1   **Flavored Alcohol Amendments**

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Matt MacPherson

Senate Sponsor:

2

3   **LONG TITLE**

4   **General Description:**

5   This bill amends provisions relating to the beer that an off-premise beer retailer may sell.

6   **Highlighted Provisions:**

7   This bill:

8   ‣ amends the definition of beer for an off-premise beer retailer.

9   **Money Appropriated in this Bill:**

10   None

11   **Other Special Clauses:**

12   None

13   **Utah Code Sections Affected:**

14   AMENDS:

15   **32B-7-102**, as enacted by Laws of Utah 2010, Chapter 276

16

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

18   Section 1. Section **32B-7-102** is amended to read:

19   **32B-7-102 . Definitions.**

20   [Reserved] As used in this chapter:

21   (1) "Beer" means a product that:

22   (a) contains:

23   (i) at least .5% of alcohol by volume; and

24   (ii) no more than 5% of alcohol by volume or 4% by weight;

25   (b) is obtained by fermentation, infusion, or decoction of:

26   (i) malt; or

27   (ii) a malt substitute; and

28   (iii) is clearly marketed, labeled, and identified as:

29   (A) beer;

30   (B) ale;

31   (C) porter;

32   (D) stout;

33   (E) lager;

34   (F) a malt;

35   (G) a malted beverage; or

36   (H) seltzer;

37   (c) may contain:

38   (i) hops extract; or

39   (ii) caffeine, if the caffeine is a natural constituent of an added ingredient; and

40   (d) may not contain a propylene glycol-, ethyl alcohol-, or ethanol-based flavoring agent.

41   (2) "Beer" does not include:

42   (a) a flavored malt beverage;

43   (b) a product that contains alcohol derived from:

44   (i) spirituous liquor; or

45   (ii) wine;

46   (c) a product that contains an additive masking or altering a physiological effect of

47   alcohol, including kratom, kava, cannabidiol, or tetrahydrocannabinol; or

48   (d) a beverage described in Subsection (1) that contains one or more flavorings that do

49   not have any bearing on the fermentation, infusion, or decoction of the beverage.

50   Section 2. **Effective Date.**

51   This bill takes effect on May 6, 2026.