

**32B-5-204 Bond for retail license.**

- (1)
  - (a) A retail licensee shall post a cash bond or surety bond:
    - (i) in the amount specified in the relevant part under Chapter 6, Specific Retail License Act, for the type of retail license for which the person is applying; and
    - (ii) payable to the department.
  - (b) A retail licensee shall procure and maintain the bond required under this section for as long as the retail licensee continues to operate as a retail licensee.
- (2) A bond required under this section shall be:
  - (a) in a form approved by the attorney general; and
  - (b) conditioned upon the retail licensee's faithful compliance with this title and the rules of the commission.
- (3)
  - (a) If a surety bond posted by a retail licensee under this section is canceled due to the retail licensee's negligence, the department may assess a \$300 reinstatement fee.
  - (b) No part of a bond posted by a retail licensee under this section may be withdrawn:
    - (i) during the period the retail license is in effect; or
    - (ii) while a revocation proceeding is pending against the retail licensee.
- (4)
  - (a) A bond posted under this section by a retail licensee may be forfeited if the retail license is revoked.
  - (b) Notwithstanding Subsection (4)(a), the department may make a claim against a bond posted by a retail licensee for money owed the department under this title without the commission first revoking the retail license.

Enacted by Chapter 276, 2010 General Session