

Effective 5/10/2016

32B-8b-201 Commission's power to issue a hotel license.

- (1) Before a person as a hotel under a single license may store, sell, offer for sale, furnish, or allow the consumption of an alcoholic product on sublicense premises, the person shall first obtain a hotel license from the commission in accordance with this part.
- (2)
 - (a) The commission may issue to a person a hotel license to allow the storage, sale, offer for sale, furnishing, and consumption of an alcoholic product in connection with a hotel designated in the hotel license if the person operates at least three sublicenses under the hotel license one of which is an on-premise banquet license and one of which is a sublicense for a restaurant or club.
 - (b) A hotel license shall:
 - (i) consist of:
 - (A) a general hotel license; and
 - (B) three or more sublicenses meeting the requirements of Subsection (2)(a); and
 - (ii) designate the boundary of the hotel and sublicenses.
 - (c) This chapter does not prohibit an alcoholic product on the boundary of the hotel to the extent otherwise permitted by this title.
 - (d) The commission may not issue a sublicense that is separate from a hotel license.
- (3)
 - (a) The commission may not issue a total number of hotel licenses that at any time totals more than 80.
 - (b) Subject to Subsection (3)(c), when determining the total number of licenses the commission has issued for each type of retail license, the commission may not include a sublicense as one of the retail licenses issued under the provisions applicable to the sublicense.
 - (c) If a hotel license issued under this chapter includes a club sublicense that before the issuance of the hotel license was a club license, the commission shall include the club sublicense as one of the club licenses in determining if the total number of licenses issued under the provisions applicable to the club license exceeds the number calculated by dividing the population of the state by the number specified in the provisions applicable to the club license.
 - (d) A person may not transfer a club license under Chapter 8a, Transfer of Retail License Act, in a manner that circumvents the limitations of Subsection (3)(c).

Enacted by Chapter 80, 2016 General Session