

398 [~~(47)~~] (48) "Hard cider" means the same as that term is defined in 26 U.S.C. Sec. 5041.

399 [~~(48)~~] (49) "Health care practitioner" means:

400 (a) a podiatrist licensed under Title 58, Chapter 5a, Podiatric Physician Licensing Act;

401 (b) an optometrist licensed under Title 58, Chapter 16a, Utah Optometry Practice Act;

402 (c) a pharmacist licensed under Title 58, Chapter 17b, Pharmacy Practice Act;

403 (d) a physical therapist licensed under Title 58, Chapter 24b, Physical Therapy Practice

404 Act;

405 (e) a nurse or advanced practice registered nurse licensed under Title 58, Chapter 31b,

406 Nurse Practice Act;

407 (f) a recreational therapist licensed under Title 58, Chapter 40, Recreational Therapy

408 Practice Act;

409 (g) an occupational therapist licensed under Title 58, Chapter 42a, Occupational

410 Therapy Practice Act;

411 (h) a nurse midwife licensed under Title 58, Chapter 44a, Nurse Midwife Practice Act;

412 (i) a mental health professional licensed under Title 58, Chapter 60, Mental Health

413 Professional Practice Act;

414 (j) a physician licensed under Title 58, Chapter 67, Utah Medical Practice Act;

415 (k) an osteopath licensed under Title 58, Chapter 68, Utah Osteopathic Medical

416 Practice Act;

417 (l) a dentist or dental hygienist licensed under Title 58, Chapter 69, Dentist and Dental

418 Hygienist Practice Act; and

419 (m) a physician assistant licensed under Title 58, Chapter 70a, Utah Physician

420 Assistant Act.

421 [~~(49)~~] (50) (a) "Heavy beer" means a product that:

422 (i) contains more than 5% alcohol by volume; and

423 (ii) is obtained by fermentation, infusion, or decoction of malted grain.

424 (b) "Heavy beer" is considered liquor for the purposes of this title.

425 (51) "Hospitality amenity license" means a license issued in accordance with Chapter ~~§~~→

425a [§] ←~~§~~

426 5, Retail License Act, and Chapter 6, Part 10, Hospitality Amenity License.

427 [~~(50)~~] (52) "Hotel" means a commercial lodging establishment that:

428 (a) offers at least [~~30~~] 40 rooms as temporary sleeping accommodations for

- 646 (B) has a picture affixed; and
- 647 (C) is issued:
- 648 (I) under Title 53, Chapter 3, Uniform Driver License Act; or
- 649 (II) in accordance with the laws of the state in which it is issued;
- 650 (iv) a military identification card that:
- 651 (A) includes date of birth; and
- 652 (B) has a picture affixed; or
- 653 (v) a valid passport.
- 654 (b) "Proof of age" does not include a driving privilege card issued in accordance with
- 655 Section [53-3-207](#).

- 656 (95) "Provisions applicable to a sublicense" means:
- 657 (a) for a full-service restaurant sublicense, the provisions applicable to a full-service
- 658 restaurant license under Chapter 6, Part 2, Full-Service Restaurant License;
- 659 (b) for a limited-service restaurant sublicense, the provisions applicable to a
- 660 limited-service restaurant license under Chapter 6, Part 3, Limited-Service Restaurant License;
- 661 (c) for a bar establishment sublicense, the provisions applicable to a bar establishment
- 662 license under Chapter 6, Part 4, Bar Establishment License;
- 663 (d) for an on-premise banquet sublicense, the provisions applicable to an on-premise
- 664 banquet license under Chapter 6, Part 6, On-Premise Banquet License;
- 665 (e) for an on-premise beer retailer sublicense, the provisions applicable to an
- 666 on-premise beer retailer license under Chapter 6, Part 7, On-Premise Beer Retailer license;
- 667 (f) for a beer-only restaurant sublicense, the provisions applicable to a beer-only
- 668 restaurant license under Chapter 6, Part 9, Beer-Only Restaurant License;
- 669 (g) for a hospitality amenity license, the provisions applicable to a hospitality amenity
- 670 license under Chapter 6, Part 10, Hospitality Amenity ~~§~~ → [Sublicense] License ← ~~§~~ ; and
- 671 (h) for a resort spa sublicense, the provisions applicable to the sublicense under
- 672 Chapter 8d, Part 2, Resort Spa ~~§~~ → [License] Sublicense ← ~~§~~ .

- 673 ~~[(91)]~~ (96) (a) "Public building" means a building or permanent structure that is:
- 674 (i) owned or leased by:
- 675 (A) the state; or
- 676 (B) a local government entity; and

1328 font style than the text described in Subsections (3)(b)(iv) and (v).

1329 (ii) The warning statements in the sign described in Subsection (3)(b) shall be in the
1330 same font size.

1331 (d) The Department of Health shall work with the commission and department to
1332 facilitate consistency in the format of a sign required under this section.

1333 (4) A package agency may not display liquor or a price list in a window or showcase
1334 that is visible to passersby.

1335 (5) (a) A package agency may not purchase liquor from a person except from the
1336 department.

1337 (b) At the discretion of the department, the department may provide liquor [~~may be~~
1338 ~~provided by the department~~] to a package agency for sale on consignment.

1339 (6) A package agency may not store, sell, offer for sale, or furnish liquor in a place
1340 other than as designated in the package agent's application, unless the package agent first
1341 applies for and receives approval from the department for a change of location within the
1342 package agency premises.

1343 (7) (a) [~~A~~] Except as provided in Subsection (7)(b), a package agency may not sell,
1344 offer for sale, or furnish liquor except at a price fixed by the commission.

1345 (b) A package agency may provide as room service one alcoholic product free of
1346 charge per guest reservation, per guest room, if ~~S~~ → [z] : ← ~~S~~

1347 (i) the package agency is the type of package agency that authorizes the package
1348 agency to sell, offer for sale, or furnish an alcoholic product as part of room service;

1349 (ii) staff of the package agency provides the alcoholic product:

1350 (A) in person; and

1351 (B) only to an adult guest in the guest room;

1352 (iii) staff of the package agency does not leave the alcoholic product outside a guest
1353 room for retrieval by a guest; and

1354 (iv) the alcoholic product:

1355 (A) is not a spirituous liquor; and

1356 (B) is in an unopened container not to exceed 750 milliliters.

1357 (8) A package agency may not sell, offer for sale, or furnish liquor to:

1358 (a) a minor;

- 2630 ~~[(6)]~~ (vi) a golf driving range;
- 2631 ~~[(7)]~~ (vii) a tennis club;
- 2632 ~~[(8)]~~ (viii) a sports facility that hosts professional sporting events and has a seating
2633 capacity equal to or greater than 6,500;
- 2634 ~~[(9)]~~ (ix) a concert venue that has a seating capacity equal to or greater than 6,500;
- 2635 ~~[(10)]~~ (x) one of the following if owned by a government agency:
- 2636 ~~[(a)]~~ (A) a convention center;
- 2637 ~~[(b)]~~ (B) a fair facility;
- 2638 ~~[(c)]~~ (C) an equestrian park;
- 2639 ~~[(d)]~~ (D) a theater; or
- 2640 ~~[(e)]~~ (E) a concert venue;
- 2641 ~~[(11)]~~ (xi) an amusement park:
- 2642 ~~[(a)]~~ (A) with one or more permanent amusement rides; and
- 2643 ~~[(b)]~~ (B) located on at least 50 acres;
- 2644 ~~[(12)]~~ (xii) a ski resort;
- 2645 ~~[(13)]~~ (xiii) a venue for live entertainment if the venue:
- 2646 ~~[(a)]~~ (A) is not regularly open for more than five hours on any day;
- 2647 ~~[(b)]~~ (B) is operated so that food is available whenever beer is sold, offered for sale, or
2648 furnished at the venue; and
- 2649 ~~[(c)]~~ (C) is operated so that no more than 15% of its total annual receipts are from the
2650 sale of beer; ~~[(or)]~~
- 2651 ~~[(14)]~~ (xiv) concessions operated within the boundary of a park administered by the:
- 2652 ~~[(a)]~~ (A) Division of Parks and Recreation; or
- 2653 ~~[(b)]~~ (B) National Parks Service~~[-]~~;
- 2654 (xv) a facility or venue that is a recreational amenity for a person licensed under this
2655 part before May 12, 2020;
- 2656 (xvi) a venue for karaoke; or
- 2657 (xvii) an enterprise developed around a commission-approved activity.
- 2658 (b) "Recreational amenity" does not include an item described in Subsection ~~§~~→ [(3)]
- 2658a (2) ←~~§~~ (a), if
2659 the item is tangential to an enterprise or activity that is not included in Subsection ~~§~~→ [(3)] (2) ←~~§~~
2659a (a).
- 2660 Section 28. Section **32B-6-803** is amended to read:

2878 product that is not spirituous liquor in or on:

2879 (A) licensed premises physically separated from an area to which a hospitality guest or
2880 the public has access by a permanent or temporary structure or barrier; or

2881 (B) licensed premises described in Subsection (2)(b)(ii).

2882 (ii) A hospitality amenity licensee may sell, offer for sale, or furnish spirituous liquor
2883 in or on licensed premises that:

2884 (A) allows access only through the use of a key or code; and

2885 (B) fills the entirety of a physically and permanently enclosed area within the hotel or
2886 resort.

2887 (c) Spirituous liquor may not be in or on the licensed premises described in Subsection
2888 (2)(b)(i)(A) of a hospitality amenity licensee, except for use:

2889 (i) as a flavoring on a dessert; and

2890 (ii) in the preparation of a flaming food dish or dessert.

2891 (d) ~~§~~ → [a] A ← ~~§~~ hospitality amenity licensee may not allow self-service of an alcoholic
2891a product in

2892 or on the hospitality amenity licensee's licensed premises.

2893 (3) (a) Subject to Subsections (3)(b) and (c), a hospitality guest may not have more
2894 than two alcoholic products of any kind at a time before the hospitality guest.

2895 (b) A hospitality guest may not have more than one spirituous liquor drink at a time
2896 before the hospitality guest.

2897 (c) An individual portion of wine is considered to be one alcoholic product under
2898 Subsection (3)(a).

2899 (4) A hospitality amenity licensee shall make food available at all times that the
2900 licensee sells, offers for sale, furnishes, or allows the consumption of an alcoholic product on
2901 the licensed premises.

2902 (5) (a) A hospitality amenity licensee may not sell, offer for sale, or furnish an
2903 alcoholic product any day during a period that:

2904 (i) begins at 1:00 a.m.; and

2905 (ii) ends at 9:59 a.m.

2906 (b) A hospitality amenity licensee shall remain open for one hour after the licensee
2907 ceases to sell and furnish an alcoholic product, during which time a hospitality guest in or on
2908 the hospitality amenity licensed premises may finish consuming:

- 2909 (i) a single drink containing spirituous liquor;
 2910 (ii) a single serving of wine not exceeding five ounces;
 2911 (iii) a single serving of heavy beer;
 2912 (iv) a single serving of beer not exceeding 26 ounces; or
 2913 (v) a single serving of a flavored malt beverage.
 2914 (c) A hospitality amenity licensee is not required to remain open:
 2915 (i) after all individuals have vacated the licensee's licensed premises; or
 2916 (ii) during an emergency.
 2917 (6) (a) Notwithstanding Section [32B-5-305](#), a hospitality amenity licensee may provide
 2918 a hospitality guest up to two single servings of an alcoholic product free of charge or at a
 2919 reduced rate, if:
 2920 (i) the alcoholic product is not a spirituous liquor; and
 2921 (ii) the hospitality amenity licensee offers the alcohol product:
 2922 (A) to all hospitality guests ~~§~~ → [:] ; ← ~~§~~
 2923 (B) during a specific time; and
 2924 (C) on the hospitality amenity licensee's licensed premises.
 2925 (b) Before a hospitality amenity licensee provides an alcoholic product free of charge
 2926 or at a reduced rate as described in Subsection (6)(a), the licensee shall provide the department
 2927 with advance notice of the event, in accordance with commission rules that permit a licensee to
 2928 provide a single notice for a reoccurring event or multiple events.
 2929 (7) A hospitality amenity licensee may permit a hospitality guest to purchase an
 2929a ~~§~~ → [~~alcohol~~] alcoholic ← ~~§~~
 2930 product through a charge to the hospitality guest's lodging accommodations.
 2931 (8) (a) A hospitality guest, or a person other than the hospitality amenity licensee or
 2932 staff of the hospitality amenity licensee, may not remove an alcoholic product from the
 2933 hospitality amenity licensee's licensed premises.
 2934 (b) Notwithstanding ~~§~~ → [Section] Subsection ← ~~§~~ [32B-5-307\(3\)](#), a hospitality guest may
 2934a not bring an
 2935 alcoholic product within the hospitality amenity licensee's licensed premises.
 2936 (9) A hospitality amenity licensee shall display at each entrance to the licensee's
 2937 licensed premises a conspicuous sign that:
 2938 (a) measures at least 8-1/2 inches long and 11 inches wide; and
 2939 (b) clearly states that entry is limited to individuals who are hospitality guests, as