

32B-13-205 Commission and department duties before issuing beer wholesaling license.

- (1)
 - (a) Before the commission may issue a beer wholesaling license, the department shall conduct an investigation and may hold public hearings to gather information and make recommendations to the commission as to whether a beer wholesaling license should be issued.
 - (b) The department shall forward the information and recommendations described in Subsection (1)(a) to the commission to aid in the commission's determination.
- (2) Before issuing a beer wholesaling license, the commission shall:
 - (a) determine that the person filed a complete application and is in compliance with Sections 32B-13-202 and 32B-13-204;
 - (b) determine that the person is not disqualified under Section 32B-1-304;
 - (c) consider the physical characteristics of the licensed premises where it is proposed that beer be stored by the person, such as:
 - (i) location;
 - (ii) proximity to transportation; and
 - (iii) condition, size, and security of the licensed premises;
 - (d) consider the person's ability to manage and operate a beer wholesaling operation, including:
 - (i) management experience;
 - (ii) past wholesaling experience;
 - (iii) the brands the person intends to wholesale; and
 - (iv) the means the person intends to use to distribute beer; and
 - (e) consider any other factor that the commission considers necessary.

Enacted by Chapter 276, 2010 General Session