a meeting is required for the commission to act.
- (10)
  - (a) The commission shall meet at least monthly, but may hold other meetings at times and places as scheduled by:
    - (i) the commission;
    - (ii) the chair; or
    - (iii) three commissioners upon filing a written request for a meeting with the chair.
  - (b) Notice of the time and place of a commission meeting shall be given to each commissioner, and to the public in compliance with Title 52, Chapter 4, Open and Public Meetings Act. A commission meeting is open to the public, except for a commission meeting or portion of a commission meeting that is closed by the commission as authorized by Sections 52-4-204 and 52-4-205.

Amended by Chapter 365, 2012 General Session

**32B-2-201.5 Commission subcommittee -- Chair's oversight responsibilities.**

- (1) There is created within the commission two subcommittees consisting of members of the commission and known as the:
  - (a) "Compliance, Licensing, and Enforcement Subcommittee"; and
  - (b) "Operations and Procurement Subcommittee."
- (2) A subcommittee shall have four members, including the chair of the commission. The chair of the commission shall appoint the members to a subcommittee.
- (3) The director shall consult with the chair of the commission over:
  - (a) the internal affairs of the department; and
  - (b) subject to Section 32B-2-207, hiring and firing of upper management of the department.

- (4) The commission by rule, made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, shall establish the duties of the subcommittees created under this section.

Enacted by Chapter 365, 2012 General Session

**32B-2-202 Powers and duties of the commission.**

- (1) The commission shall:
- (a) consistent with the policy established by the Legislature by statute, act as a general policymaking body on the subject of alcoholic product control;
  - (b) adopt and issue policies, rules, and procedures;
  - (c) set policy by written rules that establish criteria and procedures for:
    - (i) issuing, denying, not renewing, suspending, or revoking a package agency, license, permit, or certificate of approval; and
    - (ii) determining the location of a state store, package agency, or retail licensee;
  - (d) decide within the limits, and under the conditions imposed by this title, the number and location of state stores, package agencies, and retail licensees in the state;
  - (e) issue, deny, suspend, revoke, or not renew the following package agencies, licenses, permits, or certificates of approval for the purchase, storage, sale, offer for sale, furnishing, consumption, manufacture, and distribution of an alcoholic product:
    - (i) a package agency;
    - (ii) a full-service restaurant license;
    - (iii) a master full-service restaurant license;
    - (iv) a limited-service restaurant license;
    - (v) a master limited-service restaurant license;
    - (vi) a club license;
    - (vii) an airport lounge license;
    - (viii) an on-premise banquet license;
    - (ix) a resort license, under which at least four or more sublicenses may be included;
    - (x) an on-premise beer retailer license;
    - (xi) a reception center license;
    - (xii) a beer-only restaurant license;
    - (xiii) a hotel license, under which at least three or more sublicenses may be included;
    - (xiv) subject to Subsection (4), a single event permit;
    - (xv) subject to Subsection (4), a temporary beer event permit;
    - (xvi) a special use permit;
    - (xvii) a manufacturing license;
    - (xviii) a liquor warehousing license;
    - (xix) a beer wholesaling license; and
    - (xx) one of the following that holds a certificate of approval:
      - (A) an out-of-state brewer;
      - (B) an out-of-state importer of beer, heavy beer, or flavored malt beverages; and
      - (C) an out-of-state supplier of beer, heavy beer, or flavored malt beverages;
  - (f) in accordance with Section 32B-5-205, issue, deny, suspend, or revoke conditional licenses for the purchase, storage, sale, furnishing, consumption, manufacture, and distribution of an alcoholic product;
  - (g) prescribe the duties of the department in assisting the commission in issuing a package agency, license, permit, or certificate of approval under this title;

- (h) to the extent a fee is not specified in this title, establish a fee allowed under this title in accordance with Section 63J-1-504;
  - (i) fix prices at which liquor is sold that are the same at all state stores, package agencies, and retail licensees;
  - (j) issue and distribute price lists showing the price to be paid by a purchaser for each class, variety, or brand of liquor kept for sale by the department;
  - (k)
    - (i) require the director to follow sound management principles; and
    - (ii) require periodic reporting from the director to ensure that:
      - (A) sound management principles are being followed; and
      - (B) policies established by the commission are being observed;
  - (l)
    - (i) receive, consider, and act in a timely manner upon the reports, recommendations, and matters submitted by the director to the commission; and
    - (ii) do the things necessary to support the department in properly performing the department's duties;
  - (m) obtain temporarily and for special purposes the services of an expert or person engaged in the practice of a profession, or a person who possesses a needed skill if:
    - (i) considered expedient; and
    - (ii) approved by the governor;
  - (n) prescribe the conduct, management, and equipment of premises upon which an alcoholic product may be stored, sold, offered for sale, furnished, or consumed;
  - (o) make rules governing the credit terms of beer sales within the state to retail licensees; and
  - (p) in accordance with Chapter 3, Disciplinary Actions and Enforcement Act, take disciplinary action against a person subject to administrative action.
- (2) Consistent with the policy established by the Legislature by statute, the power of the commission to do the following is plenary, except as otherwise provided by this title, and not subject to review:
- (a) establish a state store;
  - (b) issue authority to act as a package agent or operate a package agency; and
  - (c) issue or deny a license, permit, or certificate of approval.
- (3) If the commission is authorized or required to make a rule under this title, the commission shall make the rule in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- (4) Notwithstanding Subsections (1)(e)(xiv) and (xv), the director or deputy director may issue an event permit in accordance with Chapter 9, Event Permit Act.

Amended by Chapter 80, 2016 General Session

**32B-2-203 Department of Alcoholic Beverage Control created.**

- (1) There is created the Department of Alcoholic Beverage Control. The department is governed by the commission.
- (2) The director of alcoholic beverage control appointed under Section 32B-2-205 shall administer the department.
- (3) The director shall allocate the duties within the department into the divisions, bureaus, sections, offices, and committees as the director considers necessary for the administration of this title.
- (4) The department shall cooperate with any other recognized agency in the administration of this title and in the enforcement of a policy or rule of the commission or policy of the director.

Enacted by Chapter 276, 2010 General Session

**32B-2-204 Powers and duties of the department -- Immunity.**

- (1) The department shall control liquor merchandise inventory including:
  - (a) listing and delisting a product;
  - (b) the procedures for testing a new product;
  - (c) purchasing policy;
  - (d) turnover requirements for a regularly coded product to be continued; and
  - (e) the disposition of discontinued, distressed, or unsaleable merchandise.
- (2)
  - (a) The department shall report to the governor on the administration of this title:
    - (i) as the governor may require; and
    - (ii) annually by no later than November 30, for the fiscal year ending June 30 of the year in which the report is made.
  - (b) A report under this Subsection (2) shall contain:
    - (i) a statement of the nature and amount of the business transacted by the department during the year;
    - (ii) a statement of the department's assets and liabilities including a profit and loss account, and other accounts and matters necessary to show the results of operations of the department for the year;
    - (iii) general information on the application of this title in the state; and
    - (iv) any other information requested by the governor.
  - (c) The department shall submit a copy of a report described in this Subsection (2) to the Legislature.
- (3) The department shall maintain insurance against loss on each motor vehicle operated by it on any public highway. A motor vehicle shall be covered for:
  - (a) liability imposed by law upon the department for damages from bodily injuries suffered by one or more persons by reason of the ownership, maintenance, or use of the motor vehicle; and
  - (b) liability or loss from damage to or destruction of property of any description, including liability of the department for the resultant loss of use of the property, which results from accident due to the ownership, maintenance, or use of the motor vehicle.
- (4)
  - (a) The department may sue, be sued, and defend in a proceeding, in a court of law or otherwise, in the name of the department.
  - (b) An action may not be taken:
    - (i) against the commission; or
    - (ii) in the name of a commissioner.
- (5) The department is liable to respond in damages in a case if a private corporation under the same circumstances would be liable.
- (6)
  - (a) Title 63G, Chapter 7, Governmental Immunity Act of Utah, applies in an action commenced against the department for damages sustained as a result of department ownership, maintenance, or use of a motor vehicle under Subsections (4) and (5).
  - (b) In an action described in Subsection (6)(a), the commission and each commissioner are immune from suit.

Enacted by Chapter 276, 2010 General Session

**32B-2-205 Director of alcoholic beverage control.**

- (1)
- (a) In accordance with Subsection (1)(b), the governor, with the consent of the Senate, shall appoint a director of alcoholic beverage control to a four-year term. The director may be appointed to more than one four-year term. The director is the administrative head of the department.
  - (b)
    - (i) The governor shall appoint the director from nominations made by the commission.
    - (ii) The commission shall submit the nomination of three individuals to the governor for appointment of the director.
    - (iii) By no later than 30 calendar days from the day on which the governor receives the three nominations submitted by the commission, the governor may:
      - (A) appoint the director; or
      - (B) reject the three nominations.
    - (iv) If the governor rejects the nominations or fails to take action within the 30-day period, the commission shall nominate three different individuals from which the governor may appoint the director or reject the nominations until such time as the governor appoints the director.
    - (v) The governor may reappoint the director without seeking nominations from the commission. Reappointment of a director is subject to the consent of the Senate.
  - (c) If there is a vacancy in the position of director, during the nomination process described in Subsection (1)(b), the governor may appoint an interim director for a period of up to 30 calendar days. If a director is not appointed within the 30-day period, the interim director may continue to serve beyond the 30-day period subject to the consent of the Senate at the next scheduled time for the Senate giving consent to appointments of the governor. Except that if the Senate does not act on the consent to the appointment of the interim director within 60 days of the end of the initial 30-day period, the interim director may continue as the interim director.
  - (d) The director may be terminated by:
    - (i) the commission by a vote of four commissioners; or
    - (ii) the governor after consultation with the commission.
  - (e) The director may not be a commissioner.
  - (f) The director shall:
    - (i) be qualified in administration;
    - (ii) be knowledgeable by experience and training in the field of business management; and
    - (iii) possess any other qualification prescribed by the commission.
- (2) The governor shall establish the director's compensation within the salary range fixed by the Legislature in Title 67, Chapter 22, State Officer Compensation.
- (3) The director shall:
- (a) carry out the policies of the commission;
  - (b) carry out the policies of the department;
  - (c) fully inform the commission of the operations and administrative activities of the department; and
  - (d) assist the commission in the proper discharge of the commission's duties.

Amended by Chapter 365, 2012 General Session

**32B-2-206 Powers and duties of the director.**

Subject to the powers and responsibilities of the commission under this title, the director:

- (1)
  - (a) shall prepare and propose to the commission general policies, rules, and procedures governing the administrative activities of the department; and
  - (b) may submit other recommendations to the commission as the director considers in the interest of the commission's or the department's business;
- (2) within the general policies, rules, and procedures of the commission, shall:
  - (a) provide day-to-day direction, coordination, and delegation of responsibilities in the administrative activities of the department's business; and
  - (b) make internal department policies and procedures relating to:
    - (i) department personnel matters; and
    - (ii) the day-to-day operation of the department;
- (3) subject to Section 32B-2-207, shall appoint or employ personnel as considered necessary in the administration of this title, and with regard to the personnel shall:
  - (a) prescribe the conditions of employment;
  - (b) define the respective duties and powers; and
  - (c) fix the remuneration in accordance with Title 67, Chapter 19, Utah State Personnel Management Act;
- (4) shall establish and secure adherence to a system of reports, controls, and performance in matters relating to personnel, security, department property management, and operation of:
  - (a) a department office;
  - (b) a warehouse;
  - (c) a state store; and
  - (d) a package agency;
- (5) within the policies, rules, and procedures approved by the commission and provisions of law, shall purchase, store, keep for sale, sell, import, and control the storage, sale, furnishing, transportation, or delivery of an alcoholic product;
- (6) shall prepare for commission approval:
  - (a) recommendations regarding the location, establishment, relocation, and closure of a state store or package agency;
  - (b) recommendations regarding the issuance, denial, nonrenewal, suspension, or revocation of a license, permit, or certificate of approval;
  - (c) an annual budget, proposed legislation, and reports as required by law and sound business principles;
  - (d) plans for reorganizing divisions of the department and the functions of the divisions;
  - (e) manuals containing commission and department policies, rules, and procedures;
  - (f) an inventory control system;
  - (g) any other report or recommendation requested by the commission;
  - (h) rules described in Subsection 32B-2-202(1)(o) governing the credit terms of the sale of beer;
  - (i) rules governing the calibration, maintenance, and regulation of a calibrated metered dispensing system;
  - (j) rules governing the display of a list of types and brand names of liquor furnished through a calibrated metered dispensing system;
  - (k) price lists issued and distributed showing the price to be paid for each class, variety, or brand of liquor kept for sale at a state store, package agency, or retail licensee;
  - (l) policies or rules prescribing the books of account maintained by the department and by a state store, package agency, or retail licensee; and
  - (m) a policy prescribing the manner of giving and serving a notice required by this title or rules made under this title;

- (7) shall make available through the department to any person, upon request, a copy of a policy made by the director;
- (8) shall make and maintain a current copy of a manual that contains the rules and policies of the commission and department available for public inspection;
- (9)
  - (a) after consultation with the governor, shall determine whether an alcoholic product should not be sold, offered for sale, or otherwise furnished in an area of the state during a period of emergency that is proclaimed by the governor to exist in that area; and
  - (b) shall issue a necessary public announcement or policy with respect to the determination described in Subsection (9)(a);
- (10) issue event permits in accordance with Chapter 9, Event Permit Act; and
- (11) shall perform any other duty required by the commission or by law.

Amended by Chapter 365, 2012 General Session

**32B-2-207 Department employees -- Requirements.**

- (1) "Upper management" means the director, a deputy director, or other Schedule AD, AR, or AS employee of the department, as defined in Section 67-19-15, except for the director of internal audits and auditors hired by the director of internal audits under Section 32B-2-302.5.
- (2)
  - (a) Subject to this title, including the requirements of Chapter 1, Part 3, Qualifications and Background, the director may prescribe the qualifications of a department employee.
  - (b) The director may hire an employee who is upper management only with the approval of four commissioners voting in an open meeting.
  - (c) Except as provided in Section 32B-1-303, the executive director may dismiss an employee who is upper management after consultation with the chair of the commission.
- (3)
  - (a) A person who seeks employment with the department shall file with the department an application under oath or affirmation in a form prescribed by the commission.
  - (b) Upon receiving an application, the department shall determine whether the individual is:
    - (i) of good moral character; and
    - (ii) qualified for the position sought.
  - (c) The department shall select an individual for employment or advancement with the department in accordance with Title 67, Chapter 19, Utah State Personnel Management Act.
- (4) The following are not considered a department employee:
  - (a) a package agent;
  - (b) a licensee;
  - (c) a staff member of a package agent; or
  - (d) staff of a licensee.
- (5) The department may not employ a minor to:
  - (a) work in:
    - (i) a state store; or
    - (ii) a department warehouse; or
  - (b) engage in an activity involving the handling of an alcoholic product.

Amended by Chapter 365, 2012 General Session

**32B-2-208 Services of State Health Laboratory.**

The State Health Laboratory shall make its services available to the department when necessary. The department shall pay for the services from the Liquor Control Fund to the Department of Health.

Enacted by Chapter 276, 2010 General Session

**32B-2-209 Prohibited interests, relationships, and actions.**

(1) As used in this section:

- (a) "Applicable department employee" means a department employee who is:
  - (i) designated as a deputy or assistant director;
  - (ii) a chief administrative officer of a division within the department;
  - (iii) a department compliance officer; or
  - (iv) an employee directly performing purchasing, licensing, or compliance functions of the department.
- (b) "Immediate family" means an individual's:
  - (i) spouse; or
  - (ii) child who is younger than 18 years of age.
- (c) "Permit" does not include:
  - (i) an industrial or manufacturing use permit;
  - (ii) a scientific or educational use permit; or
  - (iii) a religious wine use permit.

(2) In addition to being subject to Title 67, Chapter 16, Utah Public Officers' and Employees' Ethics Act, an individual who is a commissioner, the director, or an applicable department employee may not:

- (a) have a pecuniary interest, whether as the holder of stock or other securities other than a mutual fund, in a person who applies for or holds a package agency, license, or permit under this title;
- (b) otherwise have a conflict of interest with a person who applies for or holds a package agency, license, or permit under this title;
- (c) have an office, position, or relationship, or be engaged in a business or avocation that interferes or is incompatible with the effective and objective fulfillment of the duties of office or employment;
- (d) have a direct business relationship with a person subject to administrative action under this title;
- (e) accept a gift, gratuity, emolument, or employment from:
  - (i) a person who applies for or holds a package agency, license, or permit under this title; or
  - (ii) an officer, agent, or employee of a person who applies for or holds a package agency, license, or permit under this title, except that a commissioner, the director, or an applicable department employee may accept a gift from an officer, agent, or employee if the gift is equal to or less than \$50; or
- (f) solicit, suggest, request, or recommend, directly or indirectly, the appointment of any person to any office or employment with a person who applies for or holds a package agency, license, or permit under this title.

(3) An immediate family member of a commissioner, the director, or an applicable department employee may not:

- (a) have a pecuniary interest, whether as the holder of stock or other securities other than a mutual fund, in a person who applies for or holds a package agency, license, or permit under this title;

- (b) otherwise have a conflict of interest with a person who applies for or holds a package agency, license, or permit under this title;
  - (c) have an office, position, or relationship, or be engaged in a business or avocation that interferes or is incompatible with the effective and objective fulfillment of the duties of office or employment of the commissioner, director, or applicable department employee for whom the person is immediate family;
  - (d) accept a gift, gratuity, emolument, or employment from:
    - (i) a person who applies for or holds a package agency, license, or permit under this title; or
    - (ii) an officer, agent, or employee of a person who applies for or holds a package agency, license, or permit under this title, except that an immediate family member may accept a gift from an officer, agent, or employee if the gift is equal to or less than \$50; or
  - (e) solicit, suggest, request, or recommend, directly or indirectly, the appointment of any person to any office or employment with a person who applies for or holds a package agency, license, or permit under this title.
- (4) An officer, agent, attorney, or employee of a person who applies for or holds a package agency, license, or permit under this title may not directly or indirectly solicit, request, or recommend to the governor, any state senator, the commission, or the department the appointment of any person:
- (a) as a commissioner;
  - (b) as director of the department; or
  - (c) to a department staff position.
- (5)
- (a) A commissioner shall disclose during a meeting of the commission a potential violation of this section, including the existence and nature of a professional, financial, business, or personal interest with a person who holds, or an applicant for, a package agency, license, or permit issued under this title that may result in a violation of this section.
  - (b) After a commissioner makes a disclosure under Subsection (5)(a):
    - (i) the commission may, by motion, determine whether there is a potential violation of this section;
    - (ii) if the commission determines that there is a potential violation of this section:
      - (A) the commission shall notify the governor; and
      - (B) the commissioner may not vote on any matter that would result in the potential violation of this section; and
    - (iii) if the commission determines that there is not a potential violation of this section, a commissioner may elect whether to vote on the issue that gives rise to the disclosure under Subsection (5)(a).
  - (c) The commission shall record any declaration of a potential violation of this section in the minutes of the meeting.

Amended by Chapter 365, 2012 General Session

**32B-2-210 Alcoholic Beverage Control Advisory Board.**

- (1) There is created within the department an advisory board known as the "Alcoholic Beverage Control Advisory Board."
- (2) The advisory board shall consist of 12 members as follows:
  - (a) the following voting members appointed by the commission, a representative of:
    - (i) a full-service restaurant licensee;
    - (ii) a limited-service restaurant licensee;

- (iii) a beer-only restaurant licensee;
  - (iv) a social club licensee;
  - (v) a fraternal club licensee;
  - (vi) a dining club licensee;
  - (vii) a wholesaler licensee;
  - (viii) an on-premise banquet licensee;
  - (ix) an on-premise beer retailer licensee; and
  - (x) a reception center licensee;
- (b) the chair of the Utah Substance Use and Mental Health Advisory Council, or the chair's designee, who serves as a voting member; and
- (c) the chair of the commission or the chair's designee from the members of the commission, who shall serve as a nonvoting member.
- (3)
- (a) Except as required by Subsection (3)(b), as terms of current voting members of the advisory board expire, the commission shall appoint each new member or reappointed member to a four-year term beginning July 1 and ending June 30.
  - (b) Notwithstanding the requirements of Subsection (3)(a), the commission shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of voting advisory board members are staggered so that approximately half of the advisory board is appointed every two years.
  - (c) No two members of the board may be employed by the same company or nonprofit organization.
- (4)
- (a) When a vacancy occurs in the membership for any reason, the commission shall appoint a replacement for the unexpired term.
  - (b) The commission shall terminate the term of a voting advisory board member who ceases to be representative as designated by the member's original appointment.
- (5) The advisory board shall meet no more than quarterly as called by the chair for the purpose of advising the commission and the department, with discussion limited to administrative rules made under this title.
- (6) The chair of the commission or the chair's designee shall serve as the chair of the advisory board and call the necessary meetings.
- (7)
- (a) Six members of the board constitute a quorum of the board.
  - (b) An action of the majority when a quorum is present is the action of the board.
- (8) The department shall provide staff support to the advisory board.
- (9) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:
- (a) Section 63A-3-106;
  - (b) Section 63A-3-107; and
  - (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

Amended by Chapter 158, 2016 General Session