

32B-6-805 Specific operational requirements for a reception center license.

- (1)
 - (a) In addition to complying with Chapter 5, Part 3, Retail Licensee Operational Requirements, a reception center licensee and staff of the reception center 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 reception center licensee;
 - (ii) individual staff of a reception center licensee; or
 - (iii) both a reception center licensee and staff of the reception center licensee.
- (2) In addition to complying with Section 32B-5-303, a reception center licensee shall store an alcoholic product in a storage area described in Subsection (15)(a).
- (3)
 - (a) For the purpose described in Subsection (3)(b), a reception center licensee shall provide the following with advance notice of a scheduled event in accordance with rules made by the commission:
 - (i) the department; and
 - (ii) the local law enforcement agency responsible for the enforcement of this title in the jurisdiction where the reception center is located.
 - (b) Any of the following may conduct a random inspection of an event:
 - (i) an authorized representative of the commission or the department; or
 - (ii) a law enforcement officer.
- (4)
 - (a) Except as otherwise provided in this title, a reception center licensee may sell, offer for sale, or furnish an alcoholic product at an event only for consumption at the reception center's licensed premises.
 - (b) A host of an event, a patron, or a person other than the reception center licensee or staff of the reception center licensee, may not remove an alcoholic product from the reception center's licensed premises.
 - (c) Notwithstanding Section 32B-5-307, a patron at an event may not bring an alcoholic product into or onto, or remove an alcoholic product from, the reception center.
- (5)
 - (a) A reception center licensee may not leave an unsold alcoholic product at an event following the conclusion of the event.
 - (b) At the conclusion of an event, a reception center licensee shall:
 - (i) destroy an opened and unused alcoholic product that is not saleable, under conditions established by the department; and
 - (ii) return to the reception center licensee's approved locked storage area any:
 - (A) opened and unused alcoholic product that is saleable; and
 - (B) unopened container of an alcoholic product.
 - (c) Except as provided in Subsection (5)(b) with regard to an open or sealed container of an alcoholic product not sold or consumed at an event, a reception center licensee:
 - (i) shall store the alcoholic product in accordance with Subsection (2); and
 - (ii) may use the alcoholic product at more than one event.
- (6) Notwithstanding Section 32B-5-308, a reception center licensee may not employ a minor in connection with an event at the reception center at which food is not made available.
- (7) A person's willingness to serve an alcoholic product may not be made a condition of employment as a server with a reception center licensee.

- (8) A reception center licensee may not sell, offer for sale, or furnish an alcoholic product at the licensed premises on any day during the period that:
 - (a) begins at 1 a.m.; and
 - (b) ends at 9:59 a.m.
- (9)
 - (a) A reception center licensee may not maintain in excess of 30% of its total annual receipts from the sale of an alcoholic product, which includes:
 - (i) mix for an alcoholic product; or
 - (ii) a charge in connection with the furnishing of an alcoholic product.
 - (b) A reception center licensee shall report the information necessary to show compliance with this Subsection (9) to the department on an annual basis.
- (10) A reception center licensee may not sell, offer for sale, or furnish an alcoholic product at an event at which a minor is present unless the reception center licensee makes food available at all times when an alcoholic product is sold, offered for sale, furnished, or consumed during the event.
- (11)
 - (a) Subject to the other provisions of this Subsection (11), a patron may not have more than two alcoholic products of any kind at a time before the patron.
 - (b) An individual portion of wine is considered to be one alcoholic product under Subsection (11) (a).
- (12)
 - (a) A reception center licensee shall supervise and direct a person involved in the sale, offer for sale, or furnishing of an alcoholic product.
 - (b) A person involved in the sale, offer for sale, or furnishing of an alcoholic product shall complete an alcohol training and education seminar.
- (13) A staff person of a reception center licensee shall remain at an event at all times when an alcoholic product is sold, offered for sale, furnished, or consumed at the event.
- (14) A reception center licensee may not sell, offer for sale, or furnish an alcoholic product to a patron, and a patron may not consume an alcoholic product at a bar structure.
- (15) Except as provided in Subsection (16), a reception center licensee may dispense an alcoholic product only if:
 - (a) the alcoholic product is dispensed from an area that is:
 - (i) separated from an area for the consumption of food by a patron by a solid, translucent, permanent structural barrier such that the facilities for the storage or dispensing of an alcoholic product are:
 - (A) not readily visible to a patron; and
 - (B) not accessible by a patron; and
 - (ii) apart from an area used:
 - (A) for staging; or
 - (B) as a lobby or waiting area;
 - (b) the reception center licensee uses an alcoholic product that is:
 - (i) stored in an area described in Subsection (15)(a); or
 - (ii) in an area not described in Subsection (15)(a) on the licensed premises and:
 - (A) immediately before the alcoholic product is dispensed it is in an unopened container;
 - (B) the unopened container is taken to an area described in Subsection (15)(a) before it is opened; and
 - (C) once opened, the container is stored in an area described in Subsection (15)(a); and

- (c) any instrument or equipment used to dispense an alcoholic product is located in an area described in Subsection (15)(a).
- (16) A reception center licensee may dispense an alcoholic product from a mobile serving area that:
- (a) is moved only by staff of the reception center licensee;
 - (b) is capable of being moved by only one individual; and
 - (c) is no larger than 6 feet long and 30 inches wide.
- (17)
- (a) A reception center licensee may not have an event on the licensed premises except pursuant to a contract between a third party host of the event and the reception center licensee under which the reception center licensee provides an alcoholic product sold, offered for sale, or furnished at an event.
 - (b) At an event, a reception center licensee may furnish an alcoholic product:
 - (i) without charge to a patron, except that the third party host of the event shall pay for an alcoholic product furnished at the event; or
 - (ii) with a charge to a patron at the event.
 - (c) The commission may by rule define what constitutes a "third-party host" for purposes of this Subsection (17) so that a reception center licensee and the third-party host are not owned by or operated by the same persons, except that the rule shall permit a reception center licensee to host an event for an immediate family member of the reception center licensee.
- (18) A reception center licensee shall have culinary facilities that are:
- (a) adequate to prepare a full meal; and
 - (b)
 - (i) located on the licensed premises; or
 - (ii) under the same control as the reception center licensee.
- (19)
- (a) Except as provided in Subsection (19)(b), a reception center licensee may not operate an event:
 - (i) that is open to the general public; and
 - (ii) at which an alcoholic product is sold or offered for sale.
 - (b) A reception center licensee may operate an event described in Subsection (19)(a) if the event is hosted:
 - (i) at the reception center no more frequently than once a calendar year; and
 - (ii) by a nonprofit organization that is organized and qualified under Section 501(c), Internal Revenue Code.

Amended by Chapter 365, 2012 General Session