

1113 This chapter is known as the "Hotel License Act."

1114 Section 9. Section **32B-8b-102** is enacted to read:

1115 **32B-8b-102. Definitions.**

1116 As used in this chapter:

1117 (1) "Boundary of a hotel" means the physical boundary of the contiguous parcels of
 1118 real estate owned by the same person on which is located one or more buildings and any
 1119 structure or improvement to that real estate as determined by the commission.

1120 (2) "Hotel" means one or more buildings that:

1121 (a) constitute a hotel, as defined by the commission;

1122 (b) are owned by the same person or by a person who has a majority interest in and can
 1123 direct or exercise control over the management or policy of the person who owns any other
 1124 building under the hotel license within the boundary of the hotel;

1125 (c) primarily operate to provide lodging accommodations;

1126 (d) provide room service within the boundary of the hotel meeting the requirements of
 1127 this title;

1128 (e) have on-premise banquet space and provide ~~§~~→ on-premise banquet ←~~§~~ service
 1128a within the boundary of the hotel
 1129 meeting the requirements of this title;

1130 (f) have a restaurant or club within the boundary of the hotel meeting the requirements
 1131 of this title; and

1132 (g) have at least 40 guest rooms.

1133 (3) "Provisions applicable to a sublicense" means:

1134 (a) for a full-service restaurant sublicense, Chapter 6, Part 2, Full-Service Restaurant
 1135 License;

1136 (b) for a limited-service restaurant sublicense, Chapter 6, Part 3, Limited-Service
 1137 Restaurant License;

1138 (c) for a club sublicense, Chapter 6, Part 4, Club License;

1139 (d) for an on-premise banquet sublicense, Chapter 6, Part 6, On-Premise Banquet
 1140 License;

1141 (e) for an on-premise beer retailer sublicense, Chapter 6, Part 7, On-Premise Beer
 1142 Retailer License; and

1143 (f) for a beer-only restaurant sublicense, Chapter 6, Part 9, Beer-Only Restaurant

1175 (d) The commission may not issue a sublicense that is separate from a hotel license.

1176 (3) (a) The commission may not issue a total number of hotel licenses that at any time
1177 totals more than 80.

1178 (b) Subject to Subsection (3)(c), when determining the total number of licenses the
1179 commission has issued for each type of retail license, the commission may not include a
1180 sublicense as one of the retail licenses issued under the provisions applicable to the sublicense.

1181 (c) If a hotel license issued under this chapter includes a club sublicense that before the
1182 issuance of the hotel license was a club license, the commission shall include the club
1183 sublicense as one of the club licenses in determining if the total number of licenses issued
1184 under the provisions applicable to the club license exceeds the number calculated by dividing
1185 the population of the state by the number specified in the provisions applicable to the club
1186 license.

1186a **§→ (d) A person may not transfer a club license under Chapter 8a, Transfer of Retail**
1186b **License Act, in a manner that circumvents the limitations of Subsection (3)(c). ←§**

1187 Section 11. Section **32B-8b-202** is enacted to read:

1188 **32B-8b-202. Specific licensing requirements for hotel license.**

1189 (1) To obtain a hotel license, in addition to complying with Chapter 5, Part 2, Retail
1190 Licensing Process, a person shall submit with the written application:

1191 (a) the current business license for each sublicense, if the business license is separate
1192 from the person's business license;

1193 (b) evidence:

1194 (i) of proximity of each building under the hotel license to any community location,
1195 with proximity requirements being governed by Section [32B-1-202](#);

1196 (ii) that each of the three or more sublicense premises is entirely within the boundary of
1197 the hotel; and

1198 (iii) that a building designated in the application as a building under the hotel license
1199 qualifies to be under the hotel license;

1200 (c) a description and boundary map of the hotel;

1201 (d) a description, floor plan, and boundary map of each sublicense premises
1202 designating:

1203 (i) any location at which the person proposes that an alcoholic product be stored; and

1204 (ii) a designated location on the sublicense premises from which the person proposes
1205 that an alcoholic product be sold, furnished, or consumed;