

Part 5 Prohibited Activities

32B-8a-501 License not to be pledged as security -- Prohibited transfers.

- (1) A retail licensee may not enter into any agreement under which the retail licensee pledges the retail license as security for a loan or as security for the fulfillment of any agreement.
- (2) A retail licensee may not transfer a retail license if the transfer is to:
 - (a) satisfy a loan or to fulfill an agreement entered into more than 90 days preceding the date on which the transfer application is filed;
 - (b) gain or establish a preference to or for any creditor of the transferor, except as provided by Section 32B-8a-202; or
 - (c) defraud or injure a creditor of the transferor.
- (3) A retail licensee may not transfer a retail license except in accordance with this chapter.

Revisor instructions Chapter 349, 2013 General Session
Enacted by Chapter 334, 2011 General Session

32B-8a-502 Effect of transfer in violation of this chapter.

- (1) If a retail license is transferred in violation of this chapter, the commission may:
 - (a) void the transfer; and
 - (b) require the retail license to be forfeited.
- (2) Subsection (1) is in addition to any other penalty under this title that is applicable to the person who violates this chapter.

Revisor instructions Chapter 349, 2013 General Session
Enacted by Chapter 334, 2011 General Session