

4th Sub. S.B. 173

ALCOHOLIC BEVERAGE CONTROL ACT AMENDMENTS

HOUSE FLOOR AMENDMENTS

AMENDMENT 1

MARCH 2, 2023 1:53 PM

Representative **Jefferson S. Burton** proposes the following amendments:

1. *Page 14, Lines 407 through 412:*

407 ~~[(50)]~~ (51) (a) "Heavy beer" means a product that:
408 (i) ~~(A)~~ contains more than 5% alcohol by volume; ~~[and]~~ ~~{or}~~
409 ~~(B)~~ contains at least .5% of alcohol by volume and no more than 5% of alcohol by
410 volume or 4% by weight, and a propylene glycol-, ethyl alcohol-, or ethanol-based flavoring
411 agent that contributes more than 10% of the overall alcohol content of the product; ~~{and}~~ or
 (C) contains at least .5% of alcohol by volume and no more than 5% of alcohol by volume or 4%
 volume by weight, and has a label or packaging that is rejected under Subsection 32B-1-606(3)(b); and
412 (ii) is obtained by fermentation, infusion, or decoction of:

2. *Page 41, Lines 1263 through 1265:*

1263 (7) (a) Before July 1, 2024, the department shall review each beer that is sold or
1264 distributed in this state to determine whether the beer complies with Subsection
1265 32B-1-102(11) and this part .

3. *Page 43, Lines 1312 through 1315:*

1312 (b) shall reject a label or packaging for a malted beverage ~~{that}~~ to be sold by an off-premise
 beer retailer if the label or packaging for the malted beverage complies with
1313 Subsection (2) but remains so similar to a label or packaging used on a well-known or widely
1314 available nonalcoholic beverage that the label or packaging for the malted beverage is likely to
1315 confuse or mislead a patron to believe the malted beverage is a nonalcoholic beverage.