

32B-8-201 Commission's power to issue a resort license.

- (1) Before a person as a resort may store, sell, offer for sale, furnish, or allow the consumption of an alcoholic product on sublicense premises, the person shall first obtain a resort license from the commission in accordance with this part.
- (2)
 - (a) The commission may issue to a person a resort license to allow the storage, sale, offer for sale, furnishing, and consumption of an alcoholic product in connection with a resort designated in the resort license if the person operates at least four sublicenses under the resort license.
 - (b) A resort license shall:
 - (i) consist of:
 - (A) a general resort license; and
 - (B) the four or more sublicenses; and
 - (ii) designate the boundary of the resort building.
 - (c) This chapter does not prohibit an alcoholic product on the boundary of the resort building to the extent otherwise permitted by this title.
 - (d) The commission may not issue a sublicense that is separate from a resort license.
- (3)
 - (a) The commission may not issue a total number of resort licenses that at any time totals more than four.
 - (b) Subject to Subsection (3)(c), when determining the total number of licenses the commission has issued for each type of retail license, the commission may not include a sublicense as one of the retail licenses issued under the provisions applicable to the sublicense.
 - (c) If a resort license issued under this chapter includes a sublicense that before the issuance of the resort license was a retail licensee under this chapter, the commission shall include the sublicense as one of the retail licenses issued under the provisions applicable to the sublicense in determining if the total number of licenses issued under the provisions applicable to the sublicense exceeds the number calculated by dividing the population of the state by the number specified in the provisions applicable to the sublicense.

Enacted by Chapter 276, 2010 General Session