

1 **ALCOHOL WORK REQUIREMENT AMENDMENTS**

2 2019 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Walt Brooks**

5 Senate Sponsor: Don L. Ipson

6

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies provisions of the Alcoholic Beverage Control Act related to
10 employment and licensure requirements.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ establishes a period of time for which certain criminal convictions disqualify an
14 individual from obtaining employment ~~§~~ ~~[or licensure]~~ ~~←~~ with the Department of
15 Alcoholic Beverage Control ~~§~~ or a license under the Alcoholic Beverage Control Act ~~←~~ § ;
15a and

16 ▶ makes technical and conforming changes.

17 **Money Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 AMENDS:

23 **32B-1-303**, as enacted by Laws of Utah 2010, Chapter 276

24 **32B-1-304**, as enacted by Laws of Utah 2010, Chapter 276

25 **32B-1-306**, as last amended by Laws of Utah 2011, Chapter 307

26 **32B-1-307**, as last amended by Laws of Utah 2015, Chapter 351

27 **32B-8-501**, as enacted by Laws of Utah 2010, Chapter 276



59 (b); or

60 (b) (i) is arrested on a charge for the offense of driving under the influence of alcohol,
61 drugs, or the combined influence of alcohol and drugs; and

62 (ii) was convicted of driving under the influence of alcohol, drugs, or the combined
63 influence of alcohol and drugs within five years before the day on which the person is arrested
64 on a charge described in Subsection (3)(b)(i).

65 Section 2. Section **32B-1-304** is amended to read:

66 **32B-1-304. Qualifications for a package agency, license, or permit -- Minors.**

67 (1) (a) The commission may not issue a package agency, license, or permit to a person
68 who has been convicted of:

69 (i) within seven years before the day on which the ~~§~~→ [department] commission ←~~§~~
69a issues the package

70 agency, license, or permit, a felony under a federal law or state law;

71 (ii) within four years before the day on which the ~~§~~→ [department] commission ←~~§~~ issues
71a the package

72 agency, license, or permit:

73 [(iv)] (A) a violation of a federal law, state law, or local ordinance concerning the sale,
74 offer for sale, warehousing, manufacture, distribution, transportation, or adulteration of an
75 alcoholic product; or

76 [(iii)] (B) a crime involving moral turpitude; or

77 [(iv)] (iii) on two or more occasions within the five years before the day on which the
78 package agency, license, or permit is issued, driving under the influence of alcohol, drugs, or
79 the combined influence of alcohol and drugs.

80 (b) If the person is a partnership, corporation, or limited liability company, the
81 proscription under Subsection (1)(a) applies if any of the following has been convicted of an
82 offense described in Subsection (1)(a):

83 (i) a partner;

84 (ii) a managing agent;

85 (iii) a manager;

86 (iv) an officer;

87 (v) a director;

88 (vi) a stockholder who holds at least 20% of the total issued and outstanding stock of
89 the corporation; or