

Effective 5/9/2017

Part 4
Bar Establishment License

32B-6-401 Title.

This part is known as "Bar Establishment License."

Amended by Chapter 455, 2017 General Session

32B-6-402 Definitions.

Reserved

Enacted by Chapter 276, 2010 General Session

32B-6-403 Commission's power to issue bar establishment license.

- (1) Before a person may store, sell, offer for sale, furnish, or allow the consumption of an alcoholic product on the person's premises as a bar establishment licensee, the person shall first obtain a bar establishment license from the commission in accordance with this part.
- (2) The commission may issue a bar establishment license to establish bar establishment licensed premises at places and in numbers the commission considers proper for the storage, sale, offer for sale, furnishing, and consumption of an alcoholic product on premises operated by a bar establishment licensee.
- (3) Subject to Section 32B-1-201:
 - (a) the commission may not issue a total number of bar establishment licenses that at any time exceeds the sum of:
 - (i) 15; and
 - (ii) the number determined by dividing the population of the state by:
 - (A) before fiscal July 1, 2024, 10,200;
 - (B) in fiscal year 2025, 9,778;
 - (C) in fiscal year 2026, 9,356;
 - (D) in fiscal year 2027, 8,934;
 - (E) in fiscal year 2028, 8,512;
 - (F) in fiscal year 2029, 8,090;
 - (G) in fiscal year 2030, 7,668; and
 - (H) in fiscal year 2031, and in each fiscal year thereafter, 7,246;
 - (b) the commission may issue a seasonal bar establishment license in accordance with Section 32B-5-206 to a bar licensee;
 - (c) the commission may authorize as many as three bar establishment license locations within a hotel under one bar establishment license if:
 - (i) the location, design, and construction of the hotel requires more than one bar license location within the hotel to serve the public convenience;
 - (ii) the hotel has a minimum of 150 guest rooms;
 - (iii) all locations under the bar establishment license are:
 - (A) within the same hotel; and
 - (B) on premises that are managed or operated, and owned or leased, by the bar establishment licensee;

- (d) the commission may authorize up to five dispensing locations under one equity license if the locations under the equity license:
 - (i) are located on premises managed or operated, and owned or leased, by the equity licensee;
 - (ii) the locations are under the same leadership or management; and
 - (iii) an individual who is a member of at least one location that the equity licensee operates has access to all locations the equity licensee operates;
- (e) except for a facility operating in accordance with Subsection (3)(d) or a hotel, a facility shall have a separate bar establishment license for each bar establishment license location where an alcoholic product is sold, offered for sale, or furnished;
- (f) when a business establishment undergoes a change of ownership, the commission may issue a bar establishment license to the new owner of the business establishment notwithstanding that there is no bar establishment license available under Subsection (3)(a) if:
 - (i) the primary business activity at the business establishment before and after the change of ownership is not the sale, offer for sale, or furnishing of an alcoholic product;
 - (ii) before the change of ownership there are two or more licensed premises on the business establishment that operate under a retail license, with at least one of the retail licenses being a bar establishment license;
 - (iii) subject to Subsection (3)(g) the licensed premises of the bar establishment license issued under this Subsection (3)(f) is at the same location where the bar establishment license licensed premises was located before the change of ownership; and
 - (iv) the person who is the new owner of the business establishment qualifies for the bar establishment license, except for there being no bar establishment license available under Subsection (3)(a); and
- (g) if a bar establishment licensee of a bar establishment license issued under Subsection (3)(f) requests a change of location, the bar establishment licensee may retain the bar establishment license after the change of location only if on the day on which the bar establishment licensee seeks a change of location a bar establishment license is available under Subsection (3)(a).

Amended by Chapter 162, 2025 General Session

32B-6-404 Types of bar license.

- (1) To obtain an equity license, in addition to meeting the other requirements of this part, a person shall:
 - (a) whether incorporated or unincorporated:
 - (i) be organized and operated solely for a social, recreational, patriotic, or fraternal purpose;
 - (ii) have members;
 - (iii) limit access to its licensed premises to a member or a guest of the member; and
 - (iv) desire to maintain premises upon which an alcoholic product may be stored, sold to, offered for sale to, furnished to, and consumed by a member or a guest of a member;
 - (b) except as provided in Subsection (8), own, maintain, or operate a substantial recreational facility in conjunction with a club house such as:
 - (i) a golf course; or
 - (ii) a tennis facility;
 - (c) have at least 50% of the total membership having an equal share of the equity of the entity or a right to redemption or refund at the equal value; and

- (d) if there is more than one class of membership, have at least one class of membership that entitles each member in that class to an equal share of the equity of the entity or a right to redemption or refund at the equal value.
- (2) To obtain a fraternal license, in addition to meeting the other requirements of this part, a person shall:
 - (a) whether incorporated or unincorporated:
 - (i) be organized and operated solely for a social, recreational, patriotic, or fraternal purpose;
 - (ii) have members;
 - (iii) limit access to its licensed premises to a member or a guest of the member; and
 - (iv) desire to maintain premises upon which an alcoholic product may be stored, sold to, offered for sale to, furnished to, and consumed by a member or a guest of a member;
 - (b) have no capital stock;
 - (c) exist solely for:
 - (i) the benefit of its members and their beneficiaries; and
 - (ii) a lawful social, intellectual, educational, charitable, benevolent, moral, fraternal, patriotic, or religious purpose for the benefit of its members or the public, carried on through voluntary activity of its members in their local lodges;
 - (d) have a representative form of government;
 - (e) have a lodge system in which:
 - (i) there is a supreme governing body;
 - (ii) subordinate to the supreme governing body are local lodges, however designated, into which individuals are admitted as members in accordance with the laws of the fraternal;
 - (iii) the local lodges are required by the laws of the fraternal to hold regular meetings at least monthly; and
 - (iv) the local lodges regularly engage in one or more programs involving member participation to implement the purposes of Subsection (2)(c); and
 - (f) own or lease a building or space in a building used for lodge activities.
- (3) To obtain a dining club license, in addition to meeting the other requirements of this part, a person shall:
 - (a) maintain at least the following percentages of its total club business from the sale of food, not including mix for alcoholic products, or service charges:
 - (i) for a dining club license that is issued as an original license on or after July 1, 2011, 60%; and
 - (ii) for a dining club license that is issued on or before June 30, 2011:
 - (A) 50% on or before June 30, 2012; and
 - (B) 60% on and after July 1, 2012; and
 - (b) obtain a determination by the commission that the person will operate as a dining club licensee, as part of which the commission may consider:
 - (i) the square footage and seating capacity of the premises;
 - (ii) what portion of the square footage and seating capacity will be used for a dining area in comparison to the portion that will be used as a lounge or bar area;
 - (iii) whether full meals including appetizers, main courses, and desserts are served;
 - (iv) whether the person will maintain adequate on-premise culinary facilities to prepare full meals, except a person who is located on the premise of a hotel or resort facility may use the culinary facilities of the hotel or resort facility;
 - (v) whether the entertainment provided at the premises is suitable for minors; and
 - (vi) the club management's ability to manage and operate a dining club license including:
 - (A) management experience;

- (B) past dining club licensee or restaurant management experience; and
 - (C) the type of management scheme used by the dining club license.
- (4) To obtain a bar license, a person is required to meet the requirements of this part except those listed in Subsection (1), (2), or (3).
- (5)
 - (a) At the time that the commission issues a bar establishment license, the commission shall designate the type of bar establishment license for which the person qualifies.
 - (b) If requested by a bar establishment licensee, the commission may approve a change in the type of bar establishment license in accordance with rules made by the commission.
- (6) To the extent not prohibited by law, this part does not prevent a dining club licensee or bar licensee from restricting access to the licensed premises on the basis of an individual:
 - (a) paying a fee; or
 - (b) agreeing to being on a list of individuals who have access to the licensed premises.
- (7)
 - (a)
 - (i) On or after July 1, 2017, the commission may not issue or renew a dining club license.
 - (ii) No later than July 1, 2018, the department shall convert each dining club license to a full-service restaurant license or a bar license in accordance with the provisions of this Subsection (7).
 - (b)
 - (i)
 - (A) A person licensed as a dining club on July 1, 2017, shall notify the department no later than May 31, 2018, whether the person elects to be licensed as a full-service restaurant or a bar.
 - (B) No later than July 1, 2018, the department shall convert a dining club license to a full-service restaurant license or a bar license in accordance with the dining club licensee's election under Subsection (7)(b)(i)(A).
 - (ii) If a dining club licensee fails to timely notify the department in accordance with Subsection (7)(b)(i), the dining club license is automatically converted to a full-service restaurant license on July 1, 2018.
 - (c) Subject to Section 32B-6-404.1, after a dining club license converts to a full-service restaurant license or a bar license, the retail licensee shall operate under the provisions that govern the full-service restaurant license or the bar license, as applicable.
 - (d) After a dining club license converts to a full-service restaurant license or a bar license in accordance with this Subsection (7):
 - (i) the full-service restaurant license is not considered in determining the total number of full-service restaurant licenses available under Section 32B-6-203; or
 - (ii) the bar license is not considered in determining the total number of bar establishment licenses available under Section 32B-6-403.
 - (e) Except as provided in Subsections (7)(a) and (b), before July 1, 2018, the commission may not issue a full-service restaurant license, a limited-service restaurant license, or a beer-only restaurant license to a person who holds a dining club license on May 9, 2017, for the same premises.
 - (f) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commission may make rules establishing a procedure by which a dining club licensee elects and converts to a full-service restaurant licensee or a bar licensee under this Subsection (7).

- (8) Subsection (1)(b) does not apply to a person who renews an equity license issued before January 1, 2020, if the person did not meet the requirements under Subsection (1)(b) at the time the equity license was issued.

Amended by Chapter 371, 2023 General Session

32B-6-405 Specific licensing requirements for bar establishment license.

- (1) To obtain a bar establishment license, in addition to complying with Chapter 5, Part 2, Retail Licensing Process, a person shall submit with the written application:
- (a)
 - (i) a statement as to whether the person is seeking to qualify as:
 - (A) an equity licensee;
 - (B) a fraternal licensee;
 - (C) a dining club licensee; or
 - (D) a bar licensee; and
 - (ii) evidence that the person meets the requirements for the type of bar establishment license for which the person is applying;
 - (b) evidence that the person operates a premises where a variety of food is prepared and served in connection with dining accommodations; and
 - (c) if the person is applying for an equity license or fraternal license, a copy of the entity's bylaws or house rules, and an amendment to those records.
- (2) The commission may refuse to issue a bar establishment license to a person for an equity license or fraternal license if the commission determines that a provision of the person's bylaws or house rules, or amendments to those records is not:
- (a) reasonable; and
 - (b) consistent with:
 - (i) the declared nature and purpose of the bar establishment licensee; and
 - (ii) the purposes of this part.
- (3)
- (a) A bar establishment license expires on June 30 of each year.
 - (b) To renew a bar establishment license, a person shall comply with the requirements of Chapter 5, Part 2, Retail Licensing Process, by no later than May 31.
- (4)
- (a) The nonrefundable application fee for a bar establishment license is \$300.
 - (b)
 - (i) The initial license fee for a bar establishment license is \$2,750.
 - (ii) The department shall prorate the \$2,750 initial license fee based on the number of months out of a year the bar establishment licensee is licensed before the day on which the bar establishment license expires.
 - (c) The renewal fee for a bar establishment license is \$2,000.
- (5) The bond amount required for a bar establishment license is the penal sum of \$10,000.

Amended by Chapter 94, 2024 General Session

32B-6-406 Specific operational requirements for a bar establishment license.

- (1)

- (a) In addition to complying with Chapter 5, Part 3, Retail Licensee Operational Requirements, a bar establishment licensee and staff of the bar establishment licensee shall comply with this section.
- (b) Failure to comply as provided in Subsection (1)(a) may result in disciplinary action in accordance with Chapter 3, Disciplinary Actions and Enforcement Act, against:
 - (i) a bar establishment licensee;
 - (ii) individual staff of a bar establishment licensee; or
 - (iii) both a bar establishment licensee and staff of the bar establishment licensee.
- (2) In addition to complying with Subsection 32B-5-301(3), a bar licensee shall display in a conspicuous place at the entrance to the licensed premises a sign that:
 - (a) measures at least 8-1/2 inches long and 11 inches wide; and
 - (b) clearly states that the bar licensee is a bar and that no one under 21 years old is allowed.
- (3)
 - (a) In addition to complying with Section 32B-5-302, a bar establishment licensee shall maintain for a minimum of three years:
 - (i) a record required by Subsection 32B-5-302(1); and
 - (ii) a record maintained or used by the bar establishment licensee, as the department requires.
 - (b) Section 32B-1-205 applies to a record required to be made, maintained, or used in accordance with this Subsection (3).
 - (c) The department shall audit the records of a bar establishment licensee at least once annually.
- (4)
 - (a) A bar establishment licensee may not sell, offer for sale, or furnish liquor on the licensed premises on any day during a period that:
 - (i) begins at 1 a.m.; and
 - (ii) ends at 9:59 a.m.
 - (b) A bar establishment licensee may sell, offer for sale, or furnish beer during the hours specified in Part 7, On-Premise Beer Retailer License, for an on-premise beer retailer license.
- (c)
 - (i) Notwithstanding Subsections (4)(a) and (b), a bar establishment licensee shall keep its licensed premises open for one hour after the bar establishment licensee ceases the sale and furnishing of an alcoholic product during which time a patron of the bar establishment licensee may finish consuming:
 - (A) a single drink containing spirituous liquor;
 - (B) except as provided in Subsection (4)(c)(i)(C), a single serving of wine not exceeding five ounces;
 - (C) a single serving not exceeding 16 ounces of hard cider that is furnished in a sealed container and contains no more than 5% of alcohol by volume;
 - (D) a single serving of heavy beer;
 - (E) a single serving not exceeding 26 ounces of beer; or
 - (F) a single serving of a flavored malt beverage.
 - (ii) A bar establishment licensee is not required to remain open:
 - (A) after all patrons have vacated the premises; or
 - (B) during an emergency.
- (5)
 - (a) A minor:
 - (i) may not be admitted into, use, or be in the licensed premises of:
 - (A) a dining club licensee unless accompanied by an individual who is 21 years old or older;
 - or

- (B) a bar licensee, except to the extent provided for under Section 32B-6-406.1;
- (ii) may only be admitted into, use, or be in the lounge or bar area of an equity licensee's or fraternal licensee's licensed premises:
 - (A) when accompanied by an individual who is 21 years old or older; and
 - (B) momentarily while en route to another area of the licensee's premises; and
- (iii) may not remain or sit in the lounge or bar area of an equity licensee's or fraternal licensee's licensed premises.
- (b) Notwithstanding Section 32B-5-308, a bar establishment licensee may not employ a minor to:
 - (i) work in a lounge or bar area of an equity licensee, fraternal licensee, or dining club licensee; or
 - (ii) handle an alcoholic product.
- (c) Notwithstanding Section 32B-5-308, a minor may not be employed on the licensed premises of a bar licensee.
- (d) Nothing in this part or Section 32B-5-308 precludes a local authority from being more restrictive of a minor's admittance to, use of, or presence on the licensed premises of a bar establishment licensee.
- (6) A bar establishment licensee shall have food available at all times when an alcoholic product is sold, offered for sale, furnished, or consumed on the licensed premises.
- (7)
 - (a) Subject to the other provisions of this Subsection (7), a patron may not have more than two alcoholic products of any kind at a time before the patron.
 - (b) A patron may not have two spirituous liquor drinks before the bar establishment licensee patron if one of the spirituous liquor drinks consists only of the primary spirituous liquor for the other spirituous liquor drink.
 - (c) An individual portion of wine is considered to be one alcoholic product under Subsection (7)(a).
- (8) A bar establishment licensee shall have available on the premises for a patron to review at the time that the patron requests it, a written alcoholic product price list or a menu containing the price of an alcoholic product sold, offered for sale, or furnished by the bar establishment licensee including:
 - (a) a set-up charge;
 - (b) a service charge; or
 - (c) a chilling fee.
- (9) Subject to Section 32B-5-309, a bar establishment licensee may not temporarily rent or otherwise temporarily lease its premises to a person unless:
 - (a) the person to whom the bar establishment licensee rents or leases the premises agrees in writing to comply with this title as if the person is the bar establishment licensee, except for a requirement related to making or maintaining a record; and
 - (b) the bar establishment licensee takes reasonable steps to ensure that the person complies with this section as provided in Subsection (9)(a).
- (10) If a bar establishment licensee is an equity licensee or fraternal licensee, the bar establishment licensee shall comply with Section 32B-6-407.
- (11) If a bar establishment licensee is a dining club licensee or bar licensee, the bar establishment licensee shall comply with Section 32B-1-407.
- (12)
 - (a) A bar establishment licensee shall own or lease premises suitable for the bar establishment licensee's activities.

- (b) A bar establishment licensee may not maintain licensed premises in a manner that barricades or conceals the bar establishment licensee's operation.

Amended by Chapter 371, 2023 General Session

Amended by Chapter 400, 2023 General Session

32B-6-406.1 Specific operational restrictions related to dance or concert hall.

- (1) A minor who is at least 18 years old may be admitted into, use, or be on the premises of a dance or concert hall if:
 - (a) the dance or concert hall is located:
 - (i) on the licensed premises of a bar licensee; or
 - (ii) on the property that immediately adjoins the licensed premises of and is operated by a bar licensee; and
 - (b) the bar licensee holds a permit to operate a dance or concert hall that was issued on or before May 11, 2009:
 - (i) on the basis of the operational requirements described in Subsection (2); and
 - (ii) when the bar licensee was licensed as a class D private club.
- (2) A bar licensee that holds a dance or concert hall permit shall operate in such a way that:
 - (a) the bar licensee's lounge, dispensing structure, or other area for alcoholic product consumption is:
 - (i) not accessible to a minor;
 - (ii) clearly defined; and
 - (iii) separated from the dance or concert hall area by one or more walls, multiple floor levels, or other substantial physical barriers;
 - (b) a dispensing structure or area where alcoholic product is dispensed is not visible to a minor;
 - (c) consumption of an alcoholic product may not occur in:
 - (i) the dance or concert hall area; or
 - (ii) an area of the bar license premises accessible to a minor;
 - (d) the bar licensee maintains sufficient security personnel to prevent the passing of beverages from the bar licensee's lounge, dispensing structure, or other area for alcoholic product consumption to:
 - (i) the dance or concert hall area; or
 - (ii) an area of the bar licensee premises accessible to a minor;
 - (e) there are one or more separate entrances, exits, and restroom facilities from the bar licensee's lounge, dispensing structure, or other area for alcoholic product consumption than for:
 - (i) the dance or concert hall area; or
 - (ii) an area accessible to a minor; and
 - (f) the bar licensee complies with any other requirements imposed by the commission by rule.
- (3)
 - (a) A minor under 18 years old who is accompanied at all times by a parent or legal guardian may be admitted into, use, or be on the premises of a concert hall described in Subsection (1) if:
 - (i) the requirements of Subsection (2) are met; and
 - (ii) signage, product, and dispensing equipment containing recognition of an alcoholic product is not visible to the minor.

- (b) A minor under 18 years old but who is 14 years old or older who is not accompanied by a parent or legal guardian may be admitted into, use, or be on the premises of a concert hall described in Subsection (1) if:
 - (i) the requirements of Subsections (2) and (3)(a) are met; and
 - (ii) there is no alcoholic product, sales, furnishing, or consumption on the premises of the bar licensee.
- (4) The commission may suspend or revoke a dance or concert permit issued to a bar licensee and suspend or revoke the license of the bar licensee if:
 - (a) the bar licensee fails to comply with the requirements in this section;
 - (b) the bar licensee sells, offers for sale, or furnishes an alcoholic product to a minor;
 - (c) the bar licensee or a supervisory or managerial level staff of the bar licensee is convicted of an offense described in Title 58, Chapter 37, Controlled Substances, or Title 76, Chapter 18, Part 2, Offenses Concerning Controlled Substances, or an offense described in a statute previously in effect in this state that is the same or substantially the same as a conviction for an offense described in Title 58, Chapter 37, Controlled Substances, or Title 76, Chapter 18, Part 2, Offenses Concerning Controlled Substances, on the basis of an activity that occurs on:
 - (i) the licensed premises; or
 - (ii) the dance or concert hall that is located on property that immediately adjoins the licensed premises of and is operated by the bar licensee;
 - (d) there are three or more convictions of patrons of the bar licensee for an offense described in Title 58, Chapter 37, Controlled Substances, or Title 76, Chapter 18, Part 2, Offenses Concerning Controlled Substances, or an offense described in a statute previously in effect in this state that is the same or substantially the same as a conviction for an offense described in Title 58, Chapter 37, Controlled Substances, or Title 76, Chapter 18, Part 2, Offenses Concerning Controlled Substances, on the basis of activities that occur on:
 - (i) the licensed premises; or
 - (ii) the dance or concert hall that is located on property that immediately adjoins the licensed premises of and is operated by the bar licensee;
 - (iii) there is more than one conviction:
 - (A) of:
 - (I) the bar licensee;
 - (II) staff of the bar licensee;
 - (III) an entertainer contracted by the bar licensee; or
 - (IV) a patron of the bar licensee; and
 - (B) made on the basis of a lewd act or lewd entertainment prohibited by this title that occurs on:
 - (I) the licensed premises; or
 - (II) the dance or concert hall that is located on property that immediately adjoins the licensed premises of and is operated by the bar licensee; or
 - (e) the commission finds acts or conduct contrary to the public welfare and morals involving lewd acts or lewd entertainment prohibited by this title that occurs on:
 - (i) the licensed premises; or
 - (ii) the dance or concert hall that is located on property that immediately adjoins the licensed premises of and is operated by the bar licensee.
- (5) Nothing in this section prohibits a bar licensee from selling, offering for sale, or furnishing an alcoholic product in a dance or concert area located on the bar licensed premises on days and times when the bar licensee does not allow a minor into those areas.

Amended by Chapter 362, 2026 General Session

32B-6-407 Specific operational requirements for equity license or fraternal license.

- (1) As used in this section, "equity or fraternal licensee" means an equity licensee or fraternal licensee.
- (2)
 - (a) An equity or fraternal licensee shall have a governing body that:
 - (i) consists of three or more members of the equity or fraternal licensee; and
 - (ii) holds regular meetings to:
 - (A) review membership applications; and
 - (B) conduct other business as required by the bylaws or house rules of the equity or fraternal licensee.
 - (b)
 - (i) An equity or fraternal licensee shall maintain a minute book that is posted currently by the equity or fraternal licensee.
 - (ii) The minute book required by this Subsection (2) shall contain the minutes of a regular or special meeting of the governing body.
- (3) An equity or fraternal licensee may admit an individual as a member only on written application signed by the person, subject to:
 - (a) the person paying an application fee; and
 - (b) investigation, vote, and approval of a quorum of the governing body.
- (4) An equity or fraternal licensee shall:
 - (a) record an admission of a member in the official minutes of a regular meeting of the governing body; and
 - (b) whether approved or disapproved, file an application as a part of the official records of the equity or fraternal licensee.
- (5) The spouse of a member of an equity or fraternal licensee has the rights and privileges of the member:
 - (a) to the extent permitted by the bylaws or house rules of the equity or fraternal licensee; and
 - (b) except to the extent restricted by this title.
- (6) A minor child of a member of an equity or fraternal licensee has the rights and privileges of the member:
 - (a) to the extent permitted by the bylaws or house rules of the equity or fraternal licensee; and
 - (b) except to the extent restricted by this title.
- (7) An equity or fraternal licensee shall maintain:
 - (a) a current and complete membership record showing:
 - (i) the date of application of a proposed member;
 - (ii) a member's address;
 - (iii) the date the governing body approved a member's admission;
 - (iv) the date initiation fees and dues are assessed and paid; and
 - (v) the serial number of the membership card issued to a member;
 - (b) a membership list; and
 - (c) a current record indicating when a member is removed as a member or resigns.
- (8)
 - (a) An equity or fraternal licensee shall have bylaws or house rules that include provisions respecting the following:
 - (i) standards of eligibility for members;

- (ii) limitation of members, consistent with the nature and purpose of the equity or fraternal licensee;
 - (iii) the period for which dues are paid, and the date upon which the period expires;
 - (iv) provisions for removing a member from the equity or fraternal licensee's membership for the nonpayment of dues or other cause;
 - (v) provisions for guests; and
 - (vi) application fees and membership dues.
- (b) An equity or fraternal licensee shall maintain a current copy of the equity or fraternal licensee's current bylaws and current house rules.
- (c) An equity or fraternal licensee shall maintain its bylaws or house rules, and any amendments to those records, on file with the department at all times.
- (9) An equity or fraternal licensee may, in its discretion, allow an individual to be admitted to or use the licensed premises as a guest subject to the following conditions:
 - (a) the individual is allowed to use the equity or fraternal licensee premises only to the extent permitted by the equity or fraternal licensee's bylaws or house rules;
 - (b) the individual shall be previously authorized by a member of the equity or fraternal licensee who agrees to host the individual as a guest;
 - (c) the individual has only those privileges derived from the individual's host for the duration of the individual's visit to the equity or fraternal licensee premises; and
 - (d) an equity or fraternal licensee or staff of the equity or fraternal licensee may not enter into an agreement or arrangement with a member of the equity or fraternal licensee to indiscriminately host a member of the general public into the equity or fraternal licensee premises as a guest.
- (10) Notwithstanding Subsection (9), an individual may be allowed as a guest in an equity or fraternal licensed premises without a host if:
 - (a)
 - (i) the equity or fraternal licensee is an equity licensee; and
 - (ii) the individual is a member of an equity licensee that has reciprocal guest privileges with the equity licensee for which the individual is a guest;
 - (b)
 - (i) the equity or fraternal licensee is a fraternal licensee; and
 - (ii) the individual is a member of the same fraternal organization as the fraternal licensee for which the individual is a guest; or
 - (c)
 - (i) the equity or fraternal licensee is a fraternal licensee that holds the fraternal license on July 1, 2013;
 - (ii) the equity or fraternal licensee's bylaws permit guests in the equity or fraternal licensed premises without a host except that a minor may not be admitted as a guest without a host; and
 - (iii) the equity or fraternal licensee maintains 60% of its total business from the sale of food, not including mix for alcoholic products, or service charges.
- (11) Unless the patron is a member or guest, an equity or fraternal licensee may not:
 - (a) sell, offer for sale, or furnish an alcoholic product to the patron; or
 - (b) allow the patron to be admitted to or use the licensed premises.
- (12) A minor may not be a member, officer, director, or trustee of an equity or fraternal licensee.

Amended by Chapter 455, 2017 General Session

32B-6-408 Information obtained by investigator.

- (1) Subject to Subsection (2), if an investigator is permitted by another provision of this title to inspect a record of a bar establishment licensee, in addition to any other rights under this title, the investigator may inspect, have a copy of, or otherwise review any record of the bar establishment licensee that is a visual recording of the operations of the bar establishment licensee.
- (2) An investigator who is a peace officer may not inspect, have a copy of, or otherwise review a visual recording described in Subsection (1) without probable cause.

Amended by Chapter 455, 2017 General Session