

32B-6-605 Specific operational requirements for on-premise banquet license.

- (1)
 - (a) In addition to complying with Chapter 5, Part 3, Retail Licensee Operational Requirements, an on-premise banquet licensee and staff of the on-premise banquet licensee shall comply with this section.
 - (b) Failure to comply as provided in Subsection (1)(a) may result in disciplinary action in accordance with Chapter 3, Disciplinary Actions and Enforcement Act, against:
 - (i) an on-premise banquet licensee;
 - (ii) individual staff of an on-premise banquet licensee; or
 - (iii) both an on-premise banquet licensee and staff of the on-premise banquet licensee.
- (2) An on-premise banquet licensee shall comply with Subsections 32B-5-301(4) and (5) for the entire premises of the hotel, resort facility, sports center, or convention center that is the basis for the on-premise banquet license.
- (3)
 - (a) For the purpose described in Subsection (3)(b), an on-premise banquet licensee shall provide the department with advance notice of a scheduled banquet in accordance with rules made by the commission.
 - (b) Any of the following may conduct a random inspection of a banquet:
 - (i) an authorized representative of the commission or the department;
 - (ii) a law enforcement officer.
- (4)
 - (a) An on-premise banquet licensee is not subject to Section 32B-5-302, but shall make and maintain the records the commission or department requires.
 - (b) Section 32B-1-205 applies to a record required to be made or maintained in accordance with this Subsection (4).
- (5)
 - (a) Except as otherwise provided in this title, an on-premise banquet licensee may sell, offer for sale, or furnish an alcoholic product at a banquet only for consumption at the location of the banquet.
 - (b) A host of a banquet, a patron, or a person other than the on-premise banquet licensee or staff of the on-premise banquet licensee, may not remove an alcoholic product from the premises of the banquet.
 - (c) Notwithstanding Section 32B-5-307, a patron at a banquet may not bring an alcoholic product into or onto, or remove an alcoholic product from, the premises of a banquet.
- (6)
 - (a) An on-premise banquet licensee may not leave an unsold alcoholic product at the banquet following the conclusion of the banquet.
 - (b) At the conclusion of a banquet, an on-premise banquet licensee shall:
 - (i) destroy an opened and unused alcoholic product that is not saleable, under conditions established by the department; and
 - (ii) return to the on-premise banquet licensee's approved locked storage area any:
 - (A) opened and unused alcoholic product that is saleable; and
 - (B) unopened container of an alcoholic product.
 - (c) Except as provided in Subsection (6)(b) with regard to an open or sealed container of an alcoholic product not sold or consumed at a banquet, an on-premise banquet licensee:
 - (i) shall store the alcoholic product in the on-premise banquet licensee's approved locked storage area; and
 - (ii) may use the alcoholic product at more than one banquet.

- (7) Notwithstanding Section 32B-5-308, an on-premise banquet licensee may not employ a minor to sell, furnish, or dispense an alcoholic product in connection with the on-premise banquet licensee's banquet and room service activities.
- (8) An on-premise banquet licensee may not sell, offer for sale, or furnish an alcoholic product at a banquet or in connection with room service any day during a period that:
 - (a) begins at 1 a.m.; and
 - (b) ends at 9:59 a.m.
- (9) An on-premise banquet licensee shall maintain at least 50% of its total annual banquet gross receipts from the sale of food, not including:
 - (a) mix for an alcoholic product; and
 - (b) a charge in connection with the furnishing of an alcoholic product.
- (10)
 - (a) Subject to the other provisions of this Subsection (10), a patron may not have more than two alcoholic products of any kind at a time before the patron.
 - (b) A patron may not have more than one spirituous liquor drink at a time before the patron.
 - (c) An individual portion of wine is considered to be one alcoholic product under Subsection (10)
 - (a).
- (11)
 - (a) An on-premise banquet licensee shall supervise and direct a person involved in the sale, offer for sale, or furnishing of an alcoholic product.
 - (b) A person involved in the sale, offer for sale, or furnishing of an alcoholic product shall complete an alcohol training and education seminar.
- (12) A staff person of an on-premise banquet licensee shall remain at the banquet at all times when an alcoholic product is sold, offered for sale, furnished, or consumed at the banquet.
- (13)
 - (a) Room service of an alcoholic product to a guest room of a hotel or resort facility shall be provided in person by staff of an on-premise banquet licensee only to an adult guest in the guest room.
 - (b) An alcoholic product may not be left outside a guest room for retrieval by a guest.

Amended by Chapter 307, 2011 General Session

Amended by Chapter 334, 2011 General Session