

**Representative Brad M. Daw** proposes the following substitute bill:

**BEER AMENDMENTS**

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jerry W. Stevenson**

House Sponsor: John Knotwell

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**LONG TITLE**

**General Description:**

This bill creates the Beer Availability Task Force.

**Highlighted Provisions:**

This bill:

- ▶ creates the Beer Availability Task Force to study and make recommendations regarding the availability and distribution of beer in the state;
- ▶ grants the Department of Alcoholic Beverage Control authority to audit certain licensee records related to the task force's study items;
- ▶ requires the task force to report its findings, including any recommended legislation, to the Legislative Management Committee and the Business and Labor Interim Committee; and
- ▶ provides a repeal date for the Beer Availability Task Force.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill provides a special effective date.

**Utah Code Sections Affected:**

AMENDS:



26 [63I-1-236](#), as last amended by Laws of Utah 2018, Chapters 33, 170, and 342

27 ENACTS:

28 [36-29-106](#), Utah Code Annotated 1953

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

31 Section 1. Section [36-29-106](#) is enacted to read:

32 **[36-29-106. Beer Availability Task Force.](#)**

33 (1) As used in this section:

34 (a) "Beer" means the same as that term is defined in Section [32B-1-102](#).

35 (b) "Task force" means the Beer Availability Task Force created in this section.

36 (2) There is created the Beer Availability Task Force consisting of the following 13  
37 members:

38 (a) two members of the Senate appointed by the president of the Senate;

39 (b) two members of the House of Representatives appointed by the speaker of the  
40 House of Representatives;

41 (c) the executive director of the Department of Alcoholic Beverage Control or the  
42 executive director's designee;

43 (d) the state prevention program administrator within the Division of Substance Abuse  
44 and Mental Health created in Section [62A-15-103](#);

45 (e) a representative of the Underage Drinking Prevention Workgroup of the Utah  
46 Substance Use and Mental Health Advisory Council created in Section [63M-7-301](#); and

47 (f) six members as follows, appointed jointly by the president of the Senate and the  
48 speaker of the House of Representatives:

49 (i) an individual who represents local beer distributors;

50 (ii) an individual who represents local and small beer manufacturers;

51 (iii) an individual who represents retail merchants in the state;

52 (iv) an individual who represents the alcohol addiction treatment community;

53 (v) an individual who represents a drunk driving victims advocacy group in the state;

54 and

55 (vi) a community member.

56 (3) (a) The president of the Senate shall designate a member of the Senate appointed

57 under Subsection (2)(a) as a cochair of the task force.

58 (b) The speaker of the House of Representatives shall designate a member of the House  
59 of Representatives appointed under Subsection (2)(b) as a cochair of the task force.

60 (4) (a) A majority of the members of the task force constitutes a quorum.

61 (b) The action of a majority of a quorum constitutes an action of the task force.

62 (5) (a) Salaries and expenses of the members of the task force who are legislators shall  
63 be paid in accordance with Section [36-2-2](#) and Legislative Joint Rules, Title 5, Chapter 3,  
64 Legislator Compensation.

65 (b) A member of the task force who is not a legislator:

66 (i) may not receive compensation for the member's work associated with the task force;

67 and

68 (ii) may receive per diem and reimbursement for travel expenses incurred as a member  
69 of the task force at the rates established by the Division of Finance under Sections [63A-3-106](#)  
70 and [63A-3-107](#).

71 (6) The Office of Legislative Research and General Counsel shall provide staff support  
72 to the task force.

73 (7) The task force shall study and make recommendations on the following issues  
74 related to the allowable alcohol content of beer:

75 (a) whether current law substantially impacts the availability of beer:

76 (i) in the state as a whole; and

77 (ii) in rural areas within the state;

78 (b) the fiscal impact of changing the allowable alcohol content of beer, including tax  
79 revenue and the impact on local jobs and industry;

80 (c) whether changes to beer distributor competition in the state could impact beer  
81 availability;

82 (d) the relationship between changing the allowable alcohol content of beer and its  
83 availability and price, and its impact on societal costs and harms, including impaired driving,  
84 underage drinking, and alcohol addiction; and

85 (e) beer retail practices, including offering discount prices.

86 (8) The department may audit the records of any beer wholesaling licensee, brewery  
87 manufacturing licensee, off-premise beer retailer licensee, or retail licensee as defined in

88 Section 32B-1-102 to verify the accuracy of any data related to an issue described in  
89 Subsection (7).

90 (9) On or before November 30, 2019, the task force shall provide a report on the task  
91 force's study under Subsection (7), including any proposed legislation, to:

92 (a) the Legislative Management Committee; and

93 (b) the Business and Labor Interim Committee.

94 Section 2. Section **63I-1-236** is amended to read:

95 **63I-1-236. Repeal dates, Title 36.**

96 (1) Section 36-12-20 is repealed June 30, 2023.

97 (2) Section 36-29-106 is repealed June 1, 2020.

98 [~~2~~] (3) Title 36, Chapter 31, Martha Hughes Cannon Capitol Statue Oversight  
99 Committee, is repealed January 1, 2021.

100 Section 3. **Effective date.**

101 This bill takes effect on July 1, 2019.