

**Senator Daniel Hemmert** proposes the following substitute bill:

**ALCOHOLIC BEVERAGE CONTROL FUNDING AMENDMENTS**

2018 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: R. Curt Webb**

Senate Sponsor: Daniel Hemmert

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**LONG TITLE**

**General Description:**

This bill modifies provisions related to funding for the Underage Drinking Prevention Media and Education Campaign.

**Highlighted Provisions:**

This bill:

- ▶ provides that each year the Department of Alcoholic Beverage Control shall deposit \$2,500,000 from the markup on alcohol into the Underage Drinking Prevention Media and Education Campaign Restricted Account; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill provides a special effective date.

This bill provides a coordination clause.

**Utah Code Sections Affected:**

AMENDS:

**32B-2-306**, as last amended by Laws of Utah 2017, Chapter 163

**Utah Code Sections Affected by Coordination Clause:**



26 **32B-2-306**, as last amended by Laws of Utah 2017, Chapter 163

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

29 Section 1. Section **32B-2-306** is amended to read:

30 **32B-2-306. Underage drinking prevention media and education campaign.**

31 (1) As used in this section:

32 (a) "Advisory council" means the Utah Substance Use and Mental Health Advisory  
33 Council created in Section **63M-7-301**.

34 (b) "Restricted account" means the Underage Drinking Prevention Media and  
35 Education Campaign Restricted Account created in this section.

36 (2) (a) There is created a restricted account within the General Fund known as the  
37 "Underage Drinking Prevention Media and Education Campaign Restricted Account."

38 (b) The restricted account consists of:

39 (i) deposits made under Subsection (3); and

40 (ii) interest earned on the restricted account.

41 (c) The department shall use the money in the restricted account for the activities  
42 described in Subsection (5).

43 ~~[(3) The department shall deposit 0.6% of the total gross revenue from sales of liquor~~  
44 ~~with the state treasurer, as determined by the total gross revenue collected for the fiscal year~~  
45 ~~two years preceding the fiscal year for which the deposit is made, to be credited to the~~  
46 ~~restricted account and to be used by the department as provided in Subsection (5).]~~

47 (3) Before the department remits any portion of the markup collected under Section  
48 **32B-2-304** to the State Tax Commission, the department shall deposit \$2,500,000 into the  
49 restricted account.

50 (4) The advisory council shall:

51 (a) provide ongoing oversight of a media and education campaign funded under this  
52 section;

53 (b) create an underage drinking prevention workgroup consistent with guidelines  
54 proposed by the advisory council related to the membership and duties of the underage  
55 drinking prevention workgroup;

56 (c) create guidelines for how money appropriated for a media and education campaign

57 can be used;

58 (d) include in the guidelines established pursuant to this Subsection (4) that a media  
59 and education campaign funded under this section is carefully researched and developed, and  
60 appropriate for target groups; and

61 (e) approve plans submitted by the department in accordance with Subsection (5).

62 (5) (a) Subject to appropriation from the Legislature, the department shall expend  
63 money from the restricted account to direct and fund one or more media and education  
64 campaigns designed to reduce underage drinking in cooperation with the advisory council.

65 (b) The department shall:

66 (i) in cooperation with the underage drinking prevention workgroup created under  
67 Subsection (4), prepare and submit a plan to the advisory council detailing the intended use of  
68 the money appropriated under this section;

69 (ii) upon approval of the plan by the advisory council, conduct the media and education  
70 campaign in accordance with the guidelines made by the advisory council; and

71 (iii) submit to the advisory council annually by no later than October 1, a written report  
72 detailing the use of the money for the media and education campaigns conducted under this  
73 Subsection (5) and the impact and results of the use of the money during the prior fiscal year  
74 ending June 30.

75 Section 2. **Effective date.**

76 This bill takes effect on July 1, 2018.

77 Section 3. **Coordinating H.B. 465 with H.B. 149 -- Substantive and technical**  
78 **amendments.**

79 If this H.B. 465 and H.B. 149, Department of Alcoholic Beverage Control Funding  
80 Amendments, both pass and become law, it is the intent of the Legislative that the Office of  
81 Legislative Research and General Counsel shall prepare the Utah Code database for publication  
82 by amending Subsection 32B-2-306(3) to read:

83 "(3) Each year the Division of Finance shall deposit \$2,500,000 from the markup  
84 collected under Section 32B-2-304 into the restricted account."