

398 (B) a malt substitute.

399 (b) "Heavy beer" may, if the heavy beer contains more than 5% alcohol by volume,
400 contain a propylene glycol-, ethyl alcohol-, or ethanol-based flavoring agent that contributes to
401 the overall alcohol content of the heavy beer.

402 (c) "Heavy beer" does not include:

403 (i) a flavored malt beverage;

404 (ii) a product that contains alcohol derived from:

405 (A) except as provided in ~~§~~ → [Subsection (51)(a)(i)(B)] Subsections (51)(a)(i)(B) and
405a (51)(b) ← ~~§~~ , spirituous liquor; or

406 (B) wine; or

407 (iii) a product that contains an additive masking or altering a physiological effect of
408 alcohol, including kratom, kava, cannabidiol, or natural or synthetic tetrahydrocannabinol.

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

410 ~~(51)~~ (52) "Hospitality amenity license" means a license issued in accordance with
411 Chapter 5, Retail License Act, and Chapter 6, Part 10, Hospitality Amenity License.

412 ~~(52)~~ (53) (a) "Hotel" means a commercial lodging establishment that:

413 (i) offers at least 40 rooms as temporary sleeping accommodations for compensation;

414 (ii) is capable of hosting conventions, conferences, and food and beverage functions
415 under a banquet contract; and

416 (iii) (A) has adequate kitchen or culinary facilities on the premises to provide complete
417 meals;

418 (B) has at least 1,000 square feet of function space consisting of meeting or dining
419 rooms that can be reserved for a banquet and can accommodate at least 75 individuals; or

420 (C) if the establishment is located in a small or unincorporated locality, has an
421 appropriate amount of function space consisting of meeting or dining rooms that can be
422 reserved for private use under a banquet contract, as determined by the commission.

423 (b) "Hotel" includes a commercial lodging establishment that:

424 (i) meets the requirements under Subsection ~~[(52)(a);~~ (53)(a); and

425 (ii) has one or more privately owned dwelling units.

426 ~~(53)~~ (54) "Hotel license" means a license issued in accordance with Chapter 5, Retail
427 License Act, and Chapter 8b, Hotel License Act.

428 ~~(54)~~ (55) "Identification card" means an identification card issued under Title 53,

1483 (2) The commission may issue a full-service restaurant license to establish full-service
1484 restaurant licensed premises at places and in numbers the commission considers proper for the
1485 storage, sale, offer for sale, furnishing, and consumption of an alcoholic product on premises
1486 operated as a full-service restaurant.

1487 (3) Subject to Section 32B-1-201:

1488 (a) ~~[The]~~ the commission may not issue a total number of full-service restaurant
1489 licenses that at any time exceeds the ~~[number]~~ sum of:

1490 (i) 35; and

1491 (ii) the number determined by dividing the population of the state by 4,467~~[-]~~;

1492 (b) ~~[The]~~ the commission may issue a seasonal full-service restaurant license in
1493 accordance with Section 32B-5-206~~[-]~~; ~~§~~→ and ←~~§~~

1494 (c) (i) ~~[Hf]~~ if the location, design, and construction of a hotel may require more than one
1495 full-service restaurant sales location within the hotel to serve the public convenience, the
1496 commission may authorize the sale, offer for sale, or furnishing of an alcoholic product at as
1497 many as three full-service restaurant locations within the hotel under one full-service restaurant
1498 license if:

1499 (A) the hotel has a minimum of 150 guest rooms; and

1500 (B) the locations under the full-service restaurant license are:

1501 (I) within the same hotel; and

1502 (II) on premises that are managed or operated, and owned or leased, by the full-service
1503 restaurant licensee~~[-]~~; and

1504 (ii) ~~[A]~~ except for a hotel, a facility ~~[other than a hotel]~~ shall have a separate
1505 full-service restaurant license for each full-service restaurant where an alcoholic product is
1506 sold, offered for sale, or furnished.

1507 (4) Except as otherwise provided in Section 32B-1-202, the commission may not issue
1508 a full-service restaurant license for premises that do not meet the proximity requirements of
1509 Subsection 32B-1-202(2).

1510 (5) To be licensed as a full-service restaurant, a person shall maintain at least 70% of
1511 the restaurant's gross revenues from the sale of food, which does not include:

1512 (a) mix for an alcoholic product; or

1513 (b) a service charge.

2134 (3) (a) The commission may not issue more than [~~13~~] 26 airport lounge licenses for an
2135 international airport at any time.

2136 (b) The commission may not issue a total number of domestic airport airport lounge
2137 licenses that at any time exceeds three.

2138 Section 23. Section **32B-6-603** is amended to read:

2139 **32B-6-603. Commission's power to issue on-premise banquet license -- Contracts**
2140 **as host.**

2141 (1) (a) Before a person may store, sell, offer for sale, furnish, or allow the consumption
2142 of an alcoholic product in connection with the person's banquet and room service activities at
2143 one of the following, the person shall first obtain an on-premise banquet license in accordance
2144 with this part:

2145 (i) a hotel;

2146 (ii) a resort facility;

2147 (iii) a sports center;

2148 (iv) a convention center;

2149 (v) a performing arts facility; [~~or~~]

2150 (vi) an arena[-]; or

2151 (vii) a restaurant venue.

2152 (b) This part does not prohibit an alcoholic product on the premises of a person listed
2153 in Subsection (1)(a) to the extent otherwise permitted by this title.

2154 (c) This section does not prohibit a person who applies for an on-premise banquet
2155 license to also apply for a package agency if otherwise qualified.

2156 (2) The commission may issue an on-premise banquet license to establish on-premise
2157 banquet licensees in the numbers the commission considers proper for the storage, sale, offer
2158 for sale, furnishing, and consumption of an alcoholic product at a banquet or as part of room
2159 service activities operated by an on-premise banquet licensee.

2160 (3) Subject to Section 32B-1-201, the commission [~~may not~~]:

2161 (a) may not issue a total number of restaurant venue on-premise banquet licenses that
2162 at any time exceeds ~~5~~ **→ [20] 25 ←** ~~5~~ ; and

2163 (b) may not issue a total number of on-premise banquet licenses that at any time
2164 [~~exceed~~] exceeds the number determined by dividing the population of the state by 28,765.