

- 26 "Alcoholic Beverage Services Advisory Board";
- 27 ▶ amends provisions related to the late renewal of a license;
- 28 ▶ amends provisions regarding the liquor control fund;
- 29 ▶ amends provisions regarding the calculation of manufacturer production for school
- 30 lunch program markup purposes;
- 31 ▶ requires a package agency to submit any information the commission or department
- 32 may require for the renewal of a package agency agreement;
- 33 ▶ permits a package agency located at a manufacturing facility to, under certain
- 34 conditions, remain open on a Sunday or on a state or federal holiday;
- 35 ▶ amends a provision related to the furnishing of alcohol to a minor;
- 36 ▶ amends the application requirements for a retail license;
- 37 ▶ amends the requirements for a conditional retail license;
- 38 ▶ prohibits the commission from including certain sublicenses in the total number of
- 39 licenses the commission has issued for each type of retail license;
- 40 ▶ permits various retail licensees to sell beer for off-premise consumption under
- 41 certain conditions;
- 42 ▶ makes references to the department's auditing of a retail licensee's records
- 43 consistent;
- 44 ▶ amends provisions regarding a retail licensee's ceasing of operations ~~H~~→ [and makes the
- 45 ~~amendment retroactive to March 12, 2020]~~ ←~~H~~ ;
- 46 ▶ permits a management agreement under certain conditions;
- 47 ▶ prohibits an off-premise beer retailer from:
- 48 • engaging in or permitting on the licensed premises gambling or fringe gambling;
- 49 • having certain devices or games on the licensed premises; or
- 50 • knowingly allowing certain drug-related activities on the licensed premises;
- 51 ▶ amends provisions regarding the tracking of enforcement actions to remove
- 52 references to and requirements related to a repealed section of statute;
- 53 ▶ amends the total number of resort licenses permitted at a time in the state to eight;
- 54 ▶ permits a hotel licensee or person applying for a hotel license to obtain a spa
- 55 sublicense;
- 56 ▶ amends the number of 72-hour single event permits the director may issue in a

- 2413 (c) the date on which the retail licensee will reopen or resume operation.
- 2414 (6) Failure of a retail licensee to provide notice and to obtain department approval
- 2415 before closure or cessation of operation results in an automatic forfeiture of:
- 2416 (a) the retail license; and
- 2417 (b) the unused portion of the retail license fee for the remainder of the retail license
- 2418 year effective immediately.
- 2419 (7) Failure of a retail licensee to reopen or resume operation by the approved date
- 2420 results in an automatic forfeiture of:
- 2421 (a) the retail license; and
- 2422 (b) the unused portion of the retail license fee for the remainder of the retail license
- 2423 year.
- 2424 (8) This section does not apply to:
- 2425 (a) an on-premise beer retailer who is not a tavern; [~~or~~]
- 2426 (b) an airport lounge licensee; or
- 2427 (c) a hospitality amenity licensee.
- 2428 (9) ~~H→ [(a)] ←H~~ For purposes of this section, the department may not base a determination
- 2428a that a
- 2429 retail licensee has ceased operation solely upon the retail licensee's lack of sales.
- 2430 ~~H→ [(b) Subsection (9)(a) has retroactive application to March 12, 2020.] ←H~~
- 2431 Section 30. Section **32B-6-205** is amended to read:
- 2432 **32B-6-205. Specific operational requirements for a full-service restaurant license**
- 2433 **-- Before July 1, 2018, or July 1, 2022.**
- 2434 (1) (a) In addition to complying with Chapter 5, Part 3, Retail Licensee Operational
- 2435 Requirements, a full-service restaurant licensee and staff of the full-service restaurant licensee
- 2436 shall comply with this section.
- 2437 (b) Failure to comply as provided in Subsection (1)(a) may result in disciplinary action
- 2438 in accordance with Chapter 3, Disciplinary Actions and Enforcement Act, against:
- 2439 (i) a full-service restaurant licensee;
- 2440 (ii) individual staff of a full-service restaurant licensee; or
- 2441 (iii) both a full-service restaurant licensee and staff of the full-service restaurant
- 2442 licensee.
- 2443 (2) In addition to complying with Subsection 32B-5-301(3), a full-service restaurant