



# UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX • 320 STATE CAPITOL  
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February 29, 2012

Mr. President:

The Judiciary, Law Enforcement, and Criminal Justice Committee recommends **S.B. 119**, ALCOHOLIC BEVERAGE CONTROL ACT SAMPLING AMENDMENTS, by Senator R. Romero, be replaced and favorably recommends **1st Sub. S.B. 119**, ALCOHOLIC BEVERAGE CONTROL ACT SAMPLING AMENDMENTS with the following amendments:

1. Page 20, Lines 603 through 608:

- 603            (116) "Trade show" means a private event that is:  
604            (a) hosted by one or more industry representatives for the purpose of sampling and  
605            analyzing retail licensee samples of liquor furnished by the industry representatives in  
606            accordance with Subsection 32B-4-705(7);  
607            (b) attended by the department and retail licensees; ~~{-and-}~~  
608            (c) overseen by the department ~~{-}~~ ~~:~~  
(d) held in a convention center, hotel, or similar facility approved by the department;  
(e) attended by at least 15 individuals; and  
(f) hosted by an industry representative described in Subsection (116)(a) no more  
frequently than four times during a calendar year.

2. Page 24, Line 737 through Page 25, Line 743:

- 737            (d) (i) A retail licensee sample of liquor may not exceed one liter.  
738            (ii) Notwithstanding Subsection (7)(d)(i), a retail licensee sample of the following  
may  
739            not exceed ~~{-1.5 liters-}~~ one liter unless that exact product is only commercially

Bill Number



SB0119S01

Action Class



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Action Code



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packaged in a larger size,

740 not to exceed 5 liters:

741 (A) wine;

742 (B) heavy beer; or

743 (C) a flavored malt beverage.

3. *Page 25, Lines 744 through 753:*

744 (e) (i) The sampling and analysis of a retail licensee sample by a retail licensee under  
745 this Subsection (7) may only occur at:

746 (A) a state store **, notwithstanding Subsection 32B-2-503(7)(b) :**

747 (B) a package agency **, notwithstanding Subsection 32B-2-605(15)(b) ; or**

748 (C) a trade show.

**(ii) For a tasting and analysis held at a trade show, the department shall assess the one or more industry representatives hosting the trade show the actual cost of the department attending and overseeing the trade show and the industry representatives shall pay the cost assessed as a condition to conducting the tasting and analysis.**

**749 {~~(ii)~~} (iii) An industry representative {~~described in Subsection~~**  
**(7)(e)(i)} may participate in the**

**750 tasting and analysis of a retail licensee sample.**

**751 {~~(iii)~~} (iv) Only an owner, manager, or other individual who purchases**  
**an alcoholic product**

**752 for a retail licensee may on behalf of the retail licensee taste and analyze one or more**  
**retail**

**753 licensee samples.**

Respectfully,

Mark B. Madsen  
Committee Chair

Voting: 6-0-1