

**S.B. 314**  
**ALCOHOLIC BEVERAGE AMENDMENTS**

Senator **John L. Valentine** proposes the following amendments:

1. *Page 27, Lines 826 through 828:*

826 (d) "Total number of alcohol-related law enforcement officers" means the total number  
827 of positions designated as alcohol-related law enforcement officers that are funded as of a specified  
date as certified by the Department  
828 of Public Safety to the department.

2. *Page 28, Lines 842 through 843*

*Senate Committee Amendments*

*2-23-2011:*

842 enforcement ratio is calculated, the enforcement ratio would be equal to or less than ~~§~~ → [56.] 52 ← ~~§~~  
(d) Once the Department of Public Safety certifies under Subsection (1)(d) the total number of  
positions designated as alcohol-related law enforcement officers that are funded as of July 1, the  
Department of Public Safety may not use the funding for the designated alcohol-related law enforcement  
officers for a purpose other than funding those positions.

843 (3) For purposes of determining the number of state stores that the commission may

3. *Page 37, Lines 1134 through 1139:*

1134 (1) As used in this section {~~,"immediate"~~} ∴  
(a) "Applicable department employee" means a department employee who is:  
(i) designated as a deputy or assistant director;  
(ii) a chief administrative officer of a division within the department;  
(iii) a department compliance officer; or  
(iv) an employee directly performing licensing or compliance functions of the department.

(b) "Immediate family" means an individual's:

1135 {~~(a)~~} (i) spouse; or

1136 {~~(b)~~} (ii) child who is younger than 18 years of age.

1137 (2) In addition to being subject to Title 67, Chapter 16, Utah Public Officers' and

1138 Employees' Ethics Act, an individual who is a commissioner, the director, or {~~a~~} an applicable  
department

1139 employee may not:

4. *Page 38, Lines 1153 through 1156:*

1153 (ii) an officer, agent, or employee of a person who applies for or holds a package  
1154 agency, license, permit, or certificate under this title, except that a commissioner, the director,  
1155 or {a} **an applicable** department employee may accept a gift from an officer, agent, or employee if the  
gift is  
1156 equal to or less than \$50; or

5. *Page 38, Lines 1160 through 1169:*

1160 (3) An immediate family member of a commissioner, the director, or {a} **an applicable**  
department  
1161 employee may not:  
1162 (a) have a pecuniary interest, whether as the holder of stock or other securities **other than a mutual**  
**fund** , in a  
1163 person who applies for or holds a package agency, license, permit, or certificate under this title;  
1164 (b) otherwise have a conflict of interest with a person who applies for or holds a  
1165 package agency, license, permit, or certificate under this title;  
1166 (c) have an office, position, or relationship, or be engaged in a business or avocation  
1167 that interferes or is incompatible with the effective and objective fulfillment of the duties of  
1168 office or employment of the commissioner, director, or **applicable** department employee for whom the  
1169 person is immediate family;

6. *Page 98, Lines 3011 through 3012a*  
*Senate Committee Amendments*  
*2-23-2011:*

3011 (6) a golf driving range; \$→ {+} or {+} ←\$  
3012 (7) a tennis club \$→ {+} . {+} {,or  
3012a ~~(8) ski resort.~~ ←\$

7. *Page 103, Lines 3180 through 3182:*

3180 (1) Before a person may store, sell, offer for sale, **or** furnish {**, or allow the consumption of**}  
3181 an alcoholic product on its premises as a reception center, the person shall first obtain a  
3182 reception center license from the commission in accordance with this part.

8. *Page 105, Lines 3226 through 3231:*

3226 (4) (a) Except as otherwise provided in this title, a reception center licensee may sell,  
3227 offer for sale, or furnish an alcoholic product at an event only for consumption at the reception  
3228 {**center**} **center's licensed premises** .  
3229 (b) A host of an event, a patron, or a person other than the reception center licensee or  
3230 staff of the reception center licensee, may not remove an alcoholic product from the reception

3231 {~~center~~} center's licensed premises .

9. Page 165, Lines 5082 through 5084:

5082 (e) On and after July 1, 2011, {~~to be considered as having completed an alcohol training~~  
5083 ~~and education seminar~~} an individual shall {~~attend~~} complete any test required to demonstrate  
completion of the alcohol training and education seminar in  
5084 the physical presence of an instructor {~~of the seminar provider~~} who is authorized to administer the  
test .