

367 (3) Subject to Section 32B-1-201:

368 (a) (i) The commission may not issue a total number of social club licenses that at any  
369 time exceeds the number determined by dividing the population of the state by [7,850]

369a ~~H~~→ [11,784] 11,504 ←~~H~~ .

370 (ii) The commission may not issue a total number of dining club licenses, equity club  
371 licenses, and fraternal club licenses that at any time exceeds the number determined by  
372 dividing the population of the state by 19,694.

373 (b) The commission may issue a seasonal club license in accordance with Section  
374 32B-5-206 to:

375 (i) a dining club licensee; or

376 (ii) a social club licensee.

377 (c) (i) If the location, design, and construction of a hotel may require more than one  
378 dining club license or social club license location within the hotel to serve the public  
379 convenience, the commission may authorize as many as three club license locations within the  
380 hotel under one club license if:

381 (A) the hotel has a minimum of 150 guest rooms; and

382 (B) all locations under the club license are:

383 (I) within the same hotel; and

384 (II) on premises that are managed or operated, and owned or leased, by the club  
385 licensee.

386 (ii) A facility other than a hotel shall have a separate club license for each club license  
387 location where an alcoholic product is sold, offered for sale, or furnished.

388 (d) When a business establishment undergoes a change of ownership, the commission  
389 may issue a club license to the new owner of the business establishment notwithstanding that  
390 there is no club license available under Subsection (3)(a) if:

391 (i) the primary business activity at the business establishment before and after the  
392 change of ownership is not the sale, offer for sale, or furnishing of an alcoholic product;

393 (ii) before the change of ownership there are two or more licensed premises on the  
394 business establishment that operate under a retail license, with at least one of the retail licenses  
395 being a club license;

396 (iii) subject to Subsection (3)(e), the licensed premises of the club license issued under  
397 this Subsection (3)(d) is at the same location where the club license licensed premises was

460 the club licensed premises as a guest subject to the following conditions:

461 (a) the individual is allowed to use the club licensee premises only to the extent  
462 permitted by the club licensee's bylaws or house rules;

463 (b) the individual shall be previously authorized by a member of the club who agrees to  
464 host the individual as a guest into the club;

465 (c) the individual has only those privileges derived from the individual's host for the  
466 duration of the individual's visit to the club licensee premises; and

467 (d) a club licensee or staff of the club licensee may not enter into an agreement or  
468 arrangement with a club member to indiscriminately host a member of the general public into  
469 the club licensee premises as a guest.

470 (10) Notwithstanding Subsection (9), an individual may be allowed as a guest in a club  
471 licensed premises without a host if:

472 (a) (i) the club licensee is an equity club licensee; and

473 (ii) the individual is a member of an equity club licensee that has reciprocal guest  
474 privileges with the equity club licensee for which the individual is a guest; ~~or~~

475 (b) (i) the club licensee is a fraternal club licensee; and

476 (ii) the individual is a member of the same fraternal organization as the fraternal club  
477 licensee for which the individual is a guest~~[-]; or~~

478 (c) (i) the club licensee is a fraternal club licensee that holds the fraternal club license  
479 on July 1, 2013; ~~H~~→ [and] ←~~H~~

480 (ii) ~~H~~→ [its] the club licensee's ←~~H~~ bylaws permit guests in the club licensed premises  
480a without a host except that a

481 minor may not be admitted as a guest without a host ~~H~~→ [ ]; and

481a (iii) the club licensee maintains 60% of its total club business from the sale of food, not  
481b including mix for alcoholic products, or service charges. ←~~H~~

482 (11) Unless the patron is a member or guest, a club licensee may not:

483 (a) sell, offer for sale, or furnish an alcoholic product to the patron; or

484 (b) allow the patron to be admitted to or use the licensed premises.

485 (12) A minor may not be a member, officer, director, or trustee of a club licensee.

486 ~~[(13) Public advertising related to a club licensee by the following shall clearly identify~~  
487 ~~a club as being "a club for members":]~~

488 ~~[(a) the club licensee;]~~

489 ~~[(b) staff of the club licensee; or]~~

490 ~~[(c) a person under a contract or agreement with the club licensee.]~~