

Effective 3/18/2016

32B-5-307 Bringing alcoholic product onto or removing alcoholic product from premises.

- (1) Except as provided in Subsection (3):
 - (a) A person may not bring onto the licensed premises of a retail licensee an alcoholic product for on-premise consumption.
 - (b) A retail licensee may not allow a person to:
 - (i) bring onto licensed premises an alcoholic product for on-premise consumption; or
 - (ii) consume an alcoholic product brought onto the licensed premises by a person other than the retail licensee.
 - (c) A retail licensee may not sell, offer for sale, or furnish an alcoholic product through a window or door to a location off the licensed premises or to a vehicular traffic area.
- (2) Except as provided in Subsection (3):
 - (a) A person may not carry from a licensed premises of a retail licensee an open container that:
 - (i) is used primarily for drinking purposes; and
 - (ii) contains an alcoholic product.
 - (b) A retail licensee may not permit a patron to carry from the licensed premises an open container described in Subsection (2)(a).
 - (c) Except as provided in Subsection (3)(d) or Subsection 32B-4-415(5):
 - (i) a person may not carry from a licensed premises of a retail licensee a sealed container of liquor that has been purchased from the retail licensee; and
 - (ii) a retail licensee may not permit a patron to carry from the licensed premises a sealed container of liquor that has been purchased from the retail licensee.
- (3)
 - (a) A patron may bring a bottled wine onto the premises of a retail licensee for on-premise consumption if:
 - (i) permitted by the retail licensee; and
 - (ii) the retail licensee is authorized to sell, offer for sale, or furnish wine.
 - (b) If a patron carries bottled wine onto the licensed premises of a retail licensee, the patron shall deliver the bottled wine to a server or other representative of the retail licensee upon entering the licensed premises.
 - (c) A retail licensee authorized to sell, offer for sale, or furnish wine, may provide a wine service for a bottled wine carried onto the licensed premises in accordance with this Subsection (3).
 - (d) A patron may remove from a licensed premises the unconsumed contents of a bottle of wine purchased in the licensed premises, or brought onto the licensed premises in accordance with this Subsection (3), only if before removal the bottle is recorked or recapped.

Amended by Chapter 82, 2016 General Session