

**ALCOHOL SERVICE IN RESTAURANTS**

2013 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Janice M. Fisher**

Senate Sponsor: \_\_\_\_\_

---

**LONG TITLE**

**General Description:**

This bill modifies the Alcoholic Beverage Control Act to address when a restaurant may sell, offer for sale, or furnish an alcoholic product.

**Highlighted Provisions:**

This bill:

- ▶ modifies the language related to a restaurant licensee confirming that a patron has the intent to order food as a condition of receiving an alcoholic product; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

**⚡→ [None] This bill coordinates with H.B. 218, Alcohol Amendments, to provide for superseding amendments. ⚡←**

**Utah Code Sections Affected:**

AMENDS:

- 32B-6-205**, as last amended by Laws of Utah 2011, Chapters 307 and 334
- 32B-6-305**, as last amended by Laws of Utah 2011, Chapters 307 and 334
- 32B-6-905**, as enacted by Laws of Utah 2011, Chapter 334

**⚡→ Utah Code Sections Affected by Coordination Clause:**

- 32B-6-205, as last amended by Laws of Utah 2011, Chapters 307 and 334**
- 32B-6-305, as last amended by Laws of Utah 2011, Chapters 307 and 334**
- 32B-6-905, as enacted by Laws of Utah 2011, Chapter 334 ⚡←**

---

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **32B-6-205** is amended to read:



307 an alcoholic product are not readily visible to a patron, not accessible by a patron, and apart  
 308 from an area used for dining, for staging, or as a lobby or waiting area;

309 (b) the beer-only restaurant licensee uses a beer that is:

310 (i) stored in an area described in Subsection (12)(a); or

311 (ii) in an area not described in Subsection (12)(a) on the licensed premises and:

312 (A) immediately before the beer is dispensed it is in an unopened container;

313 (B) the unopened container is taken to an area described in Subsection (12)(a) before it  
 314 is opened; and

315 (C) once opened, the container is stored in an area described in Subsection (12)(a); and

316 (c) any instrument or equipment used to dispense the beer is located in an area  
 317 described in Subsection (12)(a).

317a **Ĥ→ Section 6. Coordinating H.B. 240 with H.B. 218 -- Substantively superseding**  
 317b **amendments.**

317c **If this H.B. 240 and H.B. 218, Alcohol Amendments, both pass and become law, the**  
 317d **Legislature intends that the Office of Legislative Research and General Counsel, in preparing**  
 317e **the Utah Code database for publication do the following:**

317f **(1) have the amendments in this H.B. 240 to Subsection 32B-6-205(8)(a) supersede the**  
 317g **amendments to Subsection 32B-6-205(8)(a) in H.B. 218;**

317h **(2) have the amendments in this H.B. 240 to Subsection 32B-6-305(8)(a) supersede the**  
 317i **amendments to Subsection 32B-6-305(8)(a) in H.B. 218; and**

317j **(3) have the amendments in this H.B. 240 to Subsection 32B-6-905(8)(a) supersede the**  
 317k **amendments to Subsection 32B-6-905(8)(a) in H.B. 218. ←Ĥ**

**Legislative Review Note**  
 as of 2-12-13 11:15 AM

**Office of Legislative Research and General Counsel**