

**STUDY OF REGULATORY ENVIRONMENT FOR ALCOHOL
POLICY**

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: David Litvack

Senate Sponsor: Ross I. Romero

LONG TITLE

General Description:

This bill enacts uncodified material to create the Blue Ribbon Commission on the Regulatory Environment for Alcohol Policy.

Highlighted Provisions:

This bill:

- ▶ creates the commission;
- ▶ addresses who is chair of the commission;
- ▶ addresses quorum issues;
- ▶ provides for per diem and travel expenses;
- ▶ provides that the Governor's Office of Economic Development staff the commission;
- ▶ outlines what the commission is to study; and
- ▶ requires that the commission report to the Business and Labor Interim Committee.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill is repealed November 30, 2012.

Uncodified Material Affected:

ENACTS UNCODIFIED MATERIAL



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Be it enacted by the Legislature of the state of Utah:

Section 1. Blue Ribbon Commission on the Regulatory Environment for Alcohol Policy.

(1) There is created a commission known as the "Blue Ribbon Commission on the Regulatory Environment for Alcohol Policy."

(2) (a) The commission shall consist of ~~H~~→ [15] 17 ←~~H~~ members as follows:

(i) two senators appointed by the president of the Senate;

(ii) two representatives appointed by the speaker of the House of Representatives;

(iii) the following appointed by the governor:

(A) one representative from the Governor's Office of Economic Development;

(B) one representative of the alcoholic beverage industry;

(C) one representative of social club licensees;

(D) one representative of full-service restaurant licensees;

(E) one representative of dining club licensees;

~~H~~→ **(F) one representative of off-premise beer retailer licensees;**

~~(F)~~ (G) ←~~H~~ two representatives of the general public who have a vested interest in alcohol related issues within the community; and

~~H~~→ ~~(G)~~ (H) ←~~H~~ a representative of alcohol-related law enforcement officers as defined in

Section

32B-1-201;

(iv) the director of the Department of Alcoholic Beverage Control;

(v) the chair of the Alcoholic Beverage Control Commission, or the chair's designee;

~~H~~→ **[and]** ←~~H~~

(vi) the executive director of the Department of Commerce, or the executive director's designee ~~H~~→ [:] ; and

(vii) the chair of the Utah Substance Abuse Advisory Council, or the chair's designee. ←~~H~~

(b) No more than three of the legislators appointed under Subsections (2)(a)(i) and (ii) may be from the same political party.

(3) The governor shall appoint the chair of the commission who is responsible for calling meetings.

(4) (a) ~~H~~→ [Eight] Nine ←~~H~~ members of the commission constitute a quorum for the transaction of business.

(b) The action of a majority of a quorum present is considered the action of the

59 commission.

60 (5) (a) A non-legislative member may not receive compensation or benefits for the
61 member's service, but may receive per diem and travel expenses in accordance with:

62 (i) Section 63A-3-106;

63 (ii) Section 63A-3-107; and

64 (iii) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
65 63A-3-107.

66 (b) Salaries and expenses of the legislative members of the commission shall be paid in
67 accordance with Section 36-2-2 and joint rules of the Legislature.

68 (6) The Governor's Office of Economic Development shall staff the commission.

69 (7) The commission shall study:

70 (a) the affect of current law on the state's ability to bring new businesses into the state
71 and to retain businesses within the state;

72 (b) the efficacy of the quota licensing system;

73 (c) the role of local government in the regulation of alcoholic products;

74 (d) the state's success at achieving the goals of:

75 (i) preventing driving under the influence of alcoholic products;

76 (ii) preventing underage consumption of alcoholic products; and

77 (iii) preventing the over consumption of alcoholic products;

78 (e) whether the regulatory environment to achieve the goals listed under Subsection

79 (7)(d) strikes an appropriate balance with the ability of businesses to succeed in the state; and

80 (f) the ability to sell retail licenses and whether sales disadvantage small, local retail
81 licensees.

82 (8) The commission shall report its findings and recommendations, if any, to the
83 Business and Labor Interim Committee by no later than the November interim meeting of the
84 Business and Labor Interim Committee.

85 **Section 2. Repeal date.**

86 This bill is repealed November 30, 2012.

Legislative Review Note
as of 2-9-12 4:01 PM

Office of Legislative Research and General Counsel