

26-42-105 Hearing -- Evidence of criminal conviction.

- (1) At a civil hearing conducted under Section 26-42-104, evidence of the final criminal conviction of a licensee or employee for violation of Section 76-10-104 at the same location and within the same time period as the location and time period alleged in the civil hearing for violation of Section 26-42-103 is prima facie evidence of a violation of Section 26-42-103.
- (2) If the licensee has been convicted of violating Section 76-10-104 prior to a finding of a violation of Section 26-42-103, the licensee may not be assessed a monetary penalty under this chapter for the same offense for which the conviction was obtained.

Enacted by Chapter 319, 1998 General Session