

32B-4-404 Unlawful sale, offer for sale, or furnishing to intoxicated person.

- (1) A person may not sell, offer for sale, or furnish an alcoholic product to:
 - (a) a person who is actually or apparently intoxicated; or
 - (b) a person whom the person furnishing the alcoholic product knows or should know from the circumstances is actually or apparently intoxicated.
- (2)
 - (a) A person who negligently or recklessly violates Subsection (1) is guilty of a class B misdemeanor.
 - (b) A person who knowingly violates Subsection (1) is guilty of a class A misdemeanor.
- (3) As used in Subsection (2)(a), "negligently" means with simple negligence.

Enacted by Chapter 276, 2010 General Session