

1st Sub. S.B. 314
ALCOHOLIC BEVERAGE AMENDMENTS

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

1. *Page 3, Lines 68 through 70:*

68 licensees;

▶ **clarifies penalties related to obtaining a beer wholesaling license;**

69 ▶ addresses when meetings of the commission may be closed;

70 ▶ ~~{requires}~~ **addresses** alcohol training and education seminars ~~{to be taken in person}~~ ;

2. *Page 6, Lines 154 through 155:*

154 32B-12-203 (Effective 07/01/11), as enacted by Laws of Utah 2010, Chapter 276

= **32B-13-201 (Effective 07/01/11), as enacted by Laws of Utah 2010, Chapter 276** =

155 32B-13-202 (Effective 07/01/11), as enacted by Laws of Utah 2010, Chapter 276

3. *Page 160, Lines 4951 through 4952:*

4951 liquor warehousing license effective on the date the existing liquor warehousing license

4952 expires.

= **Section 101. Section 32B-13-201 is amended to read:**

32B-13-201 (Effective 07/01/11). Commission's power to issue beer wholesaling license.

(1) **(a)** Before a person may purchase, store, sell, offer for sale, distribute, or import beer to a person who sells at retail or acts in any way as a beer wholesaler, the person shall first obtain a beer wholesaling license issued by the commission in accordance with this chapter.

= **(b) A violation of Subsection (1)(a) is a class A misdemeanor.**

(2) (a) The commission may issue a beer wholesaling license for the purchase, storage, sale, distribution, transportation, and import of beer.

(b) A beer wholesaling license entitles the beer wholesaler licensee to:

(i) purchase and import beer into the state;

(ii) store beer in an approved warehouse; and

(iii) sell and distribute beer directly to:

(A) a beer retailer; or

(B) an event permittee.

~~{(c) A violation of Subsection (2)(a) is a class A misdemeanor.}~~

(3) Nothing in this section precludes a small brewer from selling beer the small brewer manufactures directly to:

- (a) a retail licensee;
- (b) an off-premise beer retailer; or
- (c) an event permittee.

Renumber remaining sections accordingly.

4. *Page 166, Line 5125:*

5125 (2) (a) This section applies to an individual who, as defined by the ~~{board}~~ division by rule:

5. *Page 167, Line 5169 through Page 168, Line 5173:*

5169 (f) The ~~{board}~~ division shall by rule made in accordance with Title 63G, Chapter 3, Utah
5170 Administrative Rulemaking Act, establish one or more requirements for an online course or
5171 testing program described in Subsection (2)(e) that are designed to inhibit fraud in the use of
5172 the online course or testing program. In developing the requirements by rule the ~~{board}~~ division
shall
5173 consider whether to require:

6. *Page 168, Line 5190:*

5190 (vii) measures for the ~~{board}~~ division to audit online courses or tests;

7. *Page 170, Line 5237:*

5237 (5) The ~~{board}~~ division shall by rule made in accordance with Title 63G, Chapter 3, Utah