



UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX • 320 STATE CAPITOL
P.O. BOX 145115 • SALT LAKE CITY, UTAH 84114-5115 • (801) 538-1035

February 23, 2011

Mr. President:

The Business and Labor Committee reports a favorable recommendation on **S.B. 314**, ALCOHOLIC BEVERAGE AMENDMENTS, by Senator J. Valentine, with the following amendments and recommends it be considered read for the first time:

1. *Page 1, Line 1:*

1 ALCOHOLIC BEVERAGE {~~LICENSING~~} AMENDMENTS

2. *Page 6, Lines 153 through 154:*

153 {~~63J-1-602.2, as enacted by Laws of Utah 2010, Chapter 265 and last amended by~~
154 ~~Coordination Clause, Laws of Utah 2010, Chapter 265~~}

3. *Page 28, Lines 836 through 842:*

836 (b) If the enforcement ratio is greater than {~~56~~} 52, the commission may not
issue a quota
837 retail license for the 12-month period beginning on the July 1 for which the enforcement
ratio
838 is greater than 52.
839 (c) Notwithstanding Subsection (2)(b), the commission may issue a quota retail
license
840 during the 12-month period described in Subsection (2)(b) beginning on the day on which

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841 sufficient number of alcohol-related law enforcement officers are employed so that if the
842 enforcement ratio is calculated, the enforcement ratio would be equal to or less than ~~{-56}~~ 52 .

4. Page 98, Lines 3006 through 3012:

- 3006 (1) a billiard parlor;
- 3007 (2) a pool parlor;
- 3008 (3) a bowling facility;
- 3009 (4) a golf course;
- 3010 (5) miniature golf;
- 3011 (6) a golf driving range; ~~{-or}~~
- 3012 (7) a tennis club ~~{-}~~ ; or
(8) ski resort.

5. Page 173, Line 5344 through Page 174, Line 5364:

- 5344 ~~{Section 106. Section 63J-1-602.2 is amended to read:~~
- 5345 ~~—63J-1-602.2. List of nonlapsing funds and accounts -- Title 31 through Title 45.~~
- 5346 ~~—(1) Appropriations from the Technology Development Restricted Account~~
~~created in~~
- 5347 ~~Section 31A-3-104.~~
- 5348 ~~—(2) Appropriations from the Criminal Background Check Restricted Account~~
~~created in~~
- 5349 ~~Section 31A-3-105.~~
- 5350 ~~—(3) Appropriations from the Captive Insurance Restricted Account created in~~
~~Section~~
- 5351 ~~31A-3-304, except to the extent that Section 31A-3-304 makes the money received~~
~~under that~~
- 5352 ~~section free revenue.~~
- 5353 ~~—(4) Appropriations from the Title Licensee Enforcement Restricted Account~~
~~created in~~
- 5354 ~~Section 31A-23a-415.~~

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- 5355 ~~—(5) The fund for operating the state's Federal Health Care Tax Credit Program,~~
as
5356 ~~provided in Section 31A-38-104.~~
5357 ~~—(6) The Alcoholic Beverage Control Act Enforcement Fund created in Section~~
5358 ~~32B-2-305.~~
5359 ~~—[(6)] (7) The Special Administrative Expense Account created in Section~~
5360 ~~35A-4-506.~~
5361 ~~—[(7)] (8) Funding for a new program or agency that is designated as nonlapsing~~
5362 ~~under~~
5363 ~~Section 36-24-101.~~
5364 ~~—[(8)] (9) The Oil and Gas Conservation Account created in Section 40-6-14.5.~~
5365 ~~—[(9)] (10) The Off-Highway Access and Education Restricted Account created in~~
5366 ~~Section 41-22-19.5. }~~

Renumber the remaining sections accordingly.

6. Page 174, Lines 5373 through 5382:

- 5373 (1) Except as provided in Subsection (2), this bill takes effect on July 1, 2011.
5374 (2) (a) The repeal of Subsection 32B-6-603(4) (Effective 07/01/11) in this bill
takes effect on November 1,
5375 2011.
5376 (b) Title 32B, Chapter 6, Part 8, Reception Center License, enacted by this bill takes
5377 effect on November 1, 2011.
5378 (c) Title 32B, Chapter 6, Part 9, Beer-only Restaurant License, enacted by this bill
5379 takes effect on March 1, 2012.
5380 (d) The following take effect on July 1, 2012:
(i) Section 32B-2-209, enacted by this bill;
(ii) the repeal in this bill of Section 32B-4-506 (Effective 07/01/11);
(iii) the repeal in this bill of Section 32B-4-507 (Effective 07/01/11);
(iv) Section 32B-5-309 (Effective 07/01/11) as amended by this bill; and
(v) Title 32B, Chapter 8a, Transfer of Retail License Act, enacted by this bill { ~~takes~~
5381 effect on July 1, 2012.

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5382 ~~(c) Section 32B-5-309 as amended by this bill takes effect on July 1, 2012.~~

1. Page 73, Lines 2251 through 2256:

2251 (6) (a) A full-service restaurant licensee may not sell, offer for sale, or furnish liquor
at
2252 the licensed premises on any day during the period that:
2253 (i) begins at midnight; and
2254 (ii) ends at ~~11:59~~ 11:29 a.m.
2255 (b) A full-service restaurant licensee may sell, offer for sale, or furnish beer during
the
2256 hours specified in Part 7, On-premise Beer Retailer License, for an on-premise beer
retailer **, except that a full-service restaurant licensee may not sell, offer for sale, or
furnish beer before 11:30 a.m. on any day** .

2. Page 81, Lines 2478 through 2483:

2478 (6) (a) A limited-service restaurant licensee may not sell, offer for sale, or furnish
wine
2479 or heavy beer at the licensed premises on any day during the period that:
2480 (i) begins at midnight; and
2481 (ii) ends at ~~11:59~~ 11:29 a.m.
2482 (b) A limited-service restaurant licensee may sell, offer for sale, or furnish beer
during
2483 the hours specified in Part 7, On-premise Beer Retailer License, for an on-premise beer
retailer **, except that a limited-service restaurant licensee may not sell, offer for sale,
or furnish beer before 11:30 a.m. on any day** .

3. Page 102, Lines 3142 through 3145:

3142 (6) (a) An on-premise beer retailer may not sell, offer for sale, or furnish beer at its
3143 licensed premises during a period that:

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3144 (i) begins at 1 a.m.; and
3145 (ii) ends at {+} 9:59 {+} {~~11:29~~} a.m.

4. Page 111, Lines 3411 through 3412:

3411 (6) A beer-only restaurant licensee may sell, offer for sale, or furnish beer during the
3412 hours specified in Part 7, On-premise Beer Retailer License, for an on-premise beer retailer
, except that a beer-only restaurant licensee may not sell, offer for sale, or furnish
beer before 11:30 a.m. on any day .

Respectfully,

John L. Valentine
Committee Chair

Voting: 7-0-1

3 SB0314.SC1.WPD /BRH PO/BRH 2/23/11 9:29 am

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