



UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX • 320 STATE CAPITOL
P.O. BOX 145115 • SALT LAKE CITY, UTAH 84114-5115 • (801) 538-1035

February 7, 2013

Mr. President:

The Business and Labor Committee reports a favorable recommendation on **S.B. 167**, ALCOHOLIC BEVERAGE CONTROL AMENDMENTS, by Senator J. Valentine, with the following amendments:

1. *Page 1, Lines 12 through 17:*

- 12 This bill:
- 13 ▶ modifies the definition of "retail license";
- 14 ▶ addresses new master licenses under the law enforcement quota;
- 15 ▶ addresses the powers of the commission;
- 16 { ~~→ prohibits multiple retail licenses at the same building under certain~~
~~circumstances;~~ }
- 17 ▶ creates a master full-service restaurant license;

2. *Page 2, Lines 33 through 36:*

- 33 ENACTS:
- 34 { ~~32B-5-207, Utah Code Annotated 1953~~ }
- 35 32B-6-206, Utah Code Annotated 1953
- 36 32B-6-306, Utah Code Annotated 1953

3. *Page 26, Lines 775 through 797:*

- 775 { ~~Section 4. Section 32B-5-207 is enacted to read:~~

Bill Number



SB0167

Action Class



S

Action Code



SCRAMD

776 — ~~32B-5-207. Multiple retail licenses at same building:~~
777 — ~~(1) (a) On or after the effective date of this bill, the commission may not issue to a~~
778 ~~retail licensee more than one type of retail license for the same building unless the commission~~
779 ~~determines that:~~
780 — ~~(i) (A) the licensed premises for each retail license is in a separate room within the~~
781 ~~building; and~~
782 — ~~(B) the requirements for each retail license are met; or~~
783 — ~~(ii) (A) the different retail licenses are operational at different days or hours;~~
784 — ~~(B) the retail licensee posts a notice that is conspicuous and states the days and hours~~
785 ~~for each retail license that operates on the premises; and~~
786 — ~~(C) the requirements for each retail license are met.~~
787 — ~~(b) The commission may define "separate room" by rule made in accordance with Title~~
788 ~~63G, Chapter 3, Utah Administrative Rulemaking Act.~~
789 — ~~(2) (a) Notwithstanding Subsection (1), if on the effective date of this bill a retail~~
790 ~~licensee has more than one type of retail license within a building in a manner that violates~~
791 ~~Subsection (1), the retail licensee may operate under the different types of retail licenses until~~
792 ~~January 1, 2015.~~
793 — ~~(b) By no later than January 1, 2015, the retail licensee shall:~~
794 — ~~(i) choose which retail license the retail licensee wants to retain, subject to being~~
795 ~~qualified to continue to hold the retail license; and~~
796 — ~~(ii) let expire or return to the commission a retail license that the retail licensee has~~
797 ~~chosen not to retain. }~~

4. Page 26, Line 800 through Page 27, Line 807:

800 (1) (a) The commission may issue a master full-service restaurant license that
801 authorizes a person to store, sell, offer for sale, furnish, or allow the consumption of an
802 alcoholic product on premises at multiple locations as full-service restaurants if the person
803 applying for the master full-service restaurant license:
804 (i) owns each of the full-service restaurants; {and}
805 (ii) except for the fee requirements, establishes to the satisfaction of the commission
806 that each location of a full-service restaurant under the master full-service restaurant
license

Bill Number



SB0167

Action Class



S

Action Code



SCRAMD

807 separately meets the requirements of this part {~~-.}~~ ; and
(iii) the master full-service restaurant license includes at least five full-service
restaurant locations.

5. *Page 29, Lines 866 through 873:*

866 (1) (a) The commission may issue a master limited-service restaurant license that
867 authorizes a person to store, sell, offer for sale, furnish, or allow the consumption of an
868 alcoholic product on premises at multiple locations as limited-service restaurants if the
person

869 applying for the master limited-service restaurant license:

870 (i) owns each of the limited-service restaurants; {~~and~~}

871 (ii) except for the fee requirements, establishes to the satisfaction of the commission
872 that each location of a limited-service restaurant under the master limited-service
restaurant

873 license separately meets the requirements of this part {~~-.}~~ ; and
(iii) the master limited-service restaurant includes at least five limited-service
restaurant locations.

Respectfully,

Curtis S. Bramble
Committee Chair

Voting: 7-0-0

3 SB0167.SC1.WPD bhowe/BRH PO/BRH 2/8/13 9:11 am

Bill Number



SB0167

Action Class



S

Action Code



SCRAMD