

Representative Ken Ivory proposes the following substitute bill:

ALCOHOL CONTROL AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ken Ivory

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Alcoholic Beverage Control Act and related provisions.

Highlighted Provisions:

This bill:

- ▶ modifies definitions;
- ▶ provides a penalty for altering, destroying, or concealing certain records that are relevant to an official proceeding under the Alcoholic Beverage Control Act;
- ▶ requires certain licensees under the Alcoholic Beverage Control Act to, after receiving notice of a certain civil or criminal action, retain records relevant to the action;
- ▶ modifies causation requirements under the Alcoholic Product Liability Act;
- ▶ creates a rebuttable presumption that a person is a cause of an individual's intoxication under certain circumstances;
- ▶ requires the Department of Public Safety to conduct a study regarding service of alcohol to an intoxicated or interdicted patron;
- ▶ includes a sunset date; and
- ▶ makes technical changes.

Money Appropriated in this Bill:



26 None

27 **Other Special Clauses:**

28 None

29 **Utah Code Sections Affected:**

30 AMENDS:

31 **32B-1-102**, as last amended by Laws of Utah 2022, Chapter 447

32 **32B-4-505**, as last amended by Laws of Utah 2019, Chapter 189

33 **32B-5-202**, as last amended by Laws of Utah 2022, Chapter 447

34 **32B-5-302**, as enacted by Laws of Utah 2010, Chapter 276

35 **32B-6-205.2**, as last amended by Laws of Utah 2022, Chapter 447

36 **32B-6-305.2**, as last amended by Laws of Utah 2022, Chapter 447

37 **32B-6-406**, as last amended by Laws of Utah 2020, Chapter 219

38 **32B-6-605**, as last amended by Laws of Utah 2022, Chapter 447

39 **32B-6-706**, as last amended by Laws of Utah 2022, Chapter 447

40 **32B-6-905.1**, as last amended by Laws of Utah 2022, Chapter 447

41 **32B-6-1005**, as last amended by Laws of Utah 2022, Chapter 447

42 **32B-15-201**, as enacted by Laws of Utah 2010, Chapter 276

43 **63I-2-232**, as last amended by Laws of Utah 2021, Chapter 291

44 ENACTS:

45 **32B-15-102.5**, Utah Code Annotated 1953



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

48 Section 1. Section **32B-1-102** is amended to read:

49 **32B-1-102. Definitions.**

50 As used in this title:

51 (1) "Airport lounge" means a business location:

52 (a) at which an alcoholic product is sold at retail for consumption on the premises; and

53 (b) that is located at an international airport.

54 (2) "Airport lounge license" means a license issued in accordance with Chapter 5,

55 Retail License Act, and Chapter 6, Part 5, Airport Lounge License.

56 (3) "Alcoholic beverage" means the following:

- 57 (a) beer; or
- 58 (b) liquor.
- 59 (4) (a) "Alcoholic product" means a product that:
- 60 (i) contains at least .5% of alcohol by volume; and
- 61 (ii) is obtained by fermentation, infusion, decoction, brewing, distillation, or other
- 62 process that uses liquid or combinations of liquids, whether drinkable or not, to create alcohol
- 63 in an amount equal to or greater than .5% of alcohol by volume.
- 64 (b) "Alcoholic product" includes an alcoholic beverage.
- 65 (c) "Alcoholic product" does not include any of the following common items that
- 66 otherwise come within the definition of an alcoholic product:
- 67 (i) except as provided in Subsection (4)(d), an extract;
- 68 (ii) vinegar;
- 69 (iii) preserved nonintoxicating cider;
- 70 (iv) essence;
- 71 (v) tincture;
- 72 (vi) food preparation; or
- 73 (vii) an over-the-counter medicine.
- 74 (d) "Alcoholic product" includes an extract containing alcohol obtained by distillation
- 75 when it is used as a flavoring in the manufacturing of an alcoholic product.
- 76 (5) "Alcohol training and education seminar" means a seminar that is:
- 77 (a) required by Chapter 1, Part 7, Alcohol Training and Education Act; and
- 78 (b) described in Section [62A-15-401](#).
- 79 (6) "Arena" means an enclosed building:
- 80 (a) that is managed by:
- 81 (i) the same person who owns the enclosed building;
- 82 (ii) a person who has a majority interest in each person who owns or manages a space
- 83 in the enclosed building; or
- 84 (iii) a person who has authority to direct or exercise control over the management or
- 85 policy of each person who owns or manages a space in the enclosed building;
- 86 (b) that operates as a venue; and
- 87 (c) that has an occupancy capacity of at least 12,500.

88 (7) "Arena license" means a license issued in accordance with Chapter 5, Retail
89 License Act, and Chapter 8c, Arena License Act.

90 (8) "Banquet" means an event:

91 (a) that is a private event or a privately sponsored event;

92 (b) that is held at one or more designated locations approved by the commission in or
93 on the premises of:

94 (i) a hotel;

95 (ii) a resort facility;

96 (iii) a sports center;

97 (iv) a convention center;

98 (v) a performing arts facility; or

99 (vi) an arena;

100 (c) for which there is a contract:

101 (i) between a person operating a facility listed in Subsection (8)(b) and another person
102 that has common ownership of less than 20% with the person operating the facility; and

103 (ii) under which the person operating a facility listed in Subsection (8)(b) is required to
104 provide an alcoholic product at the event; and

105 (d) at which food and alcoholic products may be sold, offered for sale, or furnished.

106 (9) (a) "Bar establishment license" means a license issued in accordance with Chapter
107 5, Retail License Act, and Chapter 6, Part 4, Bar Establishment License.

108 (b) "Bar establishment license" includes:

109 (i) a dining club license;

110 (ii) an equity license;

111 (iii) a fraternal license; or

112 (iv) a bar license.

113 (10) "Bar license" means a license issued in accordance with Chapter 5, Retail License
114 Act, and Chapter 6, Part 4, Bar Establishment License.

115 (11) (a) "Beer" means a product that:

116 (i) contains:

117 (A) at least .5% of alcohol by volume; and

118 (B) no more than 5% of alcohol by volume or 4% by weight;

- 119 (ii) is obtained by fermentation, infusion, or decoction of:
- 120 (A) malt; or
- 121 (B) a malt substitute; and
- 122 (iii) is clearly marketed, labeled, and identified as:
- 123 (A) beer;
- 124 (B) ale;
- 125 (C) porter;
- 126 (D) stout;
- 127 (E) lager;
- 128 (F) a malt;
- 129 (G) a malted beverage; or
- 130 (H) seltzer.
- 131 (b) "Beer" may contain:
- 132 (i) hops extract; or
- 133 (ii) caffeine, if the caffeine is a natural constituent of an added ingredient.
- 134 (c) "Beer" does not include:
- 135 (i) a flavored malt beverage;
- 136 (ii) a product that contains alcohol derived from:
- 137 (A) spirituous liquor; or
- 138 (B) wine; or
- 139 (iii) a product that contains an additive masking or altering a physiological effect of
- 140 alcohol, including kratom, kava, cannabidiol, or natural or synthetic tetrahydrocannabinol.
- 141 (12) "Beer-only restaurant license" means a license issued in accordance with Chapter
- 142 5, Retail License Act, and Chapter 6, Part 9, Beer-Only Restaurant License.
- 143 (13) "Beer retailer" means a business that:
- 144 (a) is engaged, primarily or incidentally, in the retail sale of beer to a patron, whether
- 145 for consumption on or off the business premises; and
- 146 (b) is licensed as:
- 147 (i) an off-premise beer retailer, in accordance with Chapter 7, Part 2, Off-Premise Beer
- 148 Retailer Local Authority; or
- 149 (ii) an on-premise beer retailer, in accordance with Chapter 5, Retail License Act, and

150 Chapter 6, Part 7, On-Premise Beer Retailer License.

151 (14) "Beer wholesaling license" means a license:

152 (a) issued in accordance with Chapter 13, Beer Wholesaling License Act; and

153 (b) to import for sale, or sell beer in wholesale or jobbing quantities to one or more

154 retail licensees or off-premise beer retailers.

155 (15) "Billboard" means a public display used to advertise, including:

156 (a) a light device;

157 (b) a painting;

158 (c) a drawing;

159 (d) a poster;

160 (e) a sign;

161 (f) a signboard; or

162 (g) a scoreboard.

163 (16) "Brewer" means a person engaged in manufacturing:

164 (a) beer;

165 (b) heavy beer; or

166 (c) a flavored malt beverage.

167 (17) "Brewery manufacturing license" means a license issued in accordance with

168 Chapter 11, Part 5, Brewery Manufacturing License.

169 (18) "Certificate of approval" means a certificate of approval obtained from the

170 department under Section [32B-11-201](#).

171 (19) "Chartered bus" means a passenger bus, coach, or other motor vehicle provided by

172 a bus company to a group of persons pursuant to a common purpose:

173 (a) under a single contract;

174 (b) at a fixed charge in accordance with the bus company's tariff; and

175 (c) to give the group of persons the exclusive use of the passenger bus, coach, or other

176 motor vehicle, and a driver to travel together to one or more specified destinations.

177 (20) "Church" means a building:

178 (a) set apart for worship;

179 (b) in which religious services are held;

180 (c) with which clergy is associated; and

- 181 (d) that is tax exempt under the laws of this state.
- 182 (21) "Commission" means the Alcoholic Beverage Services Commission created in
- 183 Section [32B-2-201](#).
- 184 (22) "Commissioner" means a member of the commission.
- 185 (23) "Community location" means:
- 186 (a) a public or private school;
- 187 (b) a church;
- 188 (c) a public library;
- 189 (d) a public playground; or
- 190 (e) a public park.
- 191 (24) "Community location governing authority" means:
- 192 (a) the governing body of the community location; or
- 193 (b) if the commission does not know who is the governing body of a community
- 194 location, a person who appears to the commission to have been given on behalf of the
- 195 community location the authority to prohibit an activity at the community location.
- 196 (25) "Container" means a receptacle that contains an alcoholic product, including:
- 197 (a) a bottle;
- 198 (b) a vessel; or
- 199 (c) a similar item.
- 200 (26) "Controlled group of manufacturers" means as the commission defines by rule
- 201 made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- 202 (27) "Convention center" means a facility that is:
- 203 (a) in total at least 30,000 square feet; and
- 204 (b) otherwise defined as a "convention center" by the commission by rule.
- 205 (28) (a) "Counter" means a surface or structure in a dining area of a licensed premises
- 206 where seating is provided to a patron for service of food.
- 207 (b) "Counter" does not include a dispensing structure.
- 208 (29) "Crime involving moral turpitude" is as defined by the commission by rule.
- 209 (30) "Department" means the Department of Alcoholic Beverage Services created in
- 210 Section [32B-2-203](#).
- 211 (31) "Department compliance officer" means an individual who is:

- 212 (a) an auditor or inspector; and
- 213 (b) employed by the department.
- 214 (32) "Department sample" means liquor that is placed in the possession of the
- 215 department for testing, analysis, and sampling.
- 216 (33) "Dining club license" means a license issued in accordance with Chapter 5, Retail
- 217 License Act, and Chapter 6, Part 4, Bar Establishment License, that is designated by the
- 218 commission as a dining club license.
- 219 (34) "Director," unless the context requires otherwise, means the director of the
- 220 department.
- 221 (35) "Disciplinary proceeding" means an adjudicative proceeding permitted under this
- 222 title:
- 223 (a) against a person subject to administrative action; and
- 224 (b) that is brought on the basis of a violation of this title.
- 225 (36) (a) Subject to Subsection (36)(b), "dispense" means:
- 226 (i) drawing an alcoholic product; and
- 227 (ii) using the alcoholic product at the location from which it was drawn to mix or
- 228 prepare an alcoholic product to be furnished to a patron of the retail licensee.
- 229 (b) The definition of "dispense" in this Subsection (36) applies only to:
- 230 (i) a full-service restaurant license;
- 231 (ii) a limited-service restaurant license;
- 232 (iii) a reception center license;
- 233 (iv) a beer-only restaurant license;
- 234 (v) a bar license;
- 235 (vi) an on-premise beer retailer;
- 236 (vii) an airport lounge license;
- 237 (viii) an on-premise banquet license; and
- 238 (ix) a hospitality amenity license.
- 239 (37) "Dispensing structure" means a surface or structure on a licensed premises:
- 240 (a) where an alcoholic product is dispensed; or
- 241 (b) from which an alcoholic product is served.
- 242 (38) "Distillery manufacturing license" means a license issued in accordance with

243 Chapter 11, Part 4, Distillery Manufacturing License.

244 (39) "Distressed merchandise" means an alcoholic product in the possession of the
245 department that is saleable, but for some reason is unappealing to the public.

246 (40) "Equity license" means a license issued in accordance with Chapter 5, Retail
247 License Act, and Chapter 6, Part 4, Bar Establishment License, that is designated by the
248 commission as an equity license.

249 (41) "Event permit" means:

250 (a) a single event permit; or

251 (b) a temporary beer event permit.

252 (42) "Exempt license" means a license exempt under Section 32B-1-201 from being
253 considered in determining the total number of retail licenses that the commission may issue at
254 any time.

255 (43) (a) "Flavored malt beverage" means a beverage:

256 (i) that contains at least .5% alcohol by volume;

257 (ii) for which the producer is required to file a formula for approval with the federal
258 Alcohol and Tobacco Tax and Trade Bureau under 27 C.F.R. Sec. 25.55 because the beverage
259 is treated by processing, filtration, or another method of manufacture that is not generally
260 recognized as a traditional process in the production of a beer, ale, porter, stout, lager, or malt
261 liquor; and

262 (iii) for which the producer is required to file a formula for approval with the federal
263 Alcohol and Tobacco Tax and Trade Bureau under 27 C.F.R. Sec. 25.55 because the beverage
264 includes an ingredient containing alcohol.

265 (b) "Flavored malt beverage" is considered liquor for purposes of this title.

266 (44) "Fraternal license" means a license issued in accordance with Chapter 5, Retail
267 License Act, and Chapter 6, Part 4, Bar Establishment License, that is designated by the
268 commission as a fraternal license.

269 (45) "Full-service restaurant license" means a license issued in accordance with
270 Chapter 5, Retail License Act, and Chapter 6, Part 2, Full-Service Restaurant License.

271 (46) (a) "Furnish" means by any means to provide with, supply, or give an individual
272 an alcoholic product, by sale or otherwise.

273 (b) "Furnish" includes to:

- 274 (i) serve;
- 275 (ii) deliver; or
- 276 (iii) otherwise make available.
- 277 (47) "Guest" means an individual who meets the requirements of Subsection
- 278 [32B-6-407\(9\)](#).
- 279 (48) "Hard cider" means the same as that term is defined in 26 U.S.C. Sec. 5041.
- 280 (49) "Health care practitioner" means:
- 281 (a) a podiatrist licensed under Title 58, Chapter 5a, Podiatric Physician Licensing Act;
- 282 (b) an optometrist licensed under Title 58, Chapter 16a, Utah Optometry Practice Act;
- 283 (c) a pharmacist licensed under Title 58, Chapter 17b, Pharmacy Practice Act;
- 284 (d) a physical therapist licensed under Title 58, Chapter 24b, Physical Therapy Practice
- 285 Act;
- 286 (e) a nurse or advanced practice registered nurse licensed under Title 58, Chapter 31b,
- 287 Nurse Practice Act;
- 288 (f) a recreational therapist licensed under Title 58, Chapter 40, Recreational Therapy
- 289 Practice Act;
- 290 (g) an occupational therapist licensed under Title 58, Chapter 42a, Occupational
- 291 Therapy Practice Act;
- 292 (h) a nurse midwife licensed under Title 58, Chapter 44a, Nurse Midwife Practice Act;
- 293 (i) a mental health professional licensed under Title 58, Chapter 60, Mental Health
- 294 Professional Practice Act;
- 295 (j) a physician licensed under Title 58, Chapter 67, Utah Medical Practice Act;
- 296 (k) an osteopath licensed under Title 58, Chapter 68, Utah Osteopathic Medical
- 297 Practice Act;
- 298 (l) a dentist or dental hygienist licensed under Title 58, Chapter 69, Dentist and Dental
- 299 Hygienist Practice Act; and
- 300 (m) a physician assistant licensed under Title 58, Chapter 70a, Utah Physician
- 301 Assistant Act.
- 302 (50) (a) "Heavy beer" means a product that:
- 303 (i) contains more than 5% alcohol by volume; and
- 304 (ii) is obtained by fermentation, infusion, or decoction of:

- 305 (A) malt; or
- 306 (B) a malt substitute.
- 307 (b) "Heavy beer" is considered liquor for the purposes of this title.
- 308 (51) "Hospitality amenity license" means a license issued in accordance with Chapter
- 309 5, Retail License Act, and Chapter 6, Part 10, Hospitality Amenity License.
- 310 (52) (a) "Hotel" means a commercial lodging establishment that:
- 311 (i) offers at least 40 rooms as temporary sleeping accommodations for compensation;
- 312 (ii) is capable of hosting conventions, conferences, and food and beverage functions
- 313 under a banquet contract; and
- 314 (iii) (A) has adequate kitchen or culinary facilities on the premises to provide complete
- 315 meals;
- 316 (B) has at least 1,000 square feet of function space consisting of meeting or dining
- 317 rooms that can be reserved for a banquet and can accommodate at least 75 individuals; or
- 318 (C) if the establishment is located in a small or unincorporated locality, has an
- 319 appropriate amount of function space consisting of meeting or dining rooms that can be
- 320 reserved for private use under a banquet contract, as determined by the commission.
- 321 (b) "Hotel" includes a commercial lodging establishment that:
- 322 (i) meets the requirements under Subsection (52)(a); and
- 323 (ii) has one or more privately owned dwelling units.
- 324 (53) "Hotel license" means a license issued in accordance with Chapter 5, Retail
- 325 License Act, and Chapter 8b, Hotel License Act.
- 326 (54) "Identification card" means an identification card issued under Title 53, Chapter 3,
- 327 Part 8, Identification Card Act.
- 328 (55) "Industry representative" means an individual who is compensated by salary,
- 329 commission, or other means for representing and selling an alcoholic product of a
- 330 manufacturer, supplier, or importer of liquor.
- 331 (56) "Industry representative sample" means liquor that is placed in the possession of
- 332 the department for testing, analysis, and sampling by a local industry representative on the
- 333 premises of the department to educate the local industry representative of the quality and
- 334 characteristics of the product.
- 335 (57) "Interdicted person" means a person to whom the sale, offer for sale, or furnishing

336 of an alcoholic product is prohibited by:

337 (a) law; or

338 (b) court order.

339 (58) "International airport" means an airport:

340 (a) with a United States Customs and Border Protection office on the premises of the
341 airport; and

342 (b) at which international flights may enter and depart.

343 (59) "Intoxicated" or "intoxication" means that ~~[a person:]~~ an individual

344 ~~[(a) is significantly impaired as to the person's mental or physical functions]~~ exhibits
345 plain and easily observable outward manifestations of behavior or physical signs produced by
346 or as a result of the use of:

347 ~~[(i)]~~ (a) an alcoholic product;

348 ~~[(ii)]~~ (b) a controlled substance;

349 ~~[(iii)]~~ (c) a substance having the property of releasing toxic vapors; or

350 ~~[(iv)]~~ (d) a combination of products or substances described in Subsections ~~[(59)(a)(i)~~
351 ~~through (iii); and]~~ (59)(a) through (c).

352 ~~[(b) exhibits plain and easily observed outward manifestations of behavior or physical~~
353 ~~signs produced by the overconsumption of an alcoholic product.]~~

354 (60) "Investigator" means an individual who is:

355 (a) a department compliance officer; or

356 (b) a nondepartment enforcement officer.

357 (61) "License" means:

358 (a) a retail license;

359 (b) a sublicense;

360 (c) a license issued in accordance with Chapter 7, Part 4, Off-Premise Beer Retailer
361 State License;

362 (d) a license issued in accordance with Chapter 11, Manufacturing and Related
363 Licenses Act;

364 (e) a license issued in accordance with Chapter 12, Liquor Warehousing License Act;

365 (f) a license issued in accordance with Chapter 13, Beer Wholesaling License Act; or

366 (g) a license issued in accordance with Chapter 17, Liquor Transport License Act.

367 (62) "Licensee" means a person who holds a license.

368 (63) "Limited-service restaurant license" means a license issued in accordance with
369 Chapter 5, Retail License Act, and Chapter 6, Part 3, Limited-Service Restaurant License.

370 (64) "Limousine" means a motor vehicle licensed by the state or a local authority, other
371 than a bus or taxicab:

372 (a) in which the driver and a passenger are separated by a partition, glass, or other
373 barrier;

374 (b) that is provided by a business entity to one or more individuals at a fixed charge in
375 accordance with the business entity's tariff; and

376 (c) to give the one or more individuals the exclusive use of the limousine and a driver
377 to travel to one or more specified destinations.

378 (65) (a) (i) "Liquor" means a liquid that:

379 (A) is:

380 (I) alcohol;

381 (II) an alcoholic, spirituous, vinous, fermented, malt, or other liquid;

382 (III) a combination of liquids a part of which is spirituous, vinous, or fermented; or

383 (IV) other drink or drinkable liquid; and

384 (B) (I) contains at least .5% alcohol by volume; and

385 (II) is suitable to use for beverage purposes.

386 (ii) "Liquor" includes:

387 (A) heavy beer;

388 (B) wine; and

389 (C) a flavored malt beverage.

390 (b) "Liquor" does not include beer.

391 (66) "Liquor Control Fund" means the enterprise fund created by Section [32B-2-301](#).

392 (67) "Liquor transport license" means a license issued in accordance with Chapter 17,
393 Liquor Transport License Act.

394 (68) "Liquor warehousing license" means a license that is issued:

395 (a) in accordance with Chapter 12, Liquor Warehousing License Act; and

396 (b) to a person, other than a licensed manufacturer, who engages in the importation for
397 storage, sale, or distribution of liquor regardless of amount.

398 (69) "Local authority" means:

399 (a) for premises that are located in an unincorporated area of a county, the governing
400 body of a county;

401 (b) for premises that are located in an incorporated city, town, or metro township, the
402 governing body of the city, town, or metro township; or

403 (c) for premises that are located in a project area as defined in Section 63H-1-102 and
404 in a project area plan adopted by the Military Installation Development Authority under Title
405 63H, Chapter 1, Military Installation Development Authority Act, the Military Installation
406 Development Authority.

407 (70) "Lounge or bar area" is as defined by rule made by the commission.

408 (71) "Malt substitute" means:

409 (a) rice;

410 (b) grain;

411 (c) bran;

412 (d) glucose;

413 (e) sugar; or

414 (f) molasses.

415 (72) "Manufacture" means to distill, brew, rectify, mix, compound, process, ferment, or
416 otherwise make an alcoholic product for personal use or for sale or distribution to others.

417 (73) "Member" means an individual who, after paying regular dues, has full privileges
418 in an equity licensee or fraternal licensee.

419 (74) (a) "Military installation" means a base, air field, camp, post, station, yard, center,
420 or homeport facility for a ship:

421 (i) (A) under the control of the United States Department of Defense; or

422 (B) of the National Guard;

423 (ii) that is located within the state; and

424 (iii) including a leased facility.

425 (b) "Military installation" does not include a facility used primarily for:

426 (i) civil works;

427 (ii) a rivers and harbors project; or

428 (iii) a flood control project.

429 (75) "Minibar" means an area of a hotel guest room where one or more alcoholic
430 products are kept and offered for self-service sale or consumption.

431 (76) "Minor" means an individual under 21 years old.

432 (77) "Nondepartment enforcement agency" means an agency that:

433 (a) (i) is a state agency other than the department; or

434 (ii) is an agency of a county, city, town, or metro township; and

435 (b) has a responsibility to enforce one or more provisions of this title.

436 (78) "Nondepartment enforcement officer" means an individual who is:

437 (a) a peace officer, examiner, or investigator; and

438 (b) employed by a nondepartment enforcement agency.

439 (79) (a) "Off-premise beer retailer" means a beer retailer who is:

440 (i) licensed in accordance with Chapter 7, Off-Premise Beer Retailer Act; and

441 (ii) engaged in the retail sale of beer to a patron for consumption off the beer retailer's
442 premises.

443 (b) "Off-premise beer retailer" does not include an on-premise beer retailer.

444 (80) "Off-premise beer retailer state license" means a state license issued in accordance
445 with Chapter 7, Part 4, Off-Premise Beer Retailer State License.

446 (81) "On-premise banquet license" means a license issued in accordance with Chapter
447 5, Retail License Act, and Chapter 6, Part 6, On-Premise Banquet License.

448 (82) "On-premise beer retailer" means a beer retailer who is:

449 (a) authorized to sell, offer for sale, or furnish beer under a license issued in
450 accordance with Chapter 5, Retail License Act, and Chapter 6, Part 7, On-Premise Beer
451 Retailer License; and

452 (b) engaged in the sale of beer to a patron for consumption on the beer retailer's
453 premises:

454 (i) regardless of whether the beer retailer sells beer for consumption off the licensed
455 premises; and

456 (ii) on and after March 1, 2012, operating:

457 (A) as a tavern; or

458 (B) in a manner that meets the requirements of Subsection [32B-6-703\(2\)\(e\)\(i\)](#).

459 (83) "Opaque" means impenetrable to sight.

- 460 (84) "Package agency" means a retail liquor location operated:
461 (a) under an agreement with the department; and
462 (b) by a person:
463 (i) other than the state; and
464 (ii) who is authorized by the commission in accordance with Chapter 2, Part 6, Package
465 Agency, to sell packaged liquor for consumption off the premises of the package agency.
466 (85) "Package agent" means a person who holds a package agency.
467 (86) "Patron" means an individual to whom food, beverages, or services are sold,
468 offered for sale, or furnished, or who consumes an alcoholic product including:
469 (a) a customer;
470 (b) a member;
471 (c) a guest;
472 (d) an attendee of a banquet or event;
473 (e) an individual who receives room service;
474 (f) a resident of a resort; or
475 (g) a hospitality guest, as defined in Section [32B-6-1002](#), under a hospitality amenity
476 license.
477 (87) (a) "Performing arts facility" means a multi-use performance space that:
478 (i) is primarily used to present various types of performing arts, including dance,
479 music, and theater;
480 (ii) contains over 2,500 seats;
481 (iii) is owned and operated by a governmental entity; and
482 (iv) is located in a city of the first class.
483 (b) "Performing arts facility" does not include a space that is used to present sporting
484 events or sporting competitions.
485 (88) "Permittee" means a person issued a permit under:
486 (a) Chapter 9, Event Permit Act; or
487 (b) Chapter 10, Special Use Permit Act.
488 (89) "Person subject to administrative action" means:
489 (a) a licensee;
490 (b) a permittee;

- 491 (c) a manufacturer;
- 492 (d) a supplier;
- 493 (e) an importer;
- 494 (f) one of the following holding a certificate of approval:
 - 495 (i) an out-of-state brewer;
 - 496 (ii) an out-of-state importer of beer, heavy beer, or flavored malt beverages; or
 - 497 (iii) an out-of-state supplier of beer, heavy beer, or flavored malt beverages; or
 - 498 (g) staff of:
 - 499 (i) a person listed in Subsections (89)(a) through (f); or
 - 500 (ii) a package agent.
- 501 (90) "Premises" means a building, enclosure, or room used in connection with the
- 502 storage, sale, furnishing, consumption, manufacture, or distribution, of an alcoholic product,
- 503 unless otherwise defined in this title or rules made by the commission.
- 504 (91) "Prescription" means an order issued by a health care practitioner when:
 - 505 (a) the health care practitioner is licensed under Title 58, Occupations and Professions,
 - 506 to prescribe a controlled substance, other drug, or device for medicinal purposes;
 - 507 (b) the order is made in the course of that health care practitioner's professional
 - 508 practice; and
 - 509 (c) the order is made for obtaining an alcoholic product for medicinal purposes only.
- 510 (92) (a) "Primary spirituous liquor" means the main distilled spirit in a beverage.
- 511 (b) "Primary spirituous liquor" does not include a secondary flavoring ingredient.
- 512 (93) "Principal license" means:
 - 513 (a) a resort license;
 - 514 (b) a hotel license; or
 - 515 (c) an arena license.
- 516 (94) (a) "Private event" means a specific social, business, or recreational event:
 - 517 (i) for which an entire room, area, or hall is leased or rented in advance by an identified
 - 518 group; and
 - 519 (ii) that is limited in attendance to people who are specifically designated and their
 - 520 guests.
 - 521 (b) "Private event" does not include an event to which the general public is invited,

522 whether for an admission fee or not.

523 (95) "Privately sponsored event" means a specific social, business, or recreational
524 event:

525 (a) that is held in or on the premises of an on-premise banquet licensee; and

526 (b) to which entry is restricted by an admission fee.

527 (96) (a) "Proof of age" means:

528 (i) an identification card;

529 (ii) an identification that:

530 (A) is substantially similar to an identification card;

531 (B) is issued in accordance with the laws of a state other than Utah in which the
532 identification is issued;

533 (C) includes date of birth; and

534 (D) has a picture affixed;

535 (iii) a valid driver license certificate that:

536 (A) includes date of birth;

537 (B) has a picture affixed; and

538 (C) is issued:

539 (I) under Title 53, Chapter 3, Uniform Driver License Act;

540 (II) in accordance with the laws of the state in which it is issued; or

541 (III) in accordance with federal law by the United States Department of State;

542 (iv) a military identification card that:

543 (A) includes date of birth; and

544 (B) has a picture affixed; or

545 (v) a valid passport.

546 (b) "Proof of age" does not include a driving privilege card issued in accordance with
547 Section [53-3-207](#).

548 (97) "Provisions applicable to a sublicense" means:

549 (a) for a full-service restaurant sublicense, the provisions applicable to a full-service
550 restaurant license under Chapter 6, Part 2, Full-Service Restaurant License;

551 (b) for a limited-service restaurant sublicense, the provisions applicable to a
552 limited-service restaurant license under Chapter 6, Part 3, Limited-Service Restaurant License;

553 (c) for a bar establishment sublicense, the provisions applicable to a bar establishment
554 license under Chapter 6, Part 4, Bar Establishment License;

555 (d) for an on-premise banquet sublicense, the provisions applicable to an on-premise
556 banquet license under Chapter 6, Part 6, On-Premise Banquet License;

557 (e) for an on-premise beer retailer sublicense, the provisions applicable to an
558 on-premise beer retailer license under Chapter 6, Part 7, On-Premise Beer Retailer License;

559 (f) for a beer-only restaurant sublicense, the provisions applicable to a beer-only
560 restaurant license under Chapter 6, Part 9, Beer-Only Restaurant License;

561 (g) for a hospitality amenity license, the provisions applicable to a hospitality amenity
562 license under Chapter 6, Part 10, Hospitality Amenity License; and

563 (h) for a spa sublicense, the provisions applicable to the sublicense under Chapter 8d,
564 Part 2, Spa Sublicense.

565 (98) (a) "Public building" means a building or permanent structure that is:

566 (i) owned or leased by:

567 (A) the state; or

568 (B) a local government entity; and

569 (ii) used for:

570 (A) public education;

571 (B) transacting public business; or

572 (C) regularly conducting government activities.

573 (b) "Public building" does not include a building owned by the state or a local
574 government entity when the building is used by a person, in whole or in part, for a proprietary
575 function.

576 (99) "Public conveyance" means a conveyance that the public or a portion of the public
577 has access to and a right to use for transportation, including an airline, railroad, bus, boat, or
578 other public conveyance.

579 (100) "Reception center" means a business that:

580 (a) operates facilities that are at least 5,000 square feet; and

581 (b) has as its primary purpose the leasing of the facilities described in Subsection
582 (100)(a) to a third party for the third party's event.

583 (101) "Reception center license" means a license issued in accordance with Chapter 5,

584 Retail License Act, and Chapter 6, Part 8, Reception Center License.

585 (102) (a) "Record" means information that is:

586 (i) inscribed on a tangible medium; or

587 (ii) stored in an electronic or other medium and is retrievable in a perceivable form.

588 (b) "Record" includes:

589 (i) a book;

590 (ii) a book of account;

591 (iii) a paper;

592 (iv) a contract;

593 (v) an agreement;

594 (vi) a document; or

595 (vii) a recording in any medium.

596 (103) "Residence" means a person's principal place of abode within Utah.

597 (104) "Resident," in relation to a resort, means the same as that term is defined in

598 Section [32B-8-102](#).

599 (105) "Resort" means the same as that term is defined in Section [32B-8-102](#).

600 (106) "Resort facility" is as defined by the commission by rule.

601 (107) "Resort license" means a license issued in accordance with Chapter 5, Retail

602 License Act, and Chapter 8, Resort License Act.

603 (108) "Responsible alcohol service plan" means a written set of policies and

604 procedures that outlines measures to prevent employees from:

605 (a) over-serving alcoholic beverages to customers;

606 (b) serving alcoholic beverages to customers who are actually, apparently, or obviously

607 intoxicated; and

608 (c) serving alcoholic beverages to minors.

609 (109) "Restaurant" means a business location:

610 (a) at which a variety of foods are prepared;

611 (b) at which complete meals are served; and

612 (c) that is engaged primarily in serving meals.

613 (110) "Restaurant license" means one of the following licenses issued under this title:

614 (a) a full-service restaurant license;

615 (b) a limited-service restaurant license; or

616 (c) a beer-only restaurant license.

617 (111) "Retail license" means one of the following licenses issued under this title:

618 (a) a full-service restaurant license;

619 (b) a master full-service restaurant license;

620 (c) a limited-service restaurant license;

621 (d) a master limited-service restaurant license;

622 (e) a bar establishment license;

623 (f) an airport lounge license;

624 (g) an on-premise banquet license;

625 (h) an on-premise beer license;

626 (i) a reception center license;

627 (j) a beer-only restaurant license;

628 (k) a hospitality amenity license;

629 (l) a resort license;

630 (m) a hotel license; or

631 (n) an arena license.

632 (112) "Room service" means furnishing an alcoholic product to a person in a guest

633 room or privately owned dwelling unit of a:

634 (a) hotel; or

635 (b) resort facility.

636 (113) (a) "School" means a building in which any part is used for more than three

637 hours each weekday during a school year as a public or private:

638 (i) elementary school;

639 (ii) secondary school; or

640 (iii) kindergarten.

641 (b) "School" does not include:

642 (i) a nursery school;

643 (ii) a day care center;

644 (iii) a trade and technical school;

645 (iv) a preschool; or

646 (v) a home school.

647 (114) "Secondary flavoring ingredient" means any spirituous liquor added to a
648 beverage for additional flavoring that is different in type, flavor, or brand from the primary
649 spirituous liquor in the beverage.

650 (115) "Sell" or "offer for sale" means a transaction, exchange, or barter whereby, for
651 consideration, an alcoholic product is either directly or indirectly transferred, solicited, ordered,
652 delivered for value, or by a means or under a pretext is promised or obtained, whether done by
653 a person as a principal, proprietor, or as staff, unless otherwise defined in this title or the rules
654 made by the commission.

655 (116) "Serve" means to place an alcoholic product before an individual.

656 (117) "Sexually oriented entertainer" means a person who while in a state of
657 seminudity appears at or performs:

658 (a) for the entertainment of one or more patrons;

659 (b) on the premises of:

660 (i) a bar licensee; or

661 (ii) a tavern;

662 (c) on behalf of or at the request of the licensee described in Subsection (117)(b);

663 (d) on a contractual or voluntary basis; and

664 (e) whether or not the person is designated as:

665 (i) an employee;

666 (ii) an independent contractor;

667 (iii) an agent of the licensee; or

668 (iv) a different type of classification.

669 (118) "Shared seating area" means the licensed premises of two or more restaurant
670 licensees that the restaurant licensees share as an area for alcoholic beverage consumption in
671 accordance with Subsection [32B-5-207\(3\)](#).

672 (119) "Single event permit" means a permit issued in accordance with Chapter 9, Part
673 3, Single Event Permit.

674 (120) "Small brewer" means a brewer who manufactures less than 60,000 barrels of
675 beer, heavy beer, and flavored malt beverage per year, as the department calculates by:

676 (a) if the brewer is part of a controlled group of manufacturers, including the combined

677 volume totals of production for all breweries that constitute the controlled group of
678 manufacturers; and

679 (b) excluding beer, heavy beer, or flavored malt beverage the brewer:

680 (i) manufactures that is unfit for consumption as, or in, a beverage, as the commission
681 determines by rule made in accordance with Title 63G, Chapter 3, Utah Administrative
682 Rulemaking Act; and

683 (ii) does not sell for consumption as, or in, a beverage.

684 (121) "Small or unincorporated locality" means:

685 (a) a city of the third, fourth, or fifth class, as classified under Section 10-2-301;

686 (b) a town, as classified under Section 10-2-301; or

687 (c) an unincorporated area in a county of the third, fourth, or fifth class, as classified
688 under Section 17-50-501.

689 (122) "Spa sublicense" means a sublicense:

690 (a) to a resort license or hotel license; and

691 (b) that the commission issues in accordance with Chapter 8d, Part 2, Spa Sublicense.

692 (123) "Special use permit" means a permit issued in accordance with Chapter 10,
693 Special Use Permit Act.

694 (124) (a) "Spirituous liquor" means liquor that is distilled.

695 (b) "Spirituous liquor" includes an alcoholic product defined as a "distilled spirit" by
696 27 U.S.C. Sec. 211 and 27 C.F.R. Sec. 5.11 through 5.23.

697 (125) "Sports center" is as defined by the commission by rule.

698 (126) (a) "Staff" means an individual who engages in activity governed by this title:

699 (i) on behalf of a business, including a package agent, licensee, permittee, or certificate
700 holder;

701 (ii) at the request of the business, including a package agent, licensee, permittee, or
702 certificate holder; or

703 (iii) under the authority of the business, including a package agent, licensee, permittee,
704 or certificate holder.

705 (b) "Staff" includes:

706 (i) an officer;

707 (ii) a director;

- 708 (iii) an employee;
- 709 (iv) personnel management;
- 710 (v) an agent of the licensee, including a managing agent;
- 711 (vi) an operator; or
- 712 (vii) a representative.
- 713 (127) "State of nudity" means:
- 714 (a) the appearance of:
 - 715 (i) the nipple or areola of a female human breast;
 - 716 (ii) a human genital;
 - 717 (iii) a human pubic area; or
 - 718 (iv) a human anus; or
- 719 (b) a state of dress that fails to opaquely cover:
 - 720 (i) the nipple or areola of a female human breast;
 - 721 (ii) a human genital;
 - 722 (iii) a human pubic area; or
 - 723 (iv) a human anus.
- 724 (128) "State of seminudity" means a state of dress in which opaque clothing covers no
- 725 more than:
 - 726 (a) the nipple and areola of the female human breast in a shape and color other than the
 - 727 natural shape and color of the nipple and areola; and
 - 728 (b) the human genitals, pubic area, and anus:
 - 729 (i) with no less than the following at its widest point:
 - 730 (A) four inches coverage width in the front of the human body; and
 - 731 (B) five inches coverage width in the back of the human body; and
 - 732 (ii) with coverage that does not taper to less than one inch wide at the narrowest point.
- 733 (129) (a) "State store" means a facility for the sale of packaged liquor:
 - 734 (i) located on premises owned or leased by the state; and
 - 735 (ii) operated by a state employee.
- 736 (b) "State store" does not include:
 - 737 (i) a package agency;
 - 738 (ii) a licensee; or

739 (iii) a permittee.

740 (130) (a) "Storage area" means an area on licensed premises where the licensee stores
741 an alcoholic product.

742 (b) "Store" means to place or maintain in a location an alcoholic product.

743 (131) "Sublicense" means:

744 (a) any of the following licenses issued as a subordinate license to, and contingent on
745 the issuance of, a principal license:

746 (i) a full-service restaurant license;

747 (ii) a limited-service restaurant license;

748 (iii) a bar establishment license;

749 (iv) an on-premise banquet license;

750 (v) an on-premise beer retailer license;

751 (vi) a beer-only restaurant license; or

752 (vii) a hospitality amenity license; or

753 (b) a spa sublicense.

754 (132) "Supplier" means a person who sells an alcoholic product to the department.

755 (133) "Tavern" means an on-premise beer retailer who is:

756 (a) issued a license by the commission in accordance with Chapter 5, Retail License
757 Act, and Chapter 6, Part 7, On-Premise Beer Retailer License; and

758 (b) designated by the commission as a tavern in accordance with Chapter 6, Part 7,
759 On-Premise Beer Retailer License.

760 (134) "Temporary beer event permit" means a permit issued in accordance with
761 Chapter 9, Part 4, Temporary Beer Event Permit.

762 (135) "Temporary domicile" means the principal place of abode within Utah of a
763 person who does not have a present intention to continue residency within Utah permanently or
764 indefinitely.

765 (136) "Translucent" means a substance that allows light to pass through, but does not
766 allow an object or person to be seen through the substance.

767 (137) "Unsaleable liquor merchandise" means a container that:

768 (a) is unsaleable because the container is:

769 (i) unlabeled;

- 770 (ii) leaky;
- 771 (iii) damaged;
- 772 (iv) difficult to open; or
- 773 (v) partly filled;
- 774 (b) (i) has faded labels or defective caps or corks;
- 775 (ii) has contents that are:
- 776 (A) cloudy;
- 777 (B) spoiled; or
- 778 (C) chemically determined to be impure; or
- 779 (iii) contains:
- 780 (A) sediment; or
- 781 (B) a foreign substance; or
- 782 (c) is otherwise considered by the department as unfit for sale.
- 783 (138) (a) "Wine" means an alcoholic product obtained by the fermentation of the
- 784 natural sugar content of fruits, plants, honey, or milk, or other like substance, whether or not
- 785 another ingredient is added.
- 786 (b) "Wine" includes:
- 787 (i) an alcoholic beverage defined as wine under 27 U.S.C. Sec. 211 and 27 C.F.R. Sec.
- 788 4.10; and
- 789 (ii) hard cider.
- 790 (c) "Wine" is considered liquor for purposes of this title, except as otherwise provided
- 791 in this title.
- 792 (139) "Winery manufacturing license" means a license issued in accordance with
- 793 Chapter 11, Part 3, Winery Manufacturing License.
- 794 Section 2. Section **32B-4-505** is amended to read:
- 795 **32B-4-505. Obstructing a search, official proceeding, or investigation.**
- 796 (1) A person who is in the premises or has charge over premises may not refuse or fail
- 797 to admit to the premises or obstruct the entry of any of the following who demands entry when
- 798 acting under this title:
- 799 (a) a commissioner;
- 800 (b) an authorized representative of the commission or department; or

801 (c) a law enforcement officer.

802 (2) A person who is in the premises or has charge of the premises may not interfere
803 with any of the following who is conducting an investigation under this title at the premises:

804 (a) a commissioner;

805 (b) an authorized representative of the commission or department; or

806 (c) a law enforcement officer.

807 (3) After receiving written notice of an official proceeding or investigation under
808 Chapter 15, Alcoholic Product Liability Act, or a criminal proceeding or investigation for a
809 violation of Section 41-6a-502 or 41-6a-517, a person may not knowingly alter, destroy,
810 conceal, or remove a record that is relevant to the official proceeding or investigation.

811 (4) A person [~~is guilty of a class A misdemeanor if, believing~~] who believes that an
812 official proceeding or investigation is pending or about to be instituted under this title [~~, that~~
813 ~~person:]~~ may not:

814 (a) [~~alters, destroys, conceals, or removes~~] alter, destroy, conceal, or remove a record
815 with a purpose to impair the record's verity or availability in the proceeding or investigation; or

816 (b) [~~makes, presents, or uses~~] make, present, or use anything that the person knows to
817 be false with [~~a~~] the purpose to deceive any of the following who may be engaged in [~~a~~] the
818 proceeding or investigation [~~under this title~~]:

819 (i) a commissioner;

820 (ii) an authorized representative of the commission or department;

821 (iii) a law enforcement officer; or

822 (iv) [~~other~~] another person.

823 (5) (a) Except as provided in Subsection (5)(b), a violation of Subsection (1), (2), or (3)
824 is a class B misdemeanor.

825 (b) A violation of Subsection (3) is a class A misdemeanor if the record is relevant to
826 an official proceeding or investigation for a violation of Section 32B-4-404.

827 (c) A violation of Subsection (4) is a class A misdemeanor.

828 Section 3. Section 32B-5-202 is amended to read:

829 **32B-5-202. Renewal requirements.**

830 (1) A retail license expires each year on the day specified in the relevant chapter or part
831 for that type of retail license.

832 (2) (a) To renew a person's retail license, a retail licensee shall, on or before the day
833 specified in the relevant chapter or part for the type of retail license that the person seeks to
834 renew, submit:

835 (i) a completed renewal application in a form prescribed by the department;
836 (ii) a renewal fee in the amount specified in the relevant chapter or part for the type of
837 retail license that the person seeks to renew; [~~and~~]

838 (iii) a responsible alcohol service plan if, since the retail licensee's most recent
839 application or renewal, the retail licensee:

840 (A) made substantial changes to the retail licensee's responsible alcohol service plan;
841 or

842 (B) violated a provision of this chapter~~[-]; and~~

843 (iv) a certification in a form prescribed by the department of the retail licensee's
844 compliance with Section [32B-5-302](#).

845 (b) The department may audit a retail licensee's responsible alcohol service plan.

846 (3) Failure to meet the renewal requirements results in an automatic forfeiture of the
847 retail license effective on the day on which the existing retail license expires.

848 Section 4. Section **32B-5-302** is amended to read:

849 **32B-5-302. Recordkeeping -- Retention.**

850 (1) (a) A retail licensee shall make and maintain a record showing in detail:

851 [~~(a)~~] (i) quarterly expenditures made separately for:

852 [~~(i)~~] (A) malt or brewed beverages;

853 [~~(ii)~~] (B) liquor;

854 [~~(iii)~~] (C) set-ups;

855 [~~(iv)~~] (D) food; and

856 [~~(v)~~] (E) any other item required by the department; and

857 [~~(b)~~] (ii) sales made separately for:

858 [~~(i)~~] (A) malt or brewed beverages;

859 [~~(ii)~~] (B) set-ups;

860 [~~(iii)~~] (C) food; and

861 [~~(iv)~~] (D) any other item required by the department.

862 [~~(2)~~] (b) A retail licensee shall make and maintain a record required by Subsection

863 (1)(a):

864 ~~[(a)]~~ (i) in a form approved by the department; and

865 ~~[(b)]~~ (ii) current for each three-month period.

866 ~~[(c)]~~ (c) A retail licensee shall support an expenditure by:

867 ~~[(a)]~~ (i) a delivery ticket;

868 ~~[(b)]~~ (ii) an invoice;

869 ~~[(c)]~~ (iii) a receipted bill;

870 ~~[(d)]~~ (iv) a canceled check;

871 ~~[(e)]~~ (v) a petty cash voucher; or

872 ~~[(f)]~~ (vi) other sustaining datum or memorandum.

873 ~~[(4)]~~ (d) In addition to a record required under Subsection ~~[(1)]~~ (1)(a), a retail licensee
874 shall make and maintain any other record the department may require.

875 (2) After receiving written notice of an official proceeding or investigation under
876 Chapter 15, Alcoholic Product Liability Act, or a criminal proceeding or investigation for a
877 violation of Section 41-6a-502 or 41-6a-517, a retail licensee shall retain a record that is
878 relevant to the proceeding or investigation, including any video surveillance, for a period of at
879 least two years after the day on which the notice is received.

880 ~~[(5)]~~ (3) (a) A record of a retail licensee is subject to inspection by an authorized
881 representative of the commission ~~[and]~~ or the department.

882 (b) A retail licensee shall allow the department, through an auditor or examiner of the
883 department, to audit the records of the retail licensee at times the department considers
884 advisable.

885 ~~[(6)]~~ (4) ~~[Section]~~ Sections 32B-1-205 ~~[applies]~~ and 32B-4-505 apply to a record
886 required to be made or maintained in accordance with this section.

887 Section 5. Section 32B-6-205.2 is amended to read:

888 **32B-6-205.2. Specific operational requirements for a full-service restaurant**
889 **license -- On and after July 1, 2018, or July 1, 2022.**

890 (1) (a) In addition to complying with Chapter 5, Part 3, Retail Licensee Operational
891 Requirements, a full-service restaurant licensee and staff of the full-service restaurant licensee
892 shall comply with this section.

893 (b) Failure to comply with Subsection (1)(a) may result in disciplinary action in

894 accordance with Chapter 3, Disciplinary Actions and Enforcement Act, against:

895 (i) a full-service restaurant licensee;

896 (ii) individual staff of a full-service restaurant licensee; or

897 (iii) both a full-service restaurant licensee and staff of the full-service restaurant
898 licensee.

899 (2) (a) An individual who serves an alcoholic product in a full-service restaurant
900 licensee's premises shall make a beverage tab for each table or group that orders or consumes
901 an alcoholic product on the premises.

902 (b) A beverage tab described in this Subsection (2) shall state the type and amount of
903 each alcoholic product ordered or consumed.

904 (3) A full-service restaurant licensee may not make an individual's willingness to serve
905 an alcoholic product a condition of employment with a full-service restaurant licensee.

906 (4) (a) A full-service restaurant licensee may sell, offer for sale, or furnish liquor at the
907 licensed premises during the following time periods only:

908 (i) on a weekday, during the period that begins at 11:30 a.m. and ends at 11:59 p.m.; or

909 (ii) on a weekend or a state or federal legal holiday or for a private event, during the
910 period that begins at 10:30 a.m. and ends at 11:59 p.m.

911 (b) A full-service restaurant licensee may sell, offer for sale, or furnish beer at the
912 licensed premises during the following time periods only:

913 (i) on a weekday, during the period that begins at 11:30 a.m. and ends at 12:59 a.m.; or

914 (ii) on a weekend or a state or federal legal holiday or for a private event, during the
915 period that begins at 10:30 a.m. and ends at 12:59 a.m.

916 (5) (a) A full-service restaurant licensee may not furnish an alcoholic product for
917 on-premise consumption except after:

918 (i) the patron to whom the full-service restaurant licensee furnishes the alcoholic
919 product is seated at:

920 (A) a table that is located in a dining area or a dispensing area;

921 (B) a counter that is located in a dining area or a dispensing area; or

922 (C) a dispensing structure that is located in a dispensing area; and

923 (ii) the full-service restaurant licensee confirms that the patron intends to:

924 (A) order food prepared, sold, and furnished at the licensed premises; and

925 (B) except as provided in Subsection (5)(b), consume the food at the same location
926 where the patron is seated and furnished the alcoholic product.

927 (b) (i) While a patron waits for a seat at a table or counter in the dining area of a
928 full-service restaurant licensee, the full-service restaurant licensee may sell, offer for sale, or
929 furnish to the patron one drink that contains a single portion of an alcoholic product as
930 described in Section 32B-5-304 if:

931 (A) the patron is in a dispensing area and seated at a table, counter, or dispensing
932 structure; and

933 (B) the full-service restaurant licensee first confirms that after the patron is seated in
934 the dining area, the patron intends to order food prepared, sold, and furnished at the licensed
935 premises.

936 (ii) If the patron does not finish the patron's alcoholic product before moving to a seat
937 in the dining area, an employee of the full-service restaurant licensee who is qualified to sell
938 and serve an alcoholic product under Section 32B-5-306 shall transport any unfinished portion
939 of the patron's alcoholic product to the patron's seat in the dining area.

940 (iii) For purposes of Subsection (5)(b)(i) a single portion of wine is five ounces or less.

941 (c) Notwithstanding Section 32B-5-307, a full-service restaurant licensee may not
942 furnish beer for off-premise consumption except after the patron consumes on the licensed
943 premises food prepared, sold, and furnished at the licensed premises.

944 (d) A full-service restaurant licensee shall maintain on the licensed premises adequate
945 culinary facilities for food preparation and dining accommodations.

946 (6) A patron may consume an alcoholic product on the full-service restaurant licensee's
947 licensed premises only if the patron is seated at:

948 (a) a table that is located in a dining area or dispensing area;

949 (b) a counter that is located in a dining area or dispensing area; or

950 (c) a dispensing structure located in a dispensing area.

951 (7) (a) Subject to the other provisions of this Subsection (7), a patron may not have
952 more than two alcoholic products of any kind at a time before the patron.

953 (b) A patron may not have more than one spirituous liquor drink at a time before the
954 patron.

955 (c) An individual portion of wine is considered to be one alcoholic product under

956 Subsection (7)(a).

957 (8) In accordance with the provisions of this section, an individual who is at least 21
958 years old may consume food and beverages in a dispensing area.

959 (9) (a) Except as provided in Subsection (9)(b), a minor may not sit, remain, or
960 consume food or beverages in a dispensing area.

961 (b) (i) A minor may be in a dispensing area if the minor is:

962 (A) at least 16 years old and working as an employee of the full-service restaurant
963 licensee; or

964 (B) performing maintenance and cleaning services as an employee of the full-service
965 restaurant licensee when the full-service restaurant licensee is not open for business.

966 (ii) If there is no alternative route available, a minor may momentarily pass through a
967 dispensing area without remaining or sitting in the dispensing area en route to an area of the
968 full-service restaurant licensee's premises in which the minor is permitted to be.

969 (10) Except as provided in Subsection [32B-5-307\(3\)](#), a full-service restaurant licensee
970 may dispense an alcoholic product only if:

971 (a) the alcoholic product is dispensed from:

972 (i) a dispensing structure that is located in a dispensing area;

973 (ii) an area that is:

974 (A) separated from an area for the consumption of food by a patron by a solid,
975 translucent, permanent structural barrier such that the facilities for the dispensing of an
976 alcoholic product are not readily visible to a patron and not accessible by a patron; and

977 (B) apart from an area used for dining, for staging, or as a waiting area; or

978 (iii) the premises of a bar licensee that is:

979 (A) owned by the same person or persons as the full-service restaurant licensee; and

980 (B) located immediately adjacent to the premises of the full-service restaurant licensee;

981 and

982 (b) any instrument or equipment used to dispense alcoholic product is located in an
983 area described in Subsection (10)(a).

984 (11) (a) A full-service restaurant licensee may have more than one dispensing area in
985 the licensed premises.

986 (b) Each dispensing area in a licensed premises may satisfy the requirements for a

987 dispensing area under Subsection 32B-6-202(2)(a)(i), (ii), or (iii), regardless of how any other
988 dispensing area in the licensed premises satisfies the requirements for a dispensing area.

989 (12) A full-service restaurant licensee may not:

990 (a) transfer, dispense, or serve an alcoholic product on or from a movable cart; or

991 (b) display an alcoholic product or a product intended to appear like an alcoholic
992 product by moving a cart or similar device around the licensed premises.

993 (13) A full-service restaurant licensee may state in a food or alcoholic product menu a
994 charge or fee made in connection with the sale, service, or consumption of liquor, including:

995 (a) a set-up charge;

996 (b) a service charge; or

997 (c) a chilling fee.

998 (14) (a) In addition to the requirements described in Section 32B-5-302, a full-service
999 restaurant licensee shall maintain each of the following records for at least three years:

1000 (i) a record required by ~~[Section]~~ Subsection 32B-5-302(1); and

1001 (ii) a record that the commission requires a full-service restaurant licensee to use or
1002 maintain under a rule made in accordance with Title 63G, Chapter 3, Utah Administrative
1003 Rulemaking Act.

1004 (b) The department shall audit the records of a full-service restaurant licensee at least
1005 once annually.

1006 (15) A full-service restaurant licensee may lease to a patron of the full-service
1007 restaurant licensee a locked storage space:

1008 (a) that the commission considers proper for the storage of wine; and

1009 (b) for the storage of wine that:

1010 (i) the patron purchases from the full-service restaurant licensee; and

1011 (ii) only the full-service restaurant licensee or staff of the full-service restaurant
1012 licensee may remove from the locker for the patron's use in accordance with this title,

1013 including:

1014 (A) service and consumption on licensed premises as described in Section 32B-5-306;

1015 or

1016 (B) removal from the full-service retail licensee's licensed premises in accordance with
1017 Section 32B-5-307.

1018 Section 6. Section 32B-6-305.2 is amended to read:

1019 **32B-6-305.2. Specific operational requirements for a limited-service restaurant**
1020 **license -- On and after July 1, 2018, or July 1, 2022.**

1021 (1) (a) In addition to complying with Chapter 5, Part 3, Retail Licensee Operational
1022 Requirements, a limited-service restaurant licensee and staff of the limited-service restaurant
1023 licensee shall comply with this section.

1024 (b) Failure to comply with Subsection (1)(a) may result in disciplinary action in
1025 accordance with Chapter 3, Disciplinary Actions and Enforcement Act, against:

1026 (i) a limited-service restaurant licensee;

1027 (ii) individual staff of a limited-service restaurant licensee; or

1028 (iii) both a limited-service restaurant licensee and staff of the limited-service restaurant
1029 licensee.

1030 (2) (a) An individual who serves an alcoholic product in a limited-service restaurant
1031 licensee's premises shall make a beverage tab for each table or group that orders or consumes
1032 an alcoholic product on the premises.

1033 (b) A beverage tab described in this Subsection (2) shall state the type and amount of
1034 each alcoholic product ordered or consumed.

1035 (3) A limited-service restaurant licensee may not make an individual's willingness to
1036 serve an alcoholic product a condition of employment with a limited-service restaurant
1037 licensee.

1038 (4) (a) A limited-service restaurant licensee may sell, offer for sale, or furnish wine or
1039 heavy beer at the licensed premises during the following time periods only:

1040 (i) on a weekday, during the period that begins at 11:30 a.m. and ends at 11:59 p.m.; or

1041 (ii) on a weekend or a state or federal legal holiday or for a private event, during the
1042 period that begins at 10:30 a.m. and ends at 11:59 p.m.

1043 (b) A limited-service restaurant licensee may sell, offer for sale, or furnish beer at the
1044 licensed premises during the following time periods only:

1045 (i) on a weekday, during the period that begins at 11:30 a.m. and ends at 12:59 a.m.; or

1046 (ii) on a weekend or a state or federal legal holiday or for a private event, during the
1047 period that begins at 10:30 a.m. and ends at 12:59 a.m.

1048 (5) (a) A limited-service restaurant licensee may not furnish an alcoholic product for

1049 on-premise consumption except after:

1050 (i) the patron to whom the limited-service restaurant licensee furnishes the alcoholic
1051 product is seated at:

1052 (A) a table that is located in a dining area or a dispensing area;

1053 (B) a counter that is located in a dining area or a dispensing area; or

1054 (C) a dispensing structure that is located in a dispensing area; and

1055 (ii) the limited-service restaurant licensee confirms that the patron intends to:

1056 (A) order food prepared, sold, and furnished at the licensed premises; and

1057 (B) except as provided in Subsection (5)(b), consume the food at the same location
1058 where the patron is seated and furnished the alcoholic product.

1059 (b) (i) While a patron waits for a seat at a table or counter in the dining area of a
1060 limited-service restaurant licensee, the limited-service restaurant licensee may sell, offer for
1061 sale, or furnish to the patron one drink that contains a single portion of an alcoholic product as
1062 described in Section [32B-5-304](#) if:

1063 (A) the patron is in a dispensing area and seated at a table, counter, or dispensing
1064 structure; and

1065 (B) the limited-service restaurant licensee first confirms that after the patron is seated
1066 in the dining area, the patron intends to order food prepared, sold, and furnished at the licensed
1067 premises.

1068 (ii) If the patron does not finish the patron's alcoholic product before moving to a seat
1069 in the dining area, an employee of the limited-service restaurant licensee who is qualified to
1070 sell and serve an alcoholic product under Section [32B-5-306](#) shall transport any unfinished
1071 portion of the patron's alcoholic product to the patron's seat in the dining area.

1072 (iii) For purposes of Subsection (5)(b)(i) a single portion of wine is 5 ounces or less.

1073 (c) Notwithstanding Section [32B-5-307](#), a limited-service restaurant licensee may not
1074 furnish beer for off-premise consumption except after the patron consumes on the licensed
1075 premises food prepared, sold, and furnished at the licensed premises.

1076 (d) A limited-service restaurant licensee shall maintain on the licensed premises
1077 adequate culinary facilities for food preparation and dining accommodations.

1078 (6) A patron may consume an alcoholic product on the limited-service restaurant
1079 licensee's licensed premises only if the patron is seated at:

- 1080 (a) a table that is located in a dining area or a dispensing area;
- 1081 (b) a counter that is located in a dining area or a dispensing area; or
- 1082 (c) a dispensing structure located in a dispensing area.
- 1083 (7) (a) Subject to the other provisions of this Subsection (7), a patron may not have
- 1084 more than two alcoholic products of any kind at a time before the patron.
- 1085 (b) An individual portion of wine is considered to be one alcoholic product under
- 1086 Subsection (7)(a).
- 1087 (8) In accordance with the provisions of this section, an individual who is at least 21
- 1088 years old may consume food and beverages in a dispensing area.
- 1089 (9) (a) Except as provided in Subsection (9)(b), a minor may not sit, remain, or
- 1090 consume food or beverages in a dispensing area.
- 1091 (b) (i) A minor may be in a dispensing area if the minor is:
- 1092 (A) at least 16 years old and working as an employee of the limited-service restaurant
- 1093 licensee; or
- 1094 (B) performing maintenance and cleaning services as an employee of the
- 1095 limited-service restaurant licensee when the limited-service restaurant licensee is not open for
- 1096 business.
- 1097 (ii) If there is no alternative route available, a minor may momentarily pass through a
- 1098 dispensing area without remaining or sitting in the dispensing area en route to an area of the
- 1099 limited-service restaurant licensee's premises in which the minor is permitted to be.
- 1100 (10) Except as provided in Subsection [32B-5-307\(3\)](#), a limited-service restaurant
- 1101 licensee may dispense an alcoholic product only if:
- 1102 (a) the alcoholic product is dispensed from:
- 1103 (i) a dispensing structure that is located in a dispensing area;
- 1104 (ii) an area that is:
- 1105 (A) separated from an area for the consumption of food by a patron by a solid,
- 1106 translucent, permanent structural barrier such that the facilities for the dispensing of an
- 1107 alcoholic product are not readily visible to a patron and not accessible by a patron; and
- 1108 (B) apart from an area used for dining, for staging, or as a waiting area; or
- 1109 (iii) the premises of a bar licensee that is:
- 1110 (A) owned by the same person or persons as the limited-service restaurant licensee; and

1111 (B) located immediately adjacent to the premises of the limited-service restaurant
1112 licensee; and

1113 (b) any instrument or equipment used to dispense alcoholic product is located in an
1114 area described in Subsection (10)(a).

1115 (11) (a) A limited-service restaurant licensee may have more than one dispensing area
1116 in the licensed premises.

1117 (b) Each dispensing area in a licensed premises may satisfy the requirements for a
1118 dispensing area under Subsection 32B-6-202(2)(a)(i), (ii), or (iii), regardless of how any other
1119 dispensing area in the licensed premises satisfies the requirements for a dispensing area.

1120 (12) A limited-service restaurant licensee may not:

1121 (a) transfer, dispense, or serve an alcoholic product on or from a movable cart; or

1122 (b) display an alcoholic product or a product intended to appear like an alcoholic
1123 product by moving a cart or similar device around the licensed premises.

1124 (13) A limited-service restaurant licensee may state in a food or alcoholic product
1125 menu a charge or fee made in connection with the sale, service, or consumption of wine or
1126 heavy beer, including:

1127 (a) a set-up charge;

1128 (b) a service charge; or

1129 (c) a chilling fee.

1130 (14) (a) In addition to the requirements described in Section 32B-5-302, a
1131 limited-service restaurant licensee shall maintain each of the following records for at least three
1132 years:

1133 (i) a record required by [~~Section~~] Subsection 32B-5-302(1); and

1134 (ii) a record that the commission requires a limited-service restaurant licensee to use or
1135 maintain under a rule made in accordance with Title 63G, Chapter 3, Utah Administrative
1136 Rulemaking Act.

1137 (b) The department shall audit the records of a limited-service restaurant licensee at
1138 least once each calendar year.

1139 Section 7. Section 32B-6-406 is amended to read:

1140 **32B-6-406. Specific operational requirements for a bar establishment license.**

1141 (1) (a) In addition to complying with Chapter 5, Part 3, Retail Licensee Operational

1142 Requirements, a bar establishment licensee and staff of the bar establishment licensee shall
1143 comply with this section.

1144 (b) Failure to comply as provided in Subsection (1)(a) may result in disciplinary action
1145 in accordance with Chapter 3, Disciplinary Actions and Enforcement Act, against:

1146 (i) a bar establishment licensee;

1147 (ii) individual staff of a bar establishment licensee; or

1148 (iii) both a bar establishment licensee and staff of the bar establishment licensee.

1149 (2) In addition to complying with Subsection 32B-5-301(3), a bar licensee shall display
1150 in a conspicuous place at the entrance to the licensed premises a sign that:

1151 (a) measures at least 8-1/2 inches long and 11 inches wide; and

1152 (b) clearly states that the bar licensee is a bar and that no one under 21 years [of age]
1153 old is allowed.

1154 (3) (a) In addition to complying with Section 32B-5-302, a bar establishment licensee
1155 shall maintain for a minimum of three years:

1156 (i) a record required by [~~Section~~] Subsection 32B-5-302(1); and

1157 (ii) a record maintained or used by the bar establishment licensee, as the department
1158 requires.

1159 (b) Section 32B-1-205 applies to a record required to be made, maintained, or used in
1160 accordance with this Subsection (3).

1161 (c) The department shall audit the records of a bar establishment licensee at least once
1162 annually.

1163 (4) (a) A bar establishment licensee may not sell, offer for sale, or furnish liquor on the
1164 licensed premises on any day during a period that:

1165 (i) begins at 1 a.m.; and

1166 (ii) ends at 9:59 a.m.

1167 (b) A bar establishment licensee may sell, offer for sale, or furnish beer during the
1168 hours specified in Part 7, On-Premise Beer Retailer License, for an on-premise beer retailer
1169 license.

1170 (c) (i) Notwithstanding Subsections (4)(a) and (b), a bar establishment licensee shall
1171 keep its licensed premises open for one hour after the bar establishment licensee ceases the sale
1172 and furnishing of an alcoholic product during which time a patron of the bar establishment

- 1173 licensee may finish consuming:
- 1174 (A) a single drink containing spirituous liquor;
- 1175 (B) a single serving of wine not exceeding five ounces;
- 1176 (C) a single serving of heavy beer;
- 1177 (D) a single serving of beer not exceeding 26 ounces; or
- 1178 (E) a single serving of a flavored malt beverage.
- 1179 (ii) A bar establishment licensee is not required to remain open:
- 1180 (A) after all patrons have vacated the premises; or
- 1181 (B) during an emergency.
- 1182 (5) (a) A minor:
- 1183 (i) may not be admitted into, use, or be in the licensed premises of:
- 1184 (A) a dining club licensee unless accompanied by an individual who is 21 years [~~of~~
- 1185 ~~age~~] old or older; or
- 1186 (B) a bar licensee, except to the extent provided for under Section [32B-6-406.1](#);
- 1187 (ii) may only be admitted into, use, or be in the lounge or bar area of an equity
- 1188 licensee's or fraternal licensee's licensed premises:
- 1189 (A) when accompanied by an individual who is 21 years [~~of age~~] old or older; and
- 1190 (B) momentarily while en route to another area of the licensee's premises; and
- 1191 (iii) may not remain or sit in the lounge or bar area of an equity licensee's or fraternal
- 1192 licensee's licensed premises.
- 1193 (b) Notwithstanding Section [32B-5-308](#), a bar establishment licensee may not employ a
- 1194 minor to:
- 1195 (i) work in a lounge or bar area of an equity licensee, fraternal licensee, or dining club
- 1196 licensee; or
- 1197 (ii) handle an alcoholic product.
- 1198 (c) Notwithstanding Section [32B-5-308](#), a minor may not be employed on the licensed
- 1199 premises of a bar licensee.
- 1200 (d) Nothing in this part or Section [32B-5-308](#) precludes a local authority from being
- 1201 more restrictive of a minor's admittance to, use of, or presence on the licensed premises of a bar
- 1202 establishment licensee.
- 1203 (6) A bar establishment licensee shall have food available at all times when an

1204 alcoholic product is sold, offered for sale, furnished, or consumed on the licensed premises.

1205 (7) (a) Subject to the other provisions of this Subsection (7), a patron may not have
1206 more than two alcoholic products of any kind at a time before the patron.

1207 (b) A patron may not have two spirituous liquor drinks before the bar establishment
1208 licensee patron if one of the spirituous liquor drinks consists only of the primary spirituous
1209 liquor for the other spirituous liquor drink.

1210 (c) An individual portion of wine is considered to be one alcoholic product under
1211 Subsection (7)(a).

1212 (8) A bar establishment licensee shall have available on the premises for a patron to
1213 review at the time that the patron requests it, a written alcoholic product price list or a menu
1214 containing the price of an alcoholic product sold, offered for sale, or furnished by the bar
1215 establishment licensee including:

1216 (a) a set-up charge;

1217 (b) a service charge; or

1218 (c) a chilling fee.

1219 (9) Subject to Section [32B-5-309](#), a bar establishment licensee may not temporarily
1220 rent or otherwise temporarily lease its premises to a person unless:

1221 (a) the person to whom the bar establishment licensee rents or leases the premises
1222 agrees in writing to comply with this title as if the person is the bar establishment licensee,
1223 except for a requirement related to making or maintaining a record; and

1224 (b) the bar establishment licensee takes reasonable steps to ensure that the person
1225 complies with this section as provided in Subsection (9)(a).

1226 (10) If a bar establishment licensee is an equity licensee or fraternal licensee, the bar
1227 establishment licensee shall comply with Section [32B-6-407](#).

1228 (11) If a bar establishment licensee is a dining club licensee or bar licensee, the bar
1229 establishment licensee shall comply with Section [32B-1-407](#).

1230 (12) (a) A bar establishment licensee shall own or lease premises suitable for the bar
1231 establishment licensee's activities.

1232 (b) A bar establishment licensee may not maintain licensed premises in a manner that
1233 barricades or conceals the bar establishment licensee's operation.

1234 Section 8. Section **32B-6-605** is amended to read:

1235 **32B-6-605. Specific operational requirements for on-premise banquet license.**

1236 (1) (a) In addition to complying with Chapter 5, Part 3, Retail Licensee Operational
1237 Requirements, an on-premise banquet licensee and staff of the on-premise banquet licensee
1238 shall comply with this section.

1239 (b) Failure to comply as provided in Subsection (1)(a) may result in disciplinary action
1240 in accordance with Chapter 3, Disciplinary Actions and Enforcement Act, against:

1241 (i) an on-premise banquet licensee;

1242 (ii) individual staff of an on-premise banquet licensee; or

1243 (iii) both an on-premise banquet licensee and staff of the on-premise banquet licensee.

1244 (2) An on-premise banquet licensee shall comply with Subsections [32B-5-301](#)(4) and
1245 (5) for the entire premises of the hotel, resort facility, sports center, convention center,
1246 performing arts facility, or arena that is the basis for the on-premise banquet license.

1247 (3) (a) For the purpose described in Subsection (3)(b), an on-premise banquet licensee
1248 shall provide the department with advance notice of a scheduled banquet in accordance with
1249 rules made by the commission.

1250 (b) Any of the following may conduct a random inspection of a banquet:

1251 (i) an authorized representative of the commission or the department; or

1252 (ii) a law enforcement officer.

1253 (4) (a) An on-premise banquet licensee is not subject to ~~[Section]~~ Subsection
1254 [32B-5-302](#)(1), but shall make and maintain the records described in Subsection [32B-5-302](#)(2)
1255 and the records the commission or department requires.

1256 (b) Section [32B-1-205](#) applies to a record required to be made or maintained in
1257 accordance with this Subsection (4).

1258 (5) (a) Except as otherwise provided in this title, an on-premise banquet licensee may
1259 sell, offer for sale, or furnish an alcoholic product at a banquet only for consumption at the
1260 location of the banquet.

1261 (b) Except as provided in Subsection [32B-5-307](#)(4), a host of a banquet, a patron, or a
1262 person other than the on-premise banquet licensee or staff of the on-premise banquet licensee,
1263 may not remove an alcoholic product from the premises of the banquet.

1264 (c) Notwithstanding Subsections [32B-5-307](#)(3) and (5) and except as provided in
1265 Subsection [32B-5-307](#)(4), a patron at a banquet may not bring an alcoholic product into or

1266 onto, or remove an alcoholic product from, the premises of a banquet.

1267 (6) (a) An on-premise banquet licensee may not leave an unsold alcoholic product at
1268 the banquet following the conclusion of the banquet.

1269 (b) At the conclusion of a banquet, an on-premise banquet licensee shall:

1270 (i) destroy an opened and unused alcoholic product that is not saleable, under
1271 conditions established by the department; and

1272 (ii) return to the on-premise banquet licensee's approved locked storage area any:

1273 (A) opened and unused alcoholic product that is saleable; and

1274 (B) unopened container of an alcoholic product.

1275 (c) Except as provided in Subsection (6)(b) with regard to an open or sealed container
1276 of an alcoholic product not sold or consumed at a banquet, an on-premise banquet licensee:

1277 (i) shall store the alcoholic product in the on-premise banquet licensee's approved
1278 locked storage area; and

1279 (ii) may use the alcoholic product at more than one banquet.

1280 (7) Notwithstanding Section 32B-5-308, an on-premise banquet licensee may not
1281 employ a minor to sell, furnish, or dispense an alcoholic product in connection with the
1282 on-premise banquet licensee's banquet and room service activities.

1283 (8) An on-premise banquet licensee:

1284 (a) may provide room service in portions described in Section 32B-5-304;

1285 (b) may not sell, offer for sale, or furnish an alcoholic product at a banquet or in
1286 connection with room service any day during a period that:

1287 (i) begins at 1 a.m.; and

1288 (ii) ends at 9:59 a.m.; and

1289 (c) notwithstanding Section 32B-5-305, may provide as room service one alcoholic
1290 product free of charge per guest reservation, per guest room, if the alcoholic product:

1291 (i) is not a spirituous liquor; and

1292 (ii) is in an unopened container not to exceed 750 milliliters.

1293 (9) (a) Subject to the other provisions of this Subsection (9), a patron may not have
1294 more than two alcoholic products of any kind at a time before the patron.

1295 (b) A patron may not have more than one spirituous liquor drink at a time before the
1296 patron.

1297 (c) An individual portion of wine is considered to be one alcoholic product under
1298 Subsection (9)(a).

1299 (10) (a) An on-premise banquet licensee shall supervise and direct a person involved in
1300 the sale, offer for sale, or furnishing of an alcoholic product.

1301 (b) A person involved in the sale, offer for sale, or furnishing of an alcoholic product
1302 shall complete an alcohol training and education seminar.

1303 (11) A staff person of an on-premise banquet licensee shall remain at the banquet at all
1304 times when an alcoholic product is sold, offered for sale, furnished, or consumed at the
1305 banquet.

1306 (12) (a) Room service of an alcoholic product to a guest room or privately owned
1307 dwelling unit of a hotel or resort facility shall be provided in person by staff of an on-premise
1308 banquet licensee only to an adult guest in the guest room or privately owned dwelling unit.

1309 (b) An alcoholic product may not be left outside a guest room or privately owned
1310 dwelling unit for retrieval by a guest or resident.

1311 (13) An on-premise banquet licensee may not maintain a minibar.

1312 Section 9. Section **32B-6-706** is amended to read:

1313 **32B-6-706. Specific operational requirements for on-premise beer retailer license.**

1314 (1) (a) In addition to complying with Chapter 5, Part 3, Retail Licensee Operational
1315 Requirements, an on-premise beer retailer and staff of the on-premise beer retailer shall comply
1316 with this section.

1317 (b) Failure to comply as provided in Subsection (1)(a) may result in disciplinary action
1318 in accordance with Chapter 3, Disciplinary Actions and Enforcement Act, against:

1319 (i) an on-premise beer retailer;

1320 (ii) individual staff of an on-premise beer retailer; or

1321 (iii) both an on-premise beer retailer and staff of the on-premise beer retailer.

1322 (2) (a) An on-premise beer retailer is not subject to ~~[Section]~~ Subsection 32B-5-302(1),
1323 but shall make and maintain the records described in Subsection 32B-5-302(2) and the records
1324 the department requires.

1325 (b) Section **32B-1-205** applies to a record required to be made or maintained in
1326 accordance with this Subsection (2).

1327 (3) Notwithstanding Section **32B-5-303**, an on-premise beer retailer may not store or

1328 sell liquor on its licensed premises.

1329 (4) (a) An on-premise beer retailer may not sell, offer for sale, or furnish beer at the
1330 on-premise beer retailer's licensed premises during a period that:

1331 (i) begins at 1 a.m.; and

1332 (ii) ends at 9:59 a.m.

1333 (b) (i) Notwithstanding Subsection (4)(a), a tavern shall remain open for one hour after
1334 the tavern ceases the sale and furnishing of beer during which time a patron of the tavern may
1335 finish consuming a single serving of beer not exceeding 26 ounces.

1336 (ii) A tavern is not required to remain open:

1337 (A) after all patrons have vacated the premises; or

1338 (B) during an emergency.

1339 (5) Notwithstanding Section 32B-5-308, a minor may not be on the premises of a
1340 tavern.

1341 (6) (a) (i) An on-premise beer retailer may not purchase, acquire, possess for the
1342 purpose of resale, or sell beer except beer that the on-premise beer retailer lawfully purchases
1343 from:

1344 (A) a beer wholesaler licensee; or

1345 (B) a small brewer that manufactures the beer.

1346 (ii) Violation of Subsection (6)(a)(i) is a class A misdemeanor.

1347 (b) (i) If an on-premise beer retailer purchases beer under this Subsection (6) from a
1348 beer wholesaler licensee, the on-premise beer retailer shall purchase beer only from a beer
1349 wholesaler licensee who is designated by the manufacturer to sell beer in the geographical area
1350 in which the on-premise beer retailer is located, unless an alternate wholesaler is authorized by
1351 the department to sell to the on-premise beer retailer as provided in Section 32B-13-301.

1352 (ii) Violation of Subsection (6)(b)(i) is a class B misdemeanor.

1353 (7) A tavern shall comply with Section 32B-1-407.

1354 Section 10. Section 32B-6-905.1 is amended to read:

1355 **32B-6-905.1. Specific operational requirements for a beer-only restaurant license**
1356 **-- On and after July 1, 2018, or July 1, 2022.**

1357 (1) (a) In addition to complying with Chapter 5, Part 3, Retail Licensee Operational
1358 Requirements, a beer-only restaurant licensee and staff of the beer-only restaurant licensee

1359 shall comply with this section.

1360 (b) Failure to comply with Subsection (1)(a) may result in disciplinary action in
1361 accordance with Chapter 3, Disciplinary Actions and Enforcement Act, against:

1362 (i) a beer-only restaurant licensee;

1363 (ii) individual staff of a beer-only restaurant licensee; or

1364 (iii) both a beer-only restaurant licensee and staff of the beer-only restaurant licensee.

1365 (2) (a) A beer-only restaurant licensee on the licensed premises may not sell, offer for
1366 sale, furnish, or allow consumption of liquor.

1367 (b) Liquor may not be on the premises of a beer-only restaurant licensee except for use:

1368 (i) as a flavoring on a dessert; or

1369 (ii) in the preparation of a flaming food dish, drink, or dessert.

1370 (3) (a) An individual who serves beer in a beer-only restaurant licensee's premises shall
1371 make a beverage tab for each table or group that orders or consumes beer on the premises.

1372 (b) A beverage tab described in this Subsection (3) shall state the type and amount of
1373 each beer ordered or consumed.

1374 (4) A beer-only restaurant licensee may not make an individual's willingness to serve
1375 beer a condition of employment as a server with a beer-only restaurant licensee.

1376 (5) A beer-only restaurant licensee may sell, offer for sale, or furnish beer at the
1377 licensed premises during the following time periods only:

1378 (a) on a weekday, during the period that begins at 11:30 a.m. and ends at 12:59 a.m.; or

1379 (b) on a weekend or a state or federal legal holiday or for a private event, during the
1380 period that begins at 10:30 a.m. and ends at 12:59 a.m.

1381 (6) (a) A beer-only restaurant licensee may not furnish beer for on-premise
1382 consumption except after:

1383 (i) the patron to whom the beer-only restaurant licensee furnishes the beer is seated at:

1384 (A) a table that is located in a dining area or a dispensing area;

1385 (B) a counter that is located in a dining area or a dispensing area; or

1386 (C) a dispensing structure that is located in a dispensing area; and

1387 (ii) the beer-only restaurant licensee confirms that the patron intends to:

1388 (A) order food prepared, sold, and furnished at the licensed premises; and

1389 (B) except as provided in Subsection (6)(b), consume the food at the same location

1390 where the patron is seated and furnished the beer.

1391 (b) (i) While a patron waits for a seat at a table or counter in the dining area of a
1392 beer-only restaurant licensee, the beer-only restaurant licensee may sell, offer for sale, or
1393 furnish to the patron one portion of beer as described in Section 32B-5-304 if:

1394 (A) the patron is in a dispensing area and seated at a table, counter, or dispensing
1395 structure; and

1396 (B) the beer-only restaurant licensee first confirms that after the patron is seated in the
1397 dining area, the patron intends to order food prepared, sold, and furnished at the licensed
1398 premises.

1399 (ii) If the patron does not finish the patron's beer before moving to a seat in the dining
1400 area, an employee of the beer-only restaurant licensee who is qualified to sell and serve an
1401 alcoholic product under Section 32B-5-306 shall transport any unfinished portion of the
1402 patron's beer to the patron's seat in the dining area.

1403 (c) Notwithstanding Section 32B-5-307, a beer-only restaurant licensee may not
1404 furnish beer for off-premise consumption except after the patron consumes on the licensed
1405 premises food prepared, sold, and furnished at the licensed premises.

1406 (d) A beer-only restaurant licensee shall maintain on the licensed premises adequate
1407 culinary facilities for food preparation and dining accommodations.

1408 (7) A patron may consume a beer on the beer-only licensee's licensed premises only at:

1409 (a) a table that is located in a dining area or a dispensing area;

1410 (b) a counter that is located in a dining area or a dispensing area; or

1411 (c) a dispensing structure located in a dispensing area.

1412 (8) A patron may not have more than two beers at a time before the patron.

1413 (9) In accordance with the provisions of this section, an individual who is at least 21
1414 years old may consume food and beverages in a dispensing area.

1415 (10) (a) Except as provided in Subsection (10)(b), a minor may not sit, remain, or
1416 consume food or beverages in a dispensing area.

1417 (b) (i) A minor may be in a dispensing area if the minor is:

1418 (A) at least 16 years old and working as an employee of the beer-only restaurant
1419 licensee; or

1420 (B) performing maintenance and cleaning services as an employee of the beer-only

1421 restaurant licensee when the beer-only restaurant licensee is not open for business.

1422 (ii) If there is no alternative route available, a minor may momentarily pass through a
1423 dispensing area without remaining or sitting in the dispensing area en route to an area of the
1424 beer-only restaurant licensee's premises in which the minor is permitted to be.

1425 (11) A beer-only restaurant licensee may dispense a beer only if:

1426 (a) the beer is dispensed from:

1427 (i) a dispensing structure that is located in a dispensing area;

1428 (ii) an area that is:

1429 (A) separated from an area for the consumption of food by a patron by a solid,
1430 translucent, permanent structural barrier such that the facilities for the dispensing of an
1431 alcoholic product are not readily visible to a patron and not accessible by a patron; and

1432 (B) apart from an area used for dining, for staging, or as a waiting area; or

1433 (iii) the premises of a bar licensee that is:

1434 (A) owned by the same person or persons as the beer-only restaurant licensee; and

1435 (B) located immediately adjacent to the premises of the beer-only restaurant licensee;

1436 and

1437 (b) any instrument or equipment used to dispense the beer is located in an area
1438 described in Subsection (11)(a).

1439 (12) (a) A beer-only restaurant licensee may have more than one dispensing area in the
1440 licensed premises.

1441 (b) Each dispensing area in a licensed premises may satisfy the requirements for a
1442 dispensing area under Subsection 32B-6-902(1)(b)(i)(A), (B), or (C), regardless of how any
1443 other dispensing area in the licensed premises satisfies the requirements for a dispensing area.

1444 (13) A beer-only restaurant licensee may not transfer, dispense, or serve beer on or
1445 from a movable cart.

1446 (14) (a) In addition to the requirements described in Section 32B-5-302, a beer-only
1447 restaurant licensee shall maintain each of the following records for at least three years:

1448 (i) a record required by ~~[Section]~~ Subsection 32B-5-302(1); and

1449 (ii) a record that the commission requires a beer-only restaurant licensee to use or
1450 maintain under a rule made in accordance with Title 63G, Chapter 3, Utah Administrative
1451 Rulemaking Act.

1452 (b) The department shall audit the records of a beer-only restaurant licensee at least
1453 once annually.

1454 Section 11. Section **32B-6-1005** is amended to read:

1455 **32B-6-1005. Specific operational requirements for hospitality amenity license.**

1456 (1) (a) In addition to complying with Chapter 5, Part 3, Retail Licensee Operational
1457 Requirements, a hospitality amenity licensee and staff of the hospitality amenity licensee shall
1458 comply with this section.

1459 (b) Failure to comply as provided in Subsection (1)(a) may result in disciplinary action
1460 in accordance with Chapter 3, Disciplinary Actions and Enforcement Act, against:

1461 (i) the hospitality amenity licensee;

1462 (ii) individual staff of the hospitality amenity licensee; or

1463 (iii) both the hospitality amenity licensee and staff of the hospitality amenity licensee.

1464 (2) (a) A hospitality amenity licensee may sell, offer for sale, or furnish an alcoholic
1465 product:

1466 (i) to a hospitality guest; and

1467 (ii) for consumption in or on the hospitality amenity licensee's licensed premises.

1468 (b) (i) A hospitality amenity licensee may sell, offer for sale, or furnish an alcoholic
1469 product that is not spirituous liquor in or on:

1470 (A) licensed premises physically separated from an area to which a hospitality guest or
1471 the public has access by a permanent or temporary structure or barrier; or

1472 (B) licensed premises described in Subsection (2)(b)(ii).

1473 (ii) A hospitality amenity licensee may sell, offer for sale, or furnish spirituous liquor
1474 in or on licensed premises that:

1475 (A) allows access only through the use of a key or code; and

1476 (B) fills the entirety of a physically and permanently enclosed area within the hotel or
1477 resort.

1478 (c) Spirituous liquor may not be in or on the licensed premises described in Subsection
1479 (2)(b)(i)(A) of a hospitality amenity licensee, except for use:

1480 (i) as a flavoring on a dessert; and

1481 (ii) in the preparation of a flaming food dish or dessert.

1482 (d) A hospitality amenity licensee may not allow self-service of an alcoholic product in

1483 or on the hospitality amenity licensee's licensed premises.

1484 (3) (a) Subject to Subsections (3)(b) and (c), a hospitality guest may not have more
1485 than two alcoholic products of any kind at a time before the hospitality guest.

1486 (b) A hospitality guest may not have more than one spirituous liquor drink at a time
1487 before the hospitality guest.

1488 (c) An individual portion of wine is considered to be one alcoholic product under
1489 Subsection (3)(a).

1490 (4) A hospitality amenity licensee shall make food available at all times that the
1491 licensee sells, offers for sale, furnishes, or allows the consumption of an alcoholic product on
1492 the licensed premises.

1493 (5) (a) A hospitality amenity licensee may not sell, offer for sale, or furnish an
1494 alcoholic product any day during a period that:

1495 (i) begins at 1:00 a.m.; and

1496 (ii) ends at 9:59 a.m.

1497 (b) A hospitality amenity licensee shall remain open for one hour after the licensee
1498 ceases to sell and furnish an alcoholic product, during which time a hospitality guest in or on
1499 the hospitality amenity licensed premises may finish consuming:

1500 (i) a single drink containing spirituous liquor;

1501 (ii) a single serving of wine not exceeding five ounces;

1502 (iii) a single serving of heavy beer;

1503 (iv) a single serving of beer not exceeding 26 ounces; or

1504 (v) a single serving of a flavored malt beverage.

1505 (c) A hospitality amenity licensee is not required to remain open:

1506 (i) after all individuals have vacated the licensee's licensed premises; or

1507 (ii) during an emergency.

1508 (6) (a) Notwithstanding Section [32B-5-305](#), a hospitality amenity licensee may provide
1509 a hospitality guest up to two single servings of an alcoholic product free of charge or at a
1510 reduced rate, if:

1511 (i) the alcoholic product is not a spirituous liquor; and

1512 (ii) the hospitality amenity licensee offers the alcohol product:

1513 (A) to all hospitality guests;

1514 (B) during a specific time; and

1515 (C) on the hospitality amenity licensee's licensed premises.

1516 (b) Before a hospitality amenity licensee provides an alcoholic product free of charge

1517 or at a reduced rate as described in Subsection (6)(a), the licensee shall provide the department

1518 with advance notice of the event, in accordance with commission rules that permit a licensee to

1519 provide a single notice for a reoccurring event or multiple events.

1520 (7) A hospitality amenity licensee may permit a hospitality guest to purchase an

1521 alcoholic product through a charge to the hospitality guest's lodging accommodations.

1522 (8) (a) Notwithstanding Section 32B-5-307, a hospitality guest, or a person other than

1523 the hospitality amenity licensee or staff of the hospitality amenity licensee, may not remove an

1524 alcoholic product from the hospitality amenity licensee's licensed premises.

1525 (b) Notwithstanding Subsection 32B-5-307(3), a hospitality guest may not bring an

1526 alcoholic product within the hospitality amenity licensee's licensed premises.

1527 (9) A hospitality amenity licensee shall display at each entrance to the licensee's

1528 licensed premises a conspicuous sign that:

1529 (a) measures at least 8-1/2 inches long and 11 inches wide; and

1530 (b) clearly states that entry is limited to individuals who are hospitality guests, as

1531 defined in this title.

1532 (10) A hospitality amenity licensee may not permit a minor to enter the licensee's

1533 licensed premises at any time during which an alcoholic product is sold, offered for sale,

1534 furnished, or consumed, unless the minor is accompanied at all times on the licensed premises

1535 by a hospitality guest.

1536 (11) A staff person of a hospitality amenity licensee shall remain on the licensed

1537 premises at all times when an alcoholic product is sold, offered for sale, furnished, or

1538 consumed in or on the licensed premises.

1539 (12) A hospitality amenity licensee may transfer an alcoholic product to or from

1540 another licensee within the boundary of the hotel or within the boundary of the resort building,

1541 if:

1542 (a) the hospitality amenity licensee and each licensee involved in the transfer tracks the
1543 transfer of the alcoholic product; and

1544 (b) the alcoholic product is in a sealed, unopened container.

1545 (13) (a) In addition to the requirements described in Section 32B-5-302, a hospitality
1546 amenity licensee shall maintain each of the following records for at least three years:

1547 (i) a record required under [~~Section~~] Subsection 32B-5-302(1); and

1548 (ii) a record that the commission requires a hospitality amenity licensee to use or
1549 maintain under a rule made in accordance with Title 63G, Chapter 3, Utah Administrative
1550 Rulemaking Act.

1551 (b) The department shall audit the records of a hospitality amenity licensee at least
1552 once annually.

1553 Section 12. Section **32B-15-102.5** is enacted to read:

1554 **32B-15-102.5. Study on overservice and prohibited service of alcohol.**

1555 (1) As used in this section:

1556 (a) "Overservice incident" means service of an alcoholic product to an intoxicated
1557 individual.

1558 (b) "Prohibited service incident" means service of an alcoholic product to an
1559 interdicted person.

1560 (2) The Department of Public Safety shall conduct a study regarding prevention of
1561 overservice incidents and prohibited service incidents in the state.

1562 (3) The study shall:

1563 (a) evaluate overservice incidents and prohibited service incidents in the state,
1564 including:

1565 (i) the impact of dramshop insurance coverage requirements on deterring the service of
1566 an intoxicated individual; and

1567 (ii) any benefit of damage caps to a person involved in an overservice incident;

1568 (b) research the circumstances under which a person may reasonably determine an
1569 individual is intoxicated or an interdicted person; and

1570 (c) examine policies or legislation enacted in response to an overservice incident or
1571 prohibited service incident and the effectiveness of the policies or legislation in preventing
1572 overservice incidents or prohibited service incidents.

1573 (4) In accordance with Title 63G, Chapter 6a, Utah Procurement Code, the Department
1574 of Public Safety may contract with another state agency, private entity, or research institution to
1575 assist the Department of Public Safety with the study.

1576 (5) (a) Before November 30, 2024, the Department of Public Safety shall submit a
1577 written report to the Law Enforcement and Criminal Justice Interim Committee regarding the
1578 findings of the study.

1579 (b) The report shall include:

1580 (i) any recommendations for legislation to prevent overservice incidents and prohibited
1581 service incidents; and

1582 (ii) references to all sources of information and data used in the report.

1583 Section 13. Section **32B-15-201** is amended to read:

1584 **32B-15-201. Liability for injuries and damage resulting from distribution of**
1585 **alcoholic products -- Rebuttable presumption.**

1586 (1) (a) Except as provided in Subsections **32B-15-202**(2) and (3), a person described in
1587 Subsection (1)(b) is liable for:

1588 (i) any and all injury and damage, except punitive damages to:

1589 (A) a third person; or

1590 (B) the heir, as defined in Section **78B-3-105**, of ~~[that]~~ the third person; or

1591 (ii) the death of a third person.

1592 (b) A person is liable under Subsection (1)(a) if:

1593 (i) the person directly gives, sells, or otherwise provides an alcoholic product:

1594 (A) to a person described in Subsection (1)(b)(ii); and

1595 (B) as part of the commercial sale, storage, service, manufacture, distribution, or
1596 consumption of an alcoholic product;

1597 (ii) those actions are a cause of the intoxication of:

1598 (A) an individual under ~~[the age of]~~ 21 years old;

1599 (B) an individual who is apparently under the influence of ~~[intoxicating alcoholic~~
1600 ~~products or drugs]~~ an alcoholic product or drug;

1601 (C) an individual whom the person furnishing the alcoholic product knew or should
1602 have known from the circumstances was under the influence of ~~[intoxicating alcoholic products~~
1603 ~~or drugs]~~ an alcoholic product or drug; or

1604 (D) an individual who is a known interdicted person; and

1605 (iii) the injury or death described in Subsection (1)(a) results from the intoxication of
1606 the individual who is provided the alcoholic product.

1607 (c) (i) Subject to Subsection (1)(c)(ii), there is a rebuttable presumption that a person's
1608 actions under Subsection (1)(b)(i) are a cause of the intoxication of an individual described in
1609 Subsection (1)(b)(ii)(B) or (C) if:

1610 (A) the person directly gives, sells, or otherwise provides the individual the last
1611 alcoholic product the individual consumes before the injury or death described in Subsection
1612 (1)(b)(iii);

1613 (B) the individual consumes the alcoholic product at the location where the person
1614 directly gives, sells, or otherwise provides the individual the alcoholic product;

1615 (C) the injury or death occurs within 30 minutes after the time at which the individual
1616 leaves, and within a 10 mile radius of, the location where the person gives, sells, or otherwise
1617 provides the individual the alcoholic product; and

1618 (D) the individual is charged with a criminal violation of Section [41-6a-502](#) for driving
1619 under the influence of an alcoholic product in relation to the injury or death.

1620 (ii) The rebuttable presumption described in Subsection (1)(c)(i) does not apply if there
1621 is an intervening cause that may have caused the injury or death.

1622 (2) (a) A person 21 years [~~of age~~] old or older who is described in Subsection (2)(b) is
1623 liable for:

1624 (i) any and all injury and damage, except punitive damages to:

1625 (A) a third person; or

1626 (B) the heir, as defined in Section [78B-3-105](#), of [~~that~~] the third person; or

1627 (ii) the death of the third person.

1628 (b) A person is liable under Subsection (2)(a) if:

1629 (i) [~~that~~] the person directly gives or otherwise provides an alcoholic product to an
1630 individual who the person knows or should have known is under [~~the age of~~] 21 years old;

1631 (ii) those actions [~~caused~~] are a cause of the intoxication of the individual provided the
1632 alcoholic product;

1633 (iii) the injury or death described in Subsection (2)(a) results from the intoxication of
1634 the individual who is provided the alcoholic product; and

1635 (iv) the person is not liable under Subsection (1), because the person did not directly
1636 give or provide the alcoholic product as part of the commercial sale, storage, service,
1637 manufacture, distribution, or consumption of an alcoholic product.

1638 (3) This section does not apply to a business licensed in accordance with Chapter 7,
1639 Off-Premise Beer Retailer Act, to sell beer at retail only for off-premise consumption.

1640 Section 14. Section **63I-2-232** is amended to read:

1641 **63I-2-232. Repeal dates: Title 32B.**

1642 [~~(1) Subsection 32B-1-102(9) is repealed July 1, 2022.~~]

1643 [~~(2) Subsection 32B-1-407(3)(d) is repealed July 1, 2022.~~]

1644 [~~(3) Subsections 32B-6-202(3) and (4) are repealed July 1, 2022.~~]

1645 [~~(4) Section 32B-6-205 is repealed July 1, 2022.~~]

1646 [~~(5) Subsection 32B-6-205.2(16) is repealed July 1, 2022.~~]

1647 [~~(6) Section 32B-6-205.3 is repealed July 1, 2022.~~]

1648 [~~(7) Subsections 32B-6-302(3) and (4) are repealed July 1, 2022.~~]

1649 [~~(8) Section 32B-6-305 is repealed July 1, 2022.~~]

1650 [~~(9) Subsection 32B-6-305.2(15) is repealed July 1, 2022.~~]

1651 [~~(10) Section 32B-6-305.3 is repealed July 1, 2022.~~]

1652 [~~(11) Section 32B-6-404.1 is repealed July 1, 2022.~~]

1653 [~~(12) Section 32B-6-409 is repealed July 1, 2022.~~]

1654 [~~(13) Subsection 32B-6-703(2)(e)(iii) is repealed July 1, 2022.~~]

1655 [~~(14) Subsections 32B-6-902(1)(c), (1)(d), and (2) are repealed July 1, 2022.~~]

1656 [~~(15) Section 32B-6-905 is repealed July 1, 2022.~~]

1657 [~~(16) Subsection 32B-6-905.1(15) is repealed July 1, 2022.~~]

1658 [~~(17) Section 32B-6-905.2 is repealed July 1, 2022.~~]

1659 [~~(18) Subsection 32B-8d-104(3) is repealed July 1, 2022.~~]

1660 Section 32B-15-102.5, regarding a study on alcohol service, is repealed January 1,

1661 2025.