

**Representative Jefferson S. Burton** proposes the following substitute bill:

**ALCOHOL AMENDMENTS**

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jefferson S. Burton**

Senate Sponsor: Jerry W Stevenson

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**LONG TITLE**

**General Description:**

This bill modifies provisions related to alcohol.

**Highlighted Provisions:**

This bill:

- ▶ requires the director of the Department of Alcoholic Beverage Services to form a workgroup to make recommendations related to:
  - alcohol training and education for licensees; and
  - recordkeeping for certain cash transactions involving the sale of an alcoholic beverage;
- ▶ authorizes the department to establish a round up program, under which a state store customer could elect to round up the customer's purchase to the nearest dollar to help fund substance use disorder treatment services;
- ▶ increases the state markup on spirituous liquor, wine, and flavored malt beverages;
- ▶ clarifies the markup on spirituous liquor, wine, heavy beer, and flavored malt beverages sold by a package agency located at a manufacturing facility;
- ▶ increases the tax on beer and uses the additional revenue to fund three new alcohol-related law enforcement officers who are dedicated to compliance;
- ▶ prohibits a state store or off-premise beer retailer from selling liquor or beer that is



- 26 intended to be frozen and consumed in a manner other than as a beverage;
- 27       ▶ prohibits a state store or package agency from selling liquor that contains more than
- 28 80% alcohol by volume;
- 29       ▶ requires the department to initiate disciplinary proceedings under certain
- 30 circumstances;
- 31       ▶ prohibits a person from selling in the state vaporized alcohol;
- 32       ▶ requires the commission to issue any available retail license, including through a
- 33 conditional retail license, if an applicant satisfies the requirements for the retail
- 34 license;
- 35       ▶ allows a retail licensee to sell, offer for sale, or furnish spirituous liquor in a
- 36 pre-mixed beverage, if the beverage is in the original, sealed container and satisfies
- 37 other requirements, including requirements related to volume, alcohol content, and
- 38 labeling;
- 39       ▶ increases the number of full-service restaurant and bar establishment licenses the
- 40 commission is authorized to issue;
- 41       ▶ requires the department to prorate the initial licensing fee for retail licenses;
- 42       ▶ decreases the required capacity of a sports facility or concert venue to qualify as a
- 43 recreational amenity for purposes of an on-premise beer retailer license;
- 44       ▶ provides that a patron in a hotel with a hotel license or resort license may carry an
- 45 alcoholic beverage between specified locations within the hotel, provided the patron
- 46 travels within a designated conveyance area and the alcoholic beverage is in an
- 47 approved container;
- 48       ▶ allows an entity that is not an airline to obtain a public service permit for the
- 49 purpose of operating a hospitality room at an international airport;
- 50       ▶ modifies the required showing for prima facie evidence of dram shop liability;
- 51       ▶ allows an individual to obtain a DUI investigative report if the individual suffered
- 52 loss or injury as a result of the defendant's actions;
- 53       ▶ establishes a place of last drink program, operated by the Department of Public
- 54 Safety;
- 55       ▶ clarifies that the beer tax applies to beer and heavy beer;
- 56       ▶ repeals the Alcoholic Beverage Services Advisory Board; and

57           ▶ makes technical and conforming changes.

58 **Money Appropriated in this Bill:**

59           None

60 **Other Special Clauses:**

61           None

62 **Utah Code Sections Affected:**

63 AMENDS:

64           **32B-1-304**, as last amended by Laws of Utah 2023, Chapter 371

65           **32B-2-205**, as last amended by Laws of Utah 2022, Chapter 447

66           **32B-2-304**, as last amended by Laws of Utah 2022, Chapter 447

67           **32B-2-305**, as last amended by Laws of Utah 2023, Chapter 396

68           **32B-2-503**, as last amended by Laws of Utah 2011, Chapters 307, 334

69           **32B-2-605**, as last amended by Laws of Utah 2022, Chapter 447

70           **32B-3-203**, as last amended by Laws of Utah 2012, Chapter 369

71           **32B-4-422**, as last amended by Laws of Utah 2020, Chapter 219

72           **32B-4-424**, as enacted by Laws of Utah 2015, Chapter 54

73           **32B-4-501**, as last amended by Laws of Utah 2017, Chapter 455

74           **32B-5-201**, as last amended by Laws of Utah 2022, Chapter 447

75           **32B-5-304**, as last amended by Laws of Utah 2023, Chapter 371

76           **32B-6-203**, as last amended by Laws of Utah 2023, Chapter 371

77           **32B-6-204**, as last amended by Laws of Utah 2017, Chapter 455

78           **32B-6-206**, as last amended by Laws of Utah 2023, Chapter 371

79           **32B-6-302**, as last amended by Laws of Utah 2018, Chapters 249, 313

80           **32B-6-304**, as last amended by Laws of Utah 2016, Chapter 82

81           **32B-6-306**, as enacted by Laws of Utah 2013, Chapter 349

82           **32B-6-403**, as last amended by Laws of Utah 2023, Chapter 371

83           **32B-6-405**, as last amended by Laws of Utah 2017, Chapter 455

84           **32B-6-504**, as last amended by Laws of Utah 2011, Chapter 334

85           **32B-6-604**, as last amended by Laws of Utah 2011, Chapter 334

86           **32B-6-605**, as last amended by Laws of Utah 2023, Chapters 371, 400

87           **32B-6-702**, as last amended by Laws of Utah 2021, Chapter 280

- 88            **32B-6-705**, as last amended by Laws of Utah 2011, Second Special Session, Chapter 2
- 89            **32B-6-804**, as enacted by Laws of Utah 2011, Chapter 334
- 90            **32B-6-902**, as last amended by Laws of Utah 2019, Chapter 403
- 91            **32B-6-904**, as last amended by Laws of Utah 2012, Fourth Special Session, Chapter 1
- 92            **32B-6-1004**, as last amended by Laws of Utah 2021, Chapter 291
- 93            **32B-7-202**, as last amended by Laws of Utah 2022, Chapter 447
- 94            **32B-8-102**, as last amended by Laws of Utah 2020, Chapter 219
- 95            **32B-8-201**, as last amended by Laws of Utah 2022, Chapter 447
- 96            **32B-8-202**, as last amended by Laws of Utah 2020, Chapter 219
- 97            **32B-8-401**, as last amended by Laws of Utah 2023, Chapter 371
- 98            **32B-8b-102**, as last amended by Laws of Utah 2023, Chapter 371
- 99            **32B-8b-201**, as last amended by Laws of Utah 2020, Chapter 219
- 100          **32B-8b-202**, as last amended by Laws of Utah 2020, Chapter 219
- 101          **32B-8b-301**, as last amended by Laws of Utah 2023, Chapter 371
- 102          **32B-8d-104**, as last amended by Laws of Utah 2022, Chapter 447
- 103          **32B-10-202**, as enacted by Laws of Utah 2010, Chapter 276
- 104          **32B-10-303**, as last amended by Laws of Utah 2020, Sixth Special Session, Chapter 6
- 105          **32B-10-304**, as last amended by Laws of Utah 2020, Sixth Special Session, Chapter 6
- 106          **32B-15-201**, as last amended by Laws of Utah 2023, Chapter 400
- 107          **59-15-101**, as last amended by Laws of Utah 2019, Chapter 336
- 108          **59-15-109**, as last amended by Laws of Utah 2023, Chapter 396
- 109          **63I-2-232**, as last amended by Laws of Utah 2023, Chapter 371

110 ENACTS:

- 111            **32B-2-213**, Utah Code Annotated 1953
- 112            **41-6a-531**, Utah Code Annotated 1953
- 113            **53-28-101**, Utah Code Annotated 1953
- 114            **53-28-102**, Utah Code Annotated 1953

115 REPEALS:

- 116            **32B-2-210**, as last amended by Laws of Utah 2022, Chapter 447



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

119 Section 1. Section **32B-1-304** is amended to read:

120 **32B-1-304. Qualifications for a package agency, license, or permit -- Minors.**

121 (1) (a) Except as provided in Subsection (7), the commission may not issue a package  
122 agency, license, or permit to a person who has been convicted of:

123 (i) within seven years before the day on which the commission issues the package  
124 agency, license, or permit, a felony under a federal law or state law;

125 (ii) within four years before the day on which the commission issues the package  
126 agency, license, or permit:

127 (A) a violation of a federal law, state law, or local ordinance concerning the sale, offer  
128 for sale, warehousing, manufacture, distribution, transportation, or adulteration of an alcoholic  
129 product; or

130 (B) a crime involving moral turpitude; or

131 (iii) on two or more occasions within the five years before the day on which the  
132 package agency, license, or permit is issued, driving under the influence of alcohol, drugs, or  
133 the combined influence of alcohol and drugs.

134 (b) If the person is a partnership, corporation, or limited liability company, the  
135 proscription under Subsection (1)(a) applies if any of the following has been convicted of an  
136 offense described in Subsection (1)(a):

137 (i) a partner;

138 (ii) a managing agent;

139 (iii) a manager;

140 (iv) an officer;

141 (v) a director;

142 (vi) a stockholder who holds at least 20% of the total issued and outstanding stock of  
143 the corporation; or

144 (vii) a member who owns at least 20% of the limited liability company.

145 (c) Except as provided in Subsection (7), the proscription under Subsection (1)(a)  
146 applies if a person who is employed to act in a supervisory or managerial capacity for a  
147 package agency, licensee, or permittee has been convicted of an offense described in  
148 Subsection (1)(a).

149 (2) Except as described in Section **32B-8-501**, the commission may immediately

150 suspend or revoke a package agency, license, or permit, and terminate a package agency  
151 agreement, if a person described in Subsection (1):

152 (a) after the day on which the package agency, license, or permit is issued, is found to  
153 have been convicted of an offense described in Subsection (1)(a) before the package agency,  
154 license, or permit is issued; or

155 (b) on or after the day on which the package agency, license, or permit is issued:

156 (i) is convicted of an offense described in Subsection (1)(a)(i) or (ii); or

157 (ii) (A) is convicted of driving under the influence of alcohol, drugs, or the combined  
158 influence of alcohol and drugs; and

159 (B) was convicted of driving under the influence of alcohol, drugs, or the combined  
160 influence of alcohol and drugs within five years before the day on which the person is  
161 convicted of the offense described in Subsection (2)(b)(ii)(A).

162 (3) Except as described in Section 32B-8-501, the director may take emergency action  
163 by immediately suspending the operation of the package agency, licensee, or permittee for the  
164 period during which a criminal matter is being adjudicated if a person described in Subsection  
165 (1):

166 (a) is arrested on a charge for an offense described in Subsection (1)(a)(i) or (ii); or

167 (b) (i) is arrested on a charge for the offense of driving under the influence of alcohol,  
168 drugs, or the combined influence of alcohol and drugs; and

169 (ii) was convicted of driving under the influence of alcohol, drugs, or the combined  
170 influence of alcohol and drugs within five years before the day on which the person is arrested  
171 on a charge described in Subsection (3)(b)(i).

172 (4) (a) (i) The commission may not issue a package agency, license, or permit to a  
173 person who has had any type of agency, license, or permit issued under this title revoked within  
174 the last three years.

175 (ii) The commission may not issue a package agency, license, or permit to a  
176 partnership, corporation, or limited liability company if a partner, managing agent, manager,  
177 officer, director, stockholder who holds at least 20% of the total issued and outstanding stock  
178 of the corporation, or member who owns at least 20% of the limited liability company is or  
179 was:

180 (A) a partner or managing agent of a partnership that had any type of agency, license,

181 or permit issued under this title revoked within the last three years;

182 (B) a managing agent, officer, director, or stockholder who holds or held at least 20%  
183 of the total issued and outstanding stock of any corporation that had any type of agency,  
184 license, or permit issued under this title revoked within the last three years; or

185 (C) a manager or member who owns or owned at least 20% of a limited liability  
186 company that had any type of agency, license, or permit issued under this title revoked within  
187 the last three years.

188 (b) The commission may not issue a package agency, license, or permit to a  
189 partnership, corporation, or limited liability company if any of the following had any type of  
190 agency, license, or permit issued under this title revoked while acting in that person's individual  
191 capacity within the last three years:

192 (i) a partner or managing agent of a partnership;

193 (ii) a managing agent, officer, director, or stockholder who holds at least 20% of the  
194 total issued and outstanding stock of a corporation; or

195 (iii) a manager or member who owns at least 20% of a limited liability company.

196 (c) The commission may not issue a package agency, license, or permit to a person  
197 acting in an individual capacity if that person was:

198 (i) a partner or managing agent of a partnership that had any type of agency, license, or  
199 permit issued under this title revoked within the last three years;

200 (ii) a managing agent, officer, director, or stockholder who held at least 20% of the  
201 total issued and outstanding stock of a corporation that had any type of agency, license, or  
202 permit issued under this title revoked within the last three years; or

203 (iii) a manager or member who owned at least 20% of the limited liability company  
204 that had any type of agency, license, or permit issued under this title revoked within the last  
205 three years.

206 (5) (a) The commission may not issue a package agency, license, or permit to a minor.

207 (b) The commission may not issue a package agency, license, or permit to a  
208 partnership, corporation, or limited liability company if any of the following is a minor:

209 (i) a partner or managing agent of the partnership;

210 (ii) a managing agent, officer, director, or stockholder who holds at least 20% of the  
211 total issued and outstanding stock of the corporation; or

212 (iii) a manager or member who owns at least 20% of the limited liability company.

213 (c) For purposes of Subsection (5)(b), the commission may not consider a minor's  
214 position with or ownership interest in an entity that has an ownership interest in the entity that  
215 is applying for the package agency, license, or permit unless the minor would exercise direct  
216 decision-making control over the package agency, license, or permit.

217 (6) Except as described in Section [32B-8-501](#), if a package agent, licensee, or permittee  
218 no longer possesses the qualifications required by this title for obtaining a package agency,  
219 license, or permit, the commission may terminate the package agency agreement, or revoke the  
220 license or permit.

221 (7) (a) If the licensee is a resort licensee:

222 (i) Subsection (1)(a) only applies if an individual listed in Subsection (1)(b) engages in  
223 the management of the resort, as the commission defines in rule; and

224 (ii) Subsection (1)(c) only applies to an individual employed to act in a supervisory or  
225 managerial capacity for the resort licensee or in relation to a sublicense of the resort license.

226 (b) If the permittee is a public service permittee under Chapter 10, Special Use Permit  
227 Act:

228 (i) Subsection (1)(a) only applies if an individual listed in Subsection (1)(b) engages in  
229 the management of the ~~[airline, railroad, or other public conveyance]~~ public service permittee,  
230 as the commission defines in rule; and

231 (ii) Subsection (1)(c) only applies to an individual employed to act in a supervisory or  
232 managerial capacity for the public service permittee.

233 Section 2. Section **32B-2-205** is amended to read:

234 **32B-2-205. Director of alcoholic beverage services.**

235 (1) (a) In accordance with Subsection (1)(b), the governor, with the advice and consent  
236 of the Senate, shall appoint a director of alcoholic beverage services to a four-year term. The  
237 director may be appointed to more than one four-year term. The director is the administrative  
238 head of the department.

239 (b) (i) The governor shall appoint the director from nominations made by the  
240 commission.

241 (ii) The commission shall submit the nomination of three individuals to the governor  
242 for appointment of the director.



243 (iii) By no later than 30 calendar days from the day on which the governor receives the  
244 three nominations submitted by the commission, the governor may:

245 (A) appoint the director; or

246 (B) reject the three nominations.

247 (iv) If the governor rejects the nominations or fails to take action within the 30-day  
248 period, the commission shall nominate three different individuals from which the governor may  
249 appoint the director or reject the nominations until such time as the governor appoints the  
250 director.

251 (v) The governor may reappoint the director without seeking nominations from the  
252 commission. Reappointment of a director is subject to the advice and consent of the Senate.

253 (c) (i) If there is a vacancy in the position of director, during the nomination process  
254 described in Subsection (1)(b), the governor may appoint an interim director for a period of up  
255 to 30 calendar days.

256 (ii) If a director is not appointed within the 30-day period, the interim director may  
257 continue to serve beyond the 30-day period subject to the advice and consent of the Senate at  
258 the next scheduled time for the Senate giving consent to appointments of the governor.

259 (iii) Except that if the Senate does not act on the consent to the appointment of the  
260 interim director within 60 days of the end of the initial 30-day period, the interim director may  
261 continue as the interim director.

262 (d) The director may be terminated by:

263 (i) the commission by a vote of four commissioners; or

264 (ii) the governor after consultation with the commission.

265 (e) The director may not be a commissioner.

266 (f) The director shall:

267 (i) be qualified in administration;

268 (ii) be knowledgeable by experience and training in the field of business management;

269 and

270 (iii) possess any other qualification prescribed by the commission.

271 (2) The governor shall establish the director's compensation within the salary range  
272 fixed by the Legislature in Title 67, Chapter 22, State Officer Compensation.

273 (3) The director shall:

- 274 (a) carry out the policies of the commission;
- 275 (b) carry out the policies of the department;
- 276 (c) fully inform the commission of the operations and administrative activities of the
- 277 department; and
- 278 (d) assist the commission in the proper discharge of the commission's duties.
- 279 (4) (a) The director shall form a workgoup that includes representatives from the
- 280 following:
- 281 (i) the department;
- 282 (ii) the Division of Integrated Healthcare created in Section [26B-1-202](#);
- 283 (iii) the Department of Public Safety created in Section [53-10-103](#);
- 284 (iv) the retail alcohol industry;
- 285 (v) the bar or restaurant industry;
- 286 (vi) organizations related to alcohol and drug abuse prevention, alcohol or drug related
- 287 enforcement, or alcohol or drug related education; and
- 288 (vii) any other organization or industry the director determines beneficial.
- 289 (b) (i) The workgroup shall study and make recommendations to:
- 290 (A) improve the efficacy of the alcohol training and education described in Section
- 291 [26B-5-205](#), including recommendations related to the curriculum, development, provider, and
- 292 delivery; and
- 293 (B) maintain appropriate records of cash sale transactions in bar establishments.
- 294 (ii) The workgoup shall ensure that the workgroup's recommendations under
- 295 Subsection (4)(b)(i)(A) include a focus on improving training with respect to laws governing
- 296 the responsible sale and service of alcohol.
- 297 (c) No later than September 1, 2024, the workgroup shall provide written
- 298 recommendations as provided in this Subsection (4) to the Business and Labor Interim
- 299 Committee.

300 Section 3. Section **32B-2-213** is enacted to read:

301 **32B-2-213. Round up program.**

- 302 (1) The department may establish a round up program under which an individual who
- 303 makes a purchase at a state store may elect to round the purchase price up to the nearest dollar.
- 304 (2) The department shall deposit money the department collects under Subsection (1)

305 into the Pamela Atkinson Homeless Account created in Section [35A-16-301](#) to be used for  
306 substance use disorder treatment services.

307 Section 4. Section **32B-2-304** is amended to read:

308 **32B-2-304. Liquor price -- Remittance of markup -- School lunch program --**  
309 **Remittance of markup.**

310 (1) For purposes of this section:

311 (a) (i) "Landed case cost" means the sum of:

312 (A) the cost of the product; [~~and~~]

313 (B) inbound shipping costs [~~incurred by the department.~~] the department incurs; and

314 (C) case handling costs the department incurs.

315 (ii) "Landed case cost" does not include the outbound shipping cost from a warehouse  
316 of the department to a state store.

317 (b) "Proof gallon" means the same as that term is defined in 26 U.S.C. Sec. 5002.

318 (2) Except as provided in Subsections (3) and (4):

319 (a) spirituous liquor sold by the department within the state shall be marked up in an  
320 amount not less than [~~88%~~] 88.5% above the landed case cost to the department;

321 (b) wine sold by the department within the state shall be marked up in an amount not  
322 less than [~~88%~~] 88.5% above the landed case cost to the department;

323 (c) heavy beer sold by the department within the state shall be marked up in an amount  
324 not less than 66.5% above the landed case cost to the department; and

325 (d) a flavored malt beverage sold by the department within the state shall be marked up  
326 in an amount not less than [~~88%~~] 88.5% above the landed case cost to the department.

327 (3) (a) Liquor sold by the department to a military installation in Utah shall be marked  
328 up in an amount not less than 17% above the landed case cost to the department.

329 (b) Except for spirituous liquor sold by the department to a military installation in  
330 Utah, spirituous liquor that is sold by the department within the state shall be marked up 49%  
331 above the landed case cost to the department if:

332 (i) the spirituous liquor is manufactured by a manufacturer producing less than 30,000  
333 proof gallons of spirituous liquor in a calendar year; and

334 (ii) the manufacturer applies to the department for a reduced markup.

335 (c) Except for wine sold by the department to a military installation in Utah, wine that

336 is sold by the department within the state shall be marked up 49% above the landed case cost to  
337 the department if:

338 (i) (A) except as provided in Subsection (3)(c)(i)(B), the wine is manufactured by a  
339 manufacturer producing less than 20,000 gallons of wine in a calendar year; or

340 (B) for hard cider, the hard cider is manufactured by a manufacturer producing less  
341 than 620,000 gallons of hard cider in a calendar year; and

342 (ii) the manufacturer applies to the department for a reduced markup.

343 (d) Except for heavy beer sold by the department to a military installation in Utah,  
344 heavy beer that is sold by the department within the state shall be marked up 32% above the  
345 landed case cost to the department if:

346 (i) a small brewer manufactures the heavy beer; and

347 (ii) the small brewer applies to the department for a reduced markup.

348 (e) The department shall:

349 (i) for purposes of Subsections (3)(b) and (c), calculate the production amount of a  
350 manufacturer:

351 (A) by, if the manufacturer is part of a controlled group of manufacturers, including the  
352 combined volume totals of spirituous liquor, wine, or cider, as applicable, for all manufacturers  
353 that constitute the controlled group of manufacturers; and

354 (B) without considering the manufacturer's production of any other type of alcoholic  
355 product; and

356 (ii) verify that a manufacturer meets a production amount described in Subsection  
357 (3)(b) or (c) and the production amount of a small brewer [~~pursuant to~~] under a federal or other  
358 verifiable production report.

359 (f) A manufacturer seeking to obtain a reduced markup under Subsection (3)(b), (c), or  
360 (d), shall provide to the department any documentation or information the department  
361 determines necessary to determine if the manufacturer is part of a controlled group of  
362 manufacturers.

363 (g) The department may, at any time, revoke a reduced markup granted to a  
364 manufacturer under Subsection (3)(b), (c), or (d), if the department determines the  
365 manufacturer no longer qualifies for the reduced markup.

366 (4) Wine the department purchases on behalf of a subscriber through the wine

367 subscription program established in Section [32B-2-702](#) shall be marked up not less than [~~88%~~  
368 88.5% above the cost of the subscription for the interval in which the wine is purchased.

369 (5) The department shall deposit 10% of the total gross revenue from sales of liquor  
370 with the state treasurer to be credited to the Uniform School Fund and used to support the  
371 school meals program administered by the State Board of Education under Section [53E-3-510](#).

372 (6) (a) Each month, the department shall collect from each package agency located at a  
373 manufacturing facility owned or operated by a person licensed under Chapter 11,  
374 Manufacturing and Related Licenses Act, 12.295% of the package agency's reported monthly  
375 revenue and deposit the money as follows:

376 (i) 1.695% of the reported monthly revenue into the Alcoholic Beverage Control Act  
377 Enforcement Fund;

378 (ii) 10% of the reported monthly revenue into the Uniform School Fund and used to  
379 support the school meals program administered by the State Board of Education under Section  
380 [53E-3-510](#); and

381 (iii) 0.60% of the reported monthly revenue into the Underage Drinking Prevention  
382 Media and Education Campaign Restricted Account.

383 (b) The department may collect a fee established in accordance with Section [63J-1-504](#)  
384 from a package agency described in this subsection to cover the costs of regulation.

385 [~~(6)~~] (7) This section does not prohibit the department from selling discontinued items  
386 at a discount.

387 (8) The Legislature shall annually appropriate to support substance use disorder  
388 treatment services, an amount equal to the revenue generated from a 0.5% markup above the  
389 landed case cost to the department on spirituous liquor

390 Section 5. Section **32B-2-305** is amended to read:

391 **32B-2-305. Alcoholic Beverage Control Act Enforcement Fund.**

392 (1) As used in this section:

393 (a) "Alcohol-related law enforcement officer" means the same as that term is defined in  
394 Section [32B-1-201](#).

395 (b) "Drug-related law enforcement officer" means a law enforcement officer employed  
396 by the Department of Public Safety who has enforcement of drug-related offenses as a primary  
397 responsibility.

398 (c) "Enforcement ratio" means the same as that term is defined in Section [32B-1-201](#).

399 (d) "Fund" means the Alcoholic Beverage Control Act Enforcement Fund created in  
400 this section.

401 (e) "SBI drug-related law enforcement officer" means a law enforcement officer  
402 employed by the State Bureau of Investigation within the Department of Public Safety who has  
403 investigation of drug-related offenses as a primary responsibility.

404 (f) "Social worker" means an individual licensed under Title 58, Chapter 60, Part 2,  
405 Social Worker Licensing Act, and employed by the Department of Public Safety who has  
406 provision of caseworker services to individuals under 21 years old as a primary responsibility.

407 (2) There is created an expendable special revenue fund known as the "Alcoholic  
408 Beverage Control Act Enforcement Fund."

409 (3) (a) The fund consists of:

410 (i) deposits made under Subsection (4); [~~and~~]

411 (ii) deposits made under Section [59-15-109](#); and

412 [~~(ii)~~] (iii) interest earned on the fund.

413 (b) (i) The fund shall earn interest.

414 (ii) Interest on the fund shall be deposited into the fund.

415 (4) After the deposit made under Section [32B-2-304](#) for the school lunch program, the  
416 department shall deposit 1.695% of the total gross revenue from the sale of liquor with the state  
417 treasurer to be credited to the fund [~~to be~~].

418 (5) The deposits made under Subsection (4) and Section [59-15-109](#) shall be:

419 (a) used by the Department of Public Safety as provided in Subsection [~~(5)~~] (6); and

420 (b) reallocated to the General Fund as described in Subsection [~~(6)~~] (7).

421 [~~(5)~~] (6) (a) The Department of Public Safety shall expend money from the fund to:

422 (i) supplement appropriations by the Legislature so that the Department of Public  
423 Safety maintains a sufficient number of alcohol-related law enforcement officers such that each  
424 year the enforcement ratio as of July 1 is equal to or less than the number specified in Section  
425 [32B-1-201](#); and

426 (ii) maintain at least:

427 (A) 10 drug-related law enforcement officers;

428 (B) eight SBI drug-related law enforcement officers; [~~and~~]

429 (C) two social workers[-]; and

430 (D) three additional alcohol-related law enforcement officers who are dedicated to  
431 compliance or enforcement of this title.

432 (b) Four of the alcohol-related law enforcement officers described in Subsection  
433 [~~(5)(a)(i)~~] (6)(a)(i) shall have as a primary focus the enforcement of this title in relationship to  
434 restaurants.

435 [~~(6)~~] (7) For fiscal year 2023, the Division of Finance shall deposit into the General  
436 Fund \$3 million of unspent money in the fund.

437 Section 6. Section **32B-2-503** is amended to read:

438 **32B-2-503. Operational requirements for a state store.**

439 (1) (a) A state store shall display in a prominent place in the store a sign in large letters  
440 that consists of text in the following order:

441 (i) a header that reads: "WARNING";

442 (ii) a warning statement that reads: "Drinking alcoholic beverages during pregnancy  
443 can cause birth defects and permanent brain damage for the child.";

444 (iii) a statement in smaller font that reads: "Call the Utah Department of Health at  
445 [insert most current toll-free number] with questions or for more information.";

446 (iv) a header that reads: "WARNING"; and

447 (v) a warning statement that reads: "Driving under the influence of alcohol or drugs is a  
448 serious crime that is prosecuted aggressively in Utah."

449 (b) (i) The text described in Subsections (1)(a)(i) through (iii) shall be in a different  
450 font style than the text described in Subsections (1)(a)(iv) and (v).

451 (ii) The warning statements in the sign described in Subsection (1)(a) shall be in the  
452 same font size.

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

455 (2) A state store may not sell, offer for sale, or furnish liquor except at a price fixed by  
456 the commission.

457 (3) A state store may not sell, offer for sale, or furnish liquor to:

458 (a) a minor;

459 (b) a person actually, apparently, or obviously intoxicated;

- 460 (c) a known interdicted person; or
- 461 (d) a known habitual drunkard.
- 462 (4) (a) A state store employee may not:
- 463 (i) consume an alcoholic product on the premises of a state store; or
- 464 (ii) allow any person to consume an alcoholic product on the premises of a state store.
- 465 (b) A violation of this Subsection (4) is a class B misdemeanor.
- 466 (5) (a) Sale or delivery of liquor may not be made on or from the premises of a state
- 467 store, and a state store may not be kept open for the sale of liquor:
- 468 (i) on Sunday; or
- 469 (ii) on a state or federal legal holiday.
- 470 (b) Sale or delivery of liquor may be made on or from the premises of a state store, and
- 471 a state store may be open for the sale of liquor, only on a day and during hours that the
- 472 commission directs by rule or order.
- 473 (6) (a) A minor may not be admitted into, or be on the premises of, a state store unless
- 474 accompanied by a person who is:
- 475 (i) 21 years of age or older; and
- 476 (ii) the minor's parent, legal guardian, or spouse.
- 477 (b) A state store employee that has reason to believe that a person who is on the
- 478 premises of a state store is under the age of 21 and is not accompanied by a person described in
- 479 Subsection (6)(a) may:
- 480 (i) ask the suspected minor for proof of age;
- 481 (ii) ask the person who accompanies the suspected minor for proof of age; and
- 482 (iii) ask the suspected minor or the person who accompanies the suspected minor for
- 483 proof of parental, guardianship, or spousal relationship.
- 484 (c) A state store employee shall refuse to sell liquor to the suspected minor and to the
- 485 person who accompanies the suspected minor into the state store if the suspected minor or
- 486 person fails to provide information specified in Subsection (6)(b).
- 487 (d) A state store employee shall require a suspected minor and the person who
- 488 accompanies the suspected minor into the state store to immediately leave the premises of the
- 489 state store if the suspected minor or person fails to provide information specified in Subsection
- 490 (6)(b).



491 (7) (a) A state store may not sell, offer for sale, or furnish liquor except in a sealed  
492 container.

493 (b) A person may not open a sealed container on the premises of a state store.

494 (8) On or after October 1, 2011, a state store may not sell, offer for sale, or furnish  
495 heavy beer in a sealed container that exceeds two liters.

496 (9) A state store may not sell, offer for sale, or furnish:

497 (a) liquor that is intended to be frozen and consumed in manner other than as a  
498 beverage, including liquor in the form of a freeze pop, popsicle, ice cream, or sorbet; or

499 (b) liquor that contains more than 80% alcohol by volume.

500 Section 7. Section **32B-2-605** is amended to read:

501 **32B-2-605. Operational requirements for package agency.**

502 (1) (a) A person may not operate a package agency until a package agency agreement is  
503 entered into by the package agent and the department.

504 (b) A package agency agreement shall state the conditions of operation by which the  
505 package agent and the department are bound.

506 (c) (i) If a package agent or staff of the package agent violates this title, rules under this  
507 title, or the package agency agreement, the department may take any action against the package  
508 agent that is allowed by the package agency agreement.

509 (ii) An action against a package agent is governed solely by its package agency  
510 agreement and may include suspension or revocation of the package agency.

511 (iii) A package agency agreement shall provide procedures to be followed if a package  
512 agent fails to pay money owed to the department including a procedure for replacing the  
513 package agent or operator of the package agency.

514 (iv) A package agency agreement shall provide that the package agency is subject to  
515 covert investigations for selling an alcoholic product to a minor.

516 (v) Notwithstanding that this part refers to "package agency" or "package agent," staff  
517 of the package agency or package agent is subject to the same requirement or prohibition.

518 (2) (a) A package agency shall be operated by an individual who is either:

519 (i) the package agent; or

520 (ii) an individual designated by the package agent.

521 (b) An individual who is a designee under this Subsection (2) shall be:

- 522 (i) an employee of the package agent; and  
523 (ii) responsible for the operation of the package agency.  
524 (c) The conduct of the designee is attributable to the package agent.  
525 (d) A package agent shall submit the name of the person operating the package agency  
526 to the department for the department's approval.  
527 (e) A package agent shall state the name and title of a designee on the application for a  
528 package agency.  
529 (f) A package agent shall:  
530 (i) inform the department of a proposed change in the individual designated to operate  
531 a package agency; and  
532 (ii) receive prior approval from the department before implementing the change  
533 described in this Subsection (2)(f).  
534 (g) Failure to comply with the requirements of this Subsection (2) may result in the  
535 immediate termination of a package agency agreement.  
536 (3) (a) A package agent shall display in a prominent place in the package agency the  
537 record issued by the commission that designates the package agency.  
538 (b) A package agent that displays or stores liquor at a location visible to the public  
539 shall display in a prominent place in the package agency a sign in large letters that consists of  
540 text in the following order:  
541 (i) a header that reads: "WARNING";  
542 (ii) a warning statement that reads: "Drinking alcoholic beverages during pregnancy  
543 can cause birth defects and permanent brain damage for the child.";  
544 (iii) a statement in smaller font that reads: "Call the Utah Department of Health at  
545 [insert most current toll-free number] with questions or for more information.";  
546 (iv) a header that reads: "WARNING"; and  
547 (v) a warning statement that reads: "Driving under the influence of alcohol or drugs is a  
548 serious crime that is prosecuted aggressively in Utah."  
549 (c) (i) The text described in Subsections (3)(b)(i) through (iii) shall be in a different  
550 font style than the text described in Subsections (3)(b)(iv) and (v).  
551 (ii) The warning statements in the sign described in Subsection (3)(b) shall be in the  
552 same font size.

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

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

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

559 (b) At the discretion of the department, the department may provide liquor to a package  
560 agency for sale on consignment.

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

565 (7) (a) Except as provided in Subsection (7)(b), a package agency may not sell, offer  
566 for sale, or furnish liquor except at a price fixed by the commission.

567 (b) A package agency may provide as room service one alcoholic product free of  
568 charge per guest reservation, per guest room, if:

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

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

572 (A) in person; and

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

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

576 (iv) the alcoholic product:

577 (A) is not a spirituous liquor; and

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

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

580 (a) a minor;

581 (b) a person actually, apparently, or obviously intoxicated;

582 (c) a known interdicted person; or

583 (d) a known habitual drunkard.

584 (9) (a) A package agency may not employ a minor to handle liquor.

585 (b) (i) Staff of a package agency may not:

586 (A) consume an alcoholic product on the premises of a package agency; or

587 (B) allow any person to consume an alcoholic product on the premises of a package  
588 agency.

589 (ii) Violation of this Subsection (9)(b) is a class B misdemeanor.

590 (10) (a) A package agency may not close or cease operation for a period longer than 72  
591 hours, unless:

592 (i) the package agency notifies the department in writing at least seven days before the  
593 day on which the package agency closes or ceases operation; and

594 (ii) the closure or cessation of operation is first approved by the department.

595 (b) Notwithstanding Subsection (10)(a), in the case of emergency closure, a package  
596 agency shall immediately notify the department by telephone.

597 (c) (i) The department may authorize a closure or cessation of operation for a period  
598 not to exceed 60 days.

599 (ii) The department may extend the initial period described in Subsection (10)(c)(i) an  
600 additional 30 days upon written request of the package agency and upon a showing of good  
601 cause.

602 (iii) A closure or cessation of operation may not exceed a total of 90 days without  
603 commission approval.

604 (d) The notice required by Subsection (10)(a) shall include:

605 (i) the dates of closure or cessation of operation;

606 (ii) the reason for the closure or cessation of operation; and

607 (iii) the date on which the package agency will reopen or resume operation.

608 (e) Failure of a package agency to provide notice and to obtain department  
609 authorization before closure or cessation of operation results in an automatic termination of the  
610 package agency agreement effective immediately.

611 (f) Failure of a package agency to reopen or resume operation by the approved date  
612 results in an automatic termination of the package agency agreement effective on that date.

613 (11) A package agency may not transfer the package agency's operations from one  
614 location to another location without prior written approval of the commission.

615 (12) (a) A person, having been issued a package agency, may not sell, transfer, assign,  
616 exchange, barter, give, or attempt in any way to dispose of the package agency to another  
617 person, whether for monetary gain or not.

618 (b) A package agency has no monetary value for any type of disposition.

619 (13) (a) Subject to the other provisions of this Subsection (13):

620 (i) sale or delivery of liquor may not be made on or from the premises of a package  
621 agency, and a package agency may not be kept open for the sale of liquor:

622 (A) on Sunday; or

623 (B) on a state or federal legal holiday; and

624 (ii) sale or delivery of liquor may be made on or from the premises of a package  
625 agency, and a package agency may be open for the sale of liquor, only on a day and during  
626 hours that the commission directs by rule or order.

627 (b) A package agency located at a manufacturing facility is not subject to Subsection  
628 (13)(a) if:

629 (i) the package agency is located at a manufacturing facility licensed in accordance  
630 with Chapter 11, Manufacturing and Related Licenses Act; and

631 (ii) the package agency only sells an alcoholic product produced at the manufacturing  
632 facility.

633 (c) (i) Subsection (13)(a) does not apply to a package agency held by the following if  
634 the package agent that holds the package agency to sell liquor at a resort or hotel does not sell  
635 liquor in a manner similar to a state store:

636 (A) a resort licensee; or

637 (B) a hotel licensee.

638 (ii) The commission may by rule define what constitutes a package agency that sells  
639 liquor "in a manner similar to a state store."

640 (14) (a) Except to the extent authorized by commission rule, a minor may not be  
641 admitted into, or be on the premises of, a package agency unless accompanied by a person who  
642 is:

643 (i) 21 years old or older; and

644 (ii) the minor's parent, legal guardian, or spouse.

645 (b) A package agent or staff of a package agency that has reason to believe that a

646 person who is on the premises of a package agency is under 21 years old and is not  
647 accompanied by a person described in Subsection (14)(a) may:

- 648 (i) ask the suspected minor for proof of age;
- 649 (ii) ask the person who accompanies the suspected minor for proof of age; and
- 650 (iii) ask the suspected minor or the person who accompanies the suspected minor for  
651 proof of parental, guardianship, or spousal relationship.

652 (c) A package agent or staff of a package agency shall refuse to sell liquor to the  
653 suspected minor and to the person who accompanies the suspected minor into the package  
654 agency if the minor or person fails to provide any information specified in Subsection (14)(b).

655 (d) A package agent or staff of a package agency shall require the suspected minor and  
656 the person who accompanies the suspected minor into the package agency to immediately leave  
657 the premises of the package agency if the minor or person fails to provide information specified  
658 in Subsection (14)(b).

659 (15) (a) A package agency shall sell, offer for sale, or furnish liquor in a sealed  
660 container.

661 (b) A person may not open a sealed container on the premises of a package agency.

662 (c) Notwithstanding Subsection (15)(a), a package agency may sell, offer for sale, or  
663 furnish liquor in other than a sealed container:

- 664 (i) if the package agency is the type of package agency that authorizes the package  
665 agency to sell, offer for sale, or furnish the liquor as part of room service;
- 666 (ii) if the liquor is sold, offered for sale, or furnished as part of room service; and
- 667 (iii) subject to:

668 (A) staff of the package agency providing the liquor in person only to an adult guest in  
669 the guest room or privately owned dwelling unit;

670 (B) staff of the package agency not leaving the liquor outside a guest room or privately  
671 owned dwelling unit for retrieval by a guest or resident; and

672 (C) the same limits on the portions in which an alcoholic product may be sold by a  
673 retail licensee under Section [32B-5-304](#).

674 (16) A package agency may not sell, offer for sale, or furnish:

- 675 (a) heavy beer in a sealed container that exceeds two liters[-]; or
- 676 (b) liquor that contains more than 80% alcohol by volume.

677 (17) The department may pay or otherwise remunerate a package agent on any basis,  
678 including sales or volume of business done by the package agency.

679 (18) The commission may prescribe by policy or rule general operational requirements  
680 of a package agency that are consistent with this title and relate to:

- 681 (a) physical facilities;
- 682 (b) conditions of operation;
- 683 (c) hours of operation;
- 684 (d) inventory levels;
- 685 (e) payment schedules;
- 686 (f) methods of payment;
- 687 (g) premises security; and
- 688 (h) any other matter considered appropriate by the commission.

689 (19) A package agency may not maintain a minibar.

690 Section 8. Section **32B-3-203** is amended to read:

691 **32B-3-203. Initiating a disciplinary proceeding.**

692 Subject to Section [32B-3-202](#):

693 (1) ~~[The department may]~~ Subject to Subsection (3), the department shall initiate a  
694 disciplinary proceeding described in Subsection (2) if the department ~~[receives]~~:

695 (a) receives a report from an investigator alleging that a person subject to  
696 administrative action violated this title or the rules of the commission;

697 (b) ~~[a final adjudication of criminal liability]~~ receives notice of criminal proceedings  
698 against a person subject to administrative action on the basis of an alleged violation of this  
699 title; ~~[or]~~

700 (c) ~~[a final adjudication of civil liability in accordance with]~~ receives notice of civil  
701 proceedings in accordance with Chapter 15, Alcoholic Product Liability Act, against a person  
702 subject to administrative action on the basis of an alleged violation of this title~~[-]; or~~

703 (d) otherwise becomes aware that a person subject to administrative action on the basis  
704 of an alleged violation of this title may have violated this title or commission rule.

705 (2) ~~[If the condition of Subsection (1) is met;]~~ Subject to Subsection (3), if a condition  
706 in Subsection (1) is met, the department shall:

707 (a) ~~[the department may]~~ initiate a disciplinary proceeding to determine:

708           ~~[(a)]~~ (i) whether a person subject to administrative action violated this title or rules of  
709 the commission; and

710           ~~[(b)]~~ (ii) if a violation is found, the appropriate sanction to be imposed[-]; and

711           (b) refer the matter to the State Bureau of Investigation, created in Section 53-10-301.

712           (3) The department is not required to initiate a disciplinary proceeding described in  
713 Subsection (2) if after reviewing the information described in Subsection (1), the department  
714 determines:

715           (a) that there is no basis for initiating a disciplinary proceeding; or

716           (b) in consultation with the prosecutor or plaintiff's counsel, as applicable, that  
717 initiating a disciplinary proceeding would pose a significant risk of interfering with a criminal  
718 or civil proceeding.

719           ~~[(3)]~~ (4) (a) Unless waived by the respondent, a disciplinary proceeding shall be held:

720           (i) if required by law;

721           (ii) before revoking or suspending a license, permit, or certificate of approval issued  
722 under this title; or

723           (iii) before imposing a fine against a person subject to administrative action.

724           (b) Inexcusable failure of a respondent to appear at a scheduled disciplinary proceeding  
725 hearing after receiving proper notice is an admission of the charged violation.

726           (c) The validity of a disciplinary proceeding is not affected by the failure of a person to  
727 attend or remain in attendance.

728           Section 9. Section **32B-4-422** is amended to read:

729           **32B-4-422. Unlawful dispensing.**

730           (1) A retail licensee licensed under this title to sell, offer for sale, or furnish spirituous  
731 liquor for consumption on the licensed premises, or staff of the retail licensee may not:

732           (a) sell, offer for sale, or furnish a primary spirituous liquor to a person on the licensed  
733 premises except in a quantity that does not exceed 1.5 ounces per beverage dispensed through a  
734 calibrated metered dispensing system approved by the department;

735           (b) sell, offer for sale, or furnish more than a total of 2.5 ounces of spirituous liquor per  
736 beverage;

737           (c) allow a person on the licensed premises to have more than a total of 2.5 ounces of  
738 spirituous liquor at a time; or



739 (d) (i) except as provided in Subsection (1)(d)(ii), allow a person to have more than  
740 two spirituous liquor beverages at a time; or

741 (ii) allow a person on the premises of the following to have more than one spirituous  
742 liquor beverage at a time:

743 (A) a full-service restaurant licensee;

744 (B) a person operating under a full-service restaurant sublicense;

745 (C) an on-premise banquet licensee;

746 (D) a person operating under an on-premise banquet sublicense; ~~[or]~~

747 (E) a single event permittee~~[-]; or~~

748 (F) a hospitality amenity licensee.

749 (2) A violation of this section is a class C misdemeanor.

750 Section 10. Section ~~32B-4-424~~ is amended to read:

751 **32B-4-424. Powdered or vaporized alcohol.**

752 (1) As used in this section~~["powdered alcohol"]~~:

753 (a) "Powdered alcohol" means a product that is in a powdered or crystalline form and  
754 contains any amount of alcohol.

755 (b) "Vaporized alcohol" means a product created by mixing alcohol with pure oxygen  
756 or another gas to produce a vaporized product for the purpose of consumption through  
757 inhalation.

758 (2) It is unlawful for a person to use, offer for use, purchase, offer to purchase, sell,  
759 offer to sell, furnish, or possess ~~[powdered alcohol]~~ for human consumption powdered alcohol  
760 or vaporized alcohol.

761 (3) It is unlawful for a holder of a retail license to use powdered alcohol or vaporized  
762 alcohol as an alcoholic product.

763 (4) This section does not apply to the use of powdered alcohol or vaporized alcohol for  
764 a commercial use specifically approved by state law or bona fide research purposes by a:

765 (a) health care practitioner that operates primarily for the purpose of conducting  
766 scientific research;

767 (b) department, commission, board, council, agency, institution, division, office,  
768 committee, authority, laboratory, library, unit, bureau, panel, or other administrative unit of the  
769 state, including a state institution of higher education listed in Section [53B-2-101](#);

- 770 (c) private college or university research facility; or
- 771 (d) pharmaceutical or biotechnology company.

772 Section 11. Section **32B-4-501** is amended to read:

773 **32B-4-501. Operating without a license or permit.**

774 (1) A person may not operate the following businesses without first obtaining a license  
775 under this title if the business allows a person to purchase or consume an alcoholic product on  
776 the premises of the business:

- 777 (a) a restaurant;
- 778 (b) an airport lounge;
- 779 (c) a business operated in the same manner as a bar establishment licensee;
- 780 (d) a resort;
- 781 (e) a business operated to sell, offer for sale, or furnish beer for on-premise

782 consumption;

783 (f) a business operated as an on-premise banquet licensee;

784 (g) a hotel; ~~or~~

785 (h) an arena; or

786 ~~[(h)]~~ (i) a business similar to one listed in Subsections (1)(a) through ~~[(g)]~~ (h).

787 (2) A person conducting an event that is open to the general public may not directly or  
788 indirectly sell, offer for sale, or furnish an alcoholic product to a person attending the event  
789 without first obtaining an event permit under this title.

790 (3) A person conducting a private event may not directly or indirectly sell or offer for  
791 sale an alcoholic product to a person attending the private event without first obtaining an  
792 event permit under this title.

793 (4) A person may not operate the following businesses in this state without first  
794 obtaining a license under this title:

- 795 (a) a winery manufacturer;
- 796 (b) a distillery manufacturer;
- 797 (c) a brewery manufacturer;
- 798 (d) a local industry representative of:
  - 799 (i) a manufacturer of an alcoholic product;
  - 800 (ii) a supplier of an alcoholic product; or

801 (iii) an importer of an alcoholic product;

802 (e) a liquor warehouser; or

803 (f) a beer wholesaler.

804 (5) A person may not operate a public conveyance in this state without first obtaining a  
805 public service permit under this title if that public conveyance allows a person to purchase or  
806 consume an alcoholic product:

807 (a) on the public conveyance; or

808 (b) on the premises of a hospitality room located within a depot, terminal, or similar  
809 facility at which a service is provided to a patron of the public conveyance.

810 Section 12. Section **32B-5-201** is amended to read:

811 **32B-5-201. Application requirements for retail license.**

812 (1) (a) Before a person may store, sell, offer for sale, furnish, or permit consumption of  
813 an alcoholic product on licensed premises as a retail licensee, the person shall first obtain a  
814 retail license issued by the commission, notwithstanding whether the person holds a local  
815 license or a permit issued by a local authority.

816 (b) Violation of this Subsection (1) is a class B misdemeanor.

817 (2) To obtain a retail license under this title, a person shall submit to the department:

818 (a) a written application in a form prescribed by the department;

819 (b) a nonrefundable application fee in the amount specified in the relevant chapter or  
820 part for the type of retail license for which the person is applying;

821 (c) an initial license fee:

822 (i) in the amount specified in the relevant chapter or part for the type of retail license  
823 for which the person is applying; and

824 (ii) that is refundable if a retail license is not issued;

825 (d) written consent of the local authority, including, if applicable, consent for each  
826 proposed sublicense;

827 (e) a copy of:

828 (i) every license the local authority requires, including the person's current business  
829 license; and

830 (ii) if the person is applying for a principal license, the current business license for each  
831 proposed sublicense, except if the local authority determines that the business license for a

832 proposed sublicense is included in the person's current business license;

833 (f) evidence of the proposed retail licensee's proximity to any community location, with  
834 proximity requirements being governed by Section 32B-1-202;

835 (g) a bond as specified by Section 32B-5-204;

836 (h) a floor plan, and boundary map where applicable, of the premises of the retail  
837 license and each, if any, accompanying sublicense, including any:

838 (i) consumption area; and

839 (ii) area where the person proposes to store, sell, offer for sale, or furnish an alcoholic  
840 beverage;

841 (i) evidence that the retail licensee carries public liability insurance in an amount and  
842 form satisfactory to the department;

843 (j) evidence that the retail licensee carries dramshop insurance coverage of at least:

844 (i) \$1,000,000 per occurrence and \$2,000,000 in the aggregate;

845 (ii) if the retail licensee is a hotel licensee or a resort licensee, \$1,000,000 per  
846 occurrence and \$2,000,000 in the aggregate to cover both the principal license and all  
847 accompanying sublicenses; or

848 (iii) if the retail licensee is an arena licensee, \$10,000,000 per occurrence and  
849 \$20,000,000 in the aggregate to cover both the arena license and all accompanying  
850 sublicenses[-];

851 (k) a signed consent form stating that the retail licensee will permit any authorized  
852 representative of the commission, department, or any law enforcement officer to have  
853 unrestricted right to enter:

854 (i) the premises of the retail licensee; and

855 (ii) if applicable, the premises of each of the retail licensee's accompanying  
856 sublicenses;

857 (l) if the person is an entity, proper verification evidencing that a person who signs the  
858 application is authorized to sign on behalf of the entity;

859 (m) a responsible alcohol service plan;

860 (n) evidence that each individual the person has hired to work as a retail manager, as  
861 defined in Section 32B-1-701, has completed the alcohol training and education seminar as  
862 required under Chapter 1, Part 7, Alcohol Training and Education Act; and

863 (o) any other information the commission or department may require.

864 (3) The commission may not issue a retail license to a person who:

865 (a) is disqualified under Section [32B-1-304](#); or

866 (b) is not lawfully present in the United States.

867 (4) Unless otherwise provided in the relevant chapter or part for the type of retail  
868 license for which the person is applying, the commission may not issue a retail license to a  
869 person if the proposed licensed premises does not meet the proximity requirements of Section  
870 [32B-1-202](#).

871 (5) The commission may not deny an application for a retail license, an application for  
872 a conditional retail license under Section [32B-5-205](#), or an application for a sublicense under  
873 Chapter 8d, Sublicense Act, if:

874 (a) the applicant satisfies the requirements of this chapter; and

875 (b) for a retail license or a conditional retail license, granting the retail license or the  
876 conditional retail license would not cause the commission to exceeded the maximum number  
877 of licenses of that retail license type that the commission is authorized to issue under this  
878 chapter.

879 Section 13. Section **32B-5-304** is amended to read:

880 **32B-5-304. Portions in which alcoholic product may be sold.**

881 (1) (a) A retail licensee may sell, offer for sale, or furnish spirituous liquor that is a  
882 primary spirituous liquor only in a quantity that does not exceed 1.5 ounces per beverage  
883 dispensed through a calibrated metered dispensing system approved by the department in  
884 accordance with commission rules adopted under this title.

885 (b) A retail license is not required to dispense spirituous liquor through a calibrated  
886 metered dispensing system if the spirituous liquor is:

887 (i) a secondary flavoring ingredient;

888 (ii) used as a flavoring on a dessert; ~~[or]~~

889 (iii) used to set aflame a food dish, drink, or dessert~~[-]~~; or

890 (iv) in a beverage that:

891 (A) is served to a patron in the original, sealed container;

892 (B) is not more than 12 ounces;

893 (C) contains no more than 10% alcohol by volume or 8% by weight; and

894 (D) is in a container that has the alcohol by volume percentage on the front label and in  
895 a font that measures at least three millimeters high.

896 (c) A retail licensee that dispenses spirituous liquor that is a secondary flavoring  
897 ingredient shall:

898 (i) designate a location where the retail licensee stores secondary flavoring ingredients  
899 on the floor plan the retail licensee submits to the department; and

900 (ii) clearly and conspicuously label each secondary flavoring ingredient's container  
901 "flavorings".

902 (d) (i) A patron may have no more than 2.5 ounces of spirituous liquor at a time.

903 (ii) Subsection (1)(d)(i) does not apply to a beverage described in Subsection (1)(b)(iv).

904 (2) (a) (i) A retail licensee may sell, offer for sale, or furnish wine by the glass or in an  
905 individual portion that does not exceed 5 ounces per glass or individual portion.

906 (ii) A retail licensee may sell, offer for sale, or furnish an individual portion of wine to  
907 a patron in more than one glass if the total amount of wine does not exceed 5 ounces.

908 (b) (i) A retail licensee may sell, offer for sale, or furnish wine in a container not  
909 exceeding 1.5 liters at a price fixed by the commission to a table of four or more persons.

910 (ii) A retail licensee may sell, offer for sale, or furnish wine in a container not to  
911 exceed 750 milliliters at a price fixed by the commission to a table of less than four persons.

912 (c) Notwithstanding Subsections (2)(a) and (b), a retail licensee may sell, offer for sale,  
913 or furnish hard cider that contains no more than 5% of alcohol by volume in a sealed container  
914 not to exceed 16 ounces.

915 (3) A retail licensee may sell, offer for sale, or furnish heavy beer in an original  
916 container at a price fixed by the commission, except that the original container may not exceed  
917 one liter.

918 (4) A retail licensee may sell, offer for sale, or furnish a flavored malt beverage in an  
919 original container at a price fixed by the commission, except that the original container may not  
920 exceed one liter.

921 (5) (a) (i) Subject to Subsection (5)(a)(ii), a retail licensee may sell, offer for sale, or  
922 furnish beer for on-premise consumption:

923 (A) in an open original container; and

924 (B) in a container on draft.

925 (ii) A retail licensee may not sell, offer for sale, or furnish beer under Subsection  
926 (5)(a)(i):

927 (A) in a size of container that exceeds two liters; or

928 (B) to an individual patron in a size of container that exceeds one liter.

929 (b) A retail licensee may sell, offer for sale, or furnish beer for off-premise  
930 consumption:

931 (i) in a sealed container; and

932 (ii) in a size of container that does not exceed two liters.

933 (c) A retail licensee may sell, offer for sale, or furnish a flight of beer to an individual  
934 patron if the total amount of beer does not exceed 16 ounces.

935 Section 14. Section **32B-6-203** is amended to read:

936 **32B-6-203. Commission's power to issue full-service restaurant license.**

937 (1) Before a person may store, sell, offer for sale, furnish, or allow the consumption of  
938 an alcoholic product on its premises as a full-service restaurant, the person shall first obtain a  
939 full-service restaurant license from the commission in accordance with this part.

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

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

945 (a) the commission may not issue a total number of full-service restaurant licenses that  
946 at any time exceeds the sum of:

947 (i) 30; and

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

949 (A) before July 1, 2024, 4,467;

950 (B) in fiscal year 2025, 4,281;

951 (C) in fiscal year 2026, 4,095;

952 (D) in fiscal year 2027, 3,909;

953 (E) in fiscal year 2028, 3,723;

954 (F) in fiscal year 2029, 3,537;

955 (G) in fiscal year 2030, 3,351; and

956 (H) in fiscal year 2031, and in each fiscal year thereafter, 3,167;

957 (b) the commission may issue a seasonal full-service restaurant license in accordance  
958 with Section 32B-5-206; and

959 (c) (i) if the location, design, and construction of a hotel may require more than one  
960 full-service restaurant sales location within the hotel to serve the public convenience, the  
961 commission may authorize the sale, offer for sale, or furnishing of an alcoholic product at as  
962 many as three full-service restaurant locations within the hotel under one full-service restaurant  
963 license if:

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

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

966 (I) within the same hotel; and

967 (II) on premises that are managed or operated, and owned or leased, by the full-service  
968 restaurant licensee; and

969 (ii) except for a hotel, a facility shall have a separate full-service restaurant license for  
970 each full-service restaurant where an alcoholic product is sold, offered for sale, or furnished.

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

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

976 (a) mix for an alcoholic product; or

977 (b) a service charge.

978 Section 15. Section 32B-6-204 is amended to read:

979 **32B-6-204. Specific licensing requirements for full-service restaurant license.**

980 (1) To obtain a full-service restaurant license a person shall comply with Chapter 5,  
981 Part 2, Retail Licensing Process.

982 (2) (a) A full-service restaurant license expires on October 31 of each year.

983 (b) To renew a person's full-service restaurant license, a person shall comply with the  
984 renewal requirements of Chapter 5, Part 2, Retail Licensing Process, by no later than  
985 September 30.

986 (3) (a) The nonrefundable application fee for a full-service restaurant license is \$330.



987 (b) (i) The initial license fee for a full-service restaurant license is \$2,200.

988 (ii) The department shall prorate the \$2,200 initial license fee for the period that begins  
989 the day on which the initial license fee is paid and ends the day on which the full-service  
990 restaurant license expires.

991 (c) The renewal fee for a full-service restaurant license is \$1,650.

992 (4) The bond amount required for a full-service restaurant license is the penal sum of  
993 \$10,000.

994 Section 16. Section **32B-6-206** is amended to read:

995 **32B-6-206. Master full-service restaurant license.**

996 (1) (a) The commission may issue a master full-service restaurant license that  
997 authorizes a person to store, sell, offer for sale, furnish, or allow the consumption of an  
998 alcoholic product on premises at multiple locations as full-service restaurants if the person  
999 applying for the master full-service restaurant license:

1000 (i) owns each of the full-service restaurants;

1001 (ii) except for the fee requirements, establishes to the satisfaction of the commission  
1002 that each location of a full-service restaurant under the master full-service restaurant license  
1003 separately meets the requirements of this part; and

1004 (iii) the master full-service restaurant license includes at least five full-service  
1005 restaurant locations.

1006 (b) The person seeking a master full-service restaurant license shall designate which  
1007 full-service restaurant locations the person seeks to have under the master full-service  
1008 restaurant license.

1009 (c) A full-service restaurant location under a master full-service restaurant license is  
1010 considered separately licensed for purposes of this title, except as provided in this section.

1011 (2) A master full-service restaurant license and each location designated under  
1012 Subsection (1) are considered a single full-service restaurant license for purposes of Subsection  
1013 [32B-6-203\(3\)\(a\)](#).

1014 (3) (a) A master full-service restaurant license expires on October 31 of each year.

1015 (b) To renew a person's master full-service restaurant license, a person shall comply  
1016 with the renewal requirements of Chapter 5, Part 2, Retail Licensing Process, by no later than  
1017 September 30.

1018 (4) (a) The nonrefundable application fee for a master full-service restaurant license is  
1019 \$330.

1020 (b) (i) The initial license fee for a master full-service restaurant license is \$5,000 plus a  
1021 separate initial license fee for each newly licensed full-service restaurant [~~license~~] location  
1022 under the master full-service restaurant license determined in accordance with Subsection  
1023 [32B-6-204\(3\)\(b\)](#).

1024 (ii) The department [~~may~~] shall prorate the \$5,000 initial license fee [~~based on the~~  
1025 ~~number of months out of a year the master full-service restaurant licensee is licensed before~~]  
1026 for the period that begins the day on which the initial license fee is paid and ends the day on  
1027 which the master full-service restaurant license expires.

1028 (c) To renew a master full-service restaurant license the master full-service restaurant  
1029 licensee shall pay a separate renewal fee for each full-service [~~license~~] restaurant location under  
1030 the master full-service restaurant license [~~determined~~] in accordance with Subsection  
1031 [32B-6-204\(3\)\(c\)](#).

1032 (5) A new location may be added to a master full-service restaurant license after the  
1033 master full-service restaurant license is issued if:

1034 (a) the master full-service restaurant licensee pays a nonrefundable application fee of  
1035 \$330; and

1036 (b) including payment of the initial license fee, the location separately meets the  
1037 requirements of this part.

1038 (6) (a) A master full-service restaurant licensee shall notify the department of a change  
1039 in the persons managing a location covered by a master full-service restaurant license:

1040 (i) immediately, if the management personnel is not management personnel at a  
1041 location covered by the master full-service restaurant licensee at the time of the change; or

1042 (ii) within 30 days of the change, if the master full-service restaurant licensee is  
1043 transferring management personnel from one location to another location covered by the master  
1044 full-service restaurant licensee.

1045 (b) A location covered by a master full-service restaurant license shall keep the  
1046 location's own records on the location's premises so that the department may audit the records.

1047 (c) A master full-service restaurant licensee may not transfer alcoholic products  
1048 between different locations covered by the master full-service restaurant license.

1049 (7) If there is a violation of this title at a location covered by a master full-service  
1050 restaurant license, the violation may result in disciplinary action in accordance with Chapter 3,  
1051 Disciplinary Actions and Enforcement Act, against:

- 1052 (a) the single location under a master full-service restaurant license;
- 1053 (b) individual staff of the location under the master full-service restaurant license; or
- 1054 (c) a combination of persons or locations described in Subsections (7)(a) and (b).

1055 (8) The commission may make rules, in accordance with Title 63G, Chapter 3, Utah  
1056 Administrative Rulemaking Act, to establish how a person may apply for a master full-service  
1057 restaurant license under this section.

1058 Section 17. Section **32B-6-302** is amended to read:

1059 **32B-6-302. Definitions.**

1060 As used in this part:

1061 (1) (a) "Dining area" means an area in the licensed premises of a limited-service  
1062 restaurant licensee that is primarily used for the service and consumption of food by one or  
1063 more patrons.

1064 (b) "Dining area" does not include a dispensing area.

1065 (2) (a) "Dispensing area" means an area in the licensed premises of a limited-service  
1066 restaurant licensee where a dispensing structure is located and that:

1067 (i) is physically separated from the dining area and any waiting area by a structure or  
1068 other barrier that prevents a patron seated in the dining area or a waiting area from viewing the  
1069 dispensing of alcoholic product;

1070 (ii) except as provided in Subsection (2)(b), measures at least 10 feet from the dining  
1071 area and any waiting area to the nearest edge of the dispensing structure; or

1072 (iii) is physically separated from the dining area and any waiting area by a permanent  
1073 physical structure that complies with the provisions of Title 15A, State Construction and Fire  
1074 Codes Act, and, to the extent allowed under Title 15A, State Construction and Fire Codes Act,  
1075 measures:

1076 (A) at least 42 inches high; and

1077 (B) at least 60 inches from the inside edge of the barrier to the nearest edge of the  
1078 dispensing structure.

1079 (b) "Dispensing area" does not include any area described in Subsection (2)(a)(ii) that

1080 is less than 10 feet from an area where alcoholic product is dispensed, but from which a patron  
1081 seated at a table or counter cannot view the dispensing of alcoholic product.

1082 (3) "Small limited-service restaurant licensee" means a limited-service restaurant  
1083 licensee [~~that has a grandfathered bar structure~~] whose dispensing area includes more than 45%  
1084 of the available seating for patrons on the licensed premises, excluding outdoor seating:

- 1085 (a) when measured in accordance with Subsection (2)(a)(ii); and
- 1086 (b) based on the licensee's floor plan on file with the department on July 1, 2017.
- 1087 (4) "Waiting area" includes a lobby.

1088 Section 18. Section **32B-6-304** is amended to read:

1089 **32B-6-304. Specific licensing requirements for limited-service restaurant license.**

1090 (1) To obtain a limited-service restaurant license a person shall comply with Chapter 5,  
1091 Part 2, Retail Licensing Process.

1092 (2) (a) A limited-service restaurant license expires on October 31 of each year.

1093 (b) To renew a person's limited-service restaurant license, a person shall comply with  
1094 the renewal requirements of Chapter 5, Part 2, Retail Licensing Process, by no later than  
1095 September 30.

1096 (3) (a) The nonrefundable application fee for a limited-service restaurant license is  
1097 \$330.

1098 (b) (i) The initial license fee for a limited-service restaurant license is \$1,275.

1099 (ii) The department shall prorate the \$1,275 initial license fee for the period that begins  
1100 the day on which the initial license fee is paid and ends the day on which the limited-service  
1101 restaurant license expires.

1102 (c) The renewal fee for a limited-service restaurant license is \$750.

1103 (4) The bond amount required for a limited-service restaurant license is the penal sum  
1104 of \$5,000.

1105 Section 19. Section **32B-6-306** is amended to read:

1106 **32B-6-306. Master limited-service restaurant license.**

1107 (1) (a) The commission may issue a master limited-service restaurant license that  
1108 authorizes a person to store, sell, offer for sale, furnish, or allow the consumption of an  
1109 alcoholic product on premises at multiple locations as limited-service restaurants if the person  
1110 applying for the master limited-service restaurant license:

- 1111 (i) owns each of the limited-service restaurants;
- 1112 (ii) except for the fee requirements, establishes to the satisfaction of the commission  
1113 that each location of a limited-service restaurant under the master limited-service restaurant  
1114 license separately meets the requirements of this part; and
- 1115 (iii) the master limited-service restaurant includes at least five limited-service  
1116 restaurant locations.
- 1117 (b) The person seeking a master limited-service restaurant license shall designate  
1118 which limited-service restaurant locations the person seeks to have under the master  
1119 limited-service restaurant license.
- 1120 (c) A limited-service restaurant location under a master limited-service restaurant  
1121 license is considered separately licensed for purposes of this title, except as provided in this  
1122 section.
- 1123 (2) A master limited-service restaurant license and each location under Subsection (1)  
1124 are considered a single limited-service restaurant license for purposes of Subsection  
1125 [32B-6-303\(3\)\(a\)](#).
- 1126 (3) (a) A master limited-service restaurant license expires on October 31 of each year.
- 1127 (b) To renew a person's master limited-service restaurant license, a person shall comply  
1128 with the renewal requirements of Chapter 5, Part 2, Retail Licensing Process, by no later than  
1129 September 30.
- 1130 (4) (a) The nonrefundable application fee for a master limited-service restaurant license  
1131 is \$330.
- 1132 (b) (i) The initial license fee for a master limited-service restaurant license is \$5,000  
1133 plus a separate initial license fee for each newly licensed limited-service restaurant license  
1134 under the master limited-service restaurant license determined in accordance with Subsection  
1135 [32B-6-304\(3\)\(b\)](#).
- 1136 (ii) The department shall prorate the \$5,000 initial license fee for the period that begins  
1137 the day on which the initial license fee is paid and ends the day on which the master  
1138 limited-service restaurant license expires.
- 1139 (c) The renewal fee for a master limited-service restaurant license is \$500 plus a  
1140 separate renewal fee for each limited-service license under the master limited-service restaurant  
1141 license determined in accordance with Subsection [32B-6-304\(3\)\(c\)](#).

1142 (5) A new location may be added to a master limited-service restaurant license after the  
1143 master limited-service restaurant license is issued if:

1144 (a) the master limited-service restaurant licensee pays a nonrefundable application fee  
1145 of \$330; and

1146 (b) including payment of the initial license fee, the location separately meets the  
1147 requirements of this part.

1148 (6) (a) A master limited-service restaurant licensee shall notify the department of a  
1149 change in the persons managing a location covered by a master limited-service restaurant  
1150 license:

1151 (i) immediately, if the management personnel is not management personnel at a  
1152 location covered by the master limited-service restaurant licensee at the time of the change; or

1153 (ii) within 30 days of the change, if the master limited-service restaurant licensee is  
1154 transferring management personnel from one location to another location covered by the master  
1155 limited-service restaurant licensee.

1156 (b) A location covered by a master limited-service restaurant license shall keep its own  
1157 records on its premises so that the department may audit the records.

1158 (c) A master limited-service restaurant licensee may not transfer alcoholic products  
1159 between different locations covered by the master limited-service restaurant license.

1160 (7) (a) If there is a violation of this title at a location covered by a master  
1161 limited-service restaurant license, the violation may result in disciplinary action in accordance  
1162 with Chapter 3, Disciplinary Actions and Enforcement Act, against:

1163 (i) the single location under a master limited-service restaurant license;

1164 (ii) individual staff of the location under the master limited-service restaurant license;

1165 or

1166 (iii) a combination of persons or locations described in Subsections (7)(a)(i) and (ii).

1167 (b) In addition to disciplinary action under Subsection (7)(a), disciplinary action in  
1168 accordance with Chapter 3, Disciplinary Actions and Enforcement Act, may be taken against a  
1169 master limited-service restaurant licensee or individual staff of the master limited-service  
1170 restaurant licensee if during a period beginning on November 1 and ending October 31:

1171 (i) at least 25% of the locations covered by the master limited-service restaurant license  
1172 have been found by the commission to have committed a serious or grave violation of this title,

1173 as defined by rule made by the commission; or

1174 (ii) at least 50% of the locations covered by the master limited-service restaurant  
1175 license have been found by the commission to have violated this title.

1176 (8) The commission may make rules, in accordance with Title 63G, Chapter 3, Utah  
1177 Administrative Rulemaking Act, to establish how a person may apply for a master  
1178 limited-service restaurant license under this section.

1179 Section 20. Section **32B-6-403** is amended to read:

1180 **32B-6-403. Commission's power to issue bar establishment license.**

1181 (1) Before a person may store, sell, offer for sale, furnish, or allow the consumption of  
1182 an alcoholic product on the person's premises as a bar establishment licensee, the person shall  
1183 first obtain a bar establishment license from the commission in accordance with this part.

1184 (2) The commission may issue a bar establishment license to establish bar  
1185 establishment licensed premises at places and in numbers the commission considers proper for  
1186 the storage, sale, offer for sale, furnishing, and consumption of an alcoholic product on  
1187 premises operated by a bar establishment licensee.

1188 (3) Subject to Section [32B-1-201](#):

1189 (a) the commission may not issue a total number of bar establishment licenses that at  
1190 any time exceeds the sum of:

1191 (i) 15; and

1192 (ii) the number determined by dividing the population of the state by [~~10,200~~];

1193 (A) before fiscal July 1, 2024, 10,200;

1194 (B) in fiscal year 2025, 9,778;

1195 (C) in fiscal year 2026, 9,356;

1196 (D) in fiscal year 2027, 8,934;

1197 (E) in fiscal year 2028, 8,512;

1198 (F) in fiscal year 2029, 8,090;

1199 (G) in fiscal year 2030, 7,668; and

1200 (H) in fiscal year 2031, and in each fiscal year thereafter, 7,246;

1201 (b) the commission may issue a seasonal bar establishment license in accordance with  
1202 Section [32B-5-206](#) to a bar licensee;

1203 (c) the commission may authorize as many as three bar establishment license locations

1204 within a hotel under one bar establishment license if:

1205 (i) the location, design, and construction of the hotel requires more than one bar license

1206 location within the hotel to serve the public convenience;

1207 (ii) the hotel has a minimum of 150 guest rooms;

1208 (iii) all locations under the bar establishment license are:

1209 (A) within the same hotel; and

1210 (B) on premises that are managed or operated, and owned or leased, by the bar

1211 establishment licensee;

1212 (d) the commission may authorize up to five dispensing [~~structures~~] locations under

1213 one equity license if the locations under the equity license:

1214 (i) are connected by a private roadway to which the equity licensee, each member of

1215 the equity licensee, and each guest has a legal right of access; and

1216 (ii) are located on premises managed or operated, and owned or leased, by the equity

1217 licensee;

1218 (e) except for a facility operating in accordance with Subsection (3)(d) or a hotel, a

1219 facility shall have a separate bar establishment license for each bar establishment license

1220 location where an alcoholic product is sold, offered for sale, or furnished;

1221 (f) when a business establishment undergoes a change of ownership, the commission

1222 may issue a bar establishment license to the new owner of the business establishment

1223 notwithstanding that there is no bar establishment license available under Subsection (3)(a) if:

1224 (i) the primary business activity at the business establishment before and after the

1225 change of ownership is not the sale, offer for sale, or furnishing of an alcoholic product;

1226 (ii) before the change of ownership there are two or more licensed premises on the

1227 business establishment that operate under a retail license, with at least one of the retail licenses

1228 being a bar establishment license;

1229 (iii) subject to Subsection (3)(g) the licensed premises of the bar establishment license

1230 issued under this Subsection (3)(f) is at the same location where the bar establishment license

1231 licensed premises was located before the change of ownership; and

1232 (iv) the person who is the new owner of the business establishment qualifies for the bar

1233 establishment license, except for there being no bar establishment license available under

1234 Subsection (3)(a); and



1235 (g) if a bar establishment licensee of a bar establishment license issued under  
1236 Subsection (3)(f) requests a change of location, the bar establishment licensee may retain the  
1237 bar establishment license after the change of location only if on the day on which the bar  
1238 establishment licensee seeks a change of location a bar establishment license is available under  
1239 Subsection (3)(a).

1240 Section 21. Section **32B-6-405** is amended to read:

1241 **32B-6-405. Specific licensing requirements for bar establishment license.**

1242 (1) To obtain a bar establishment license, in addition to complying with Chapter 5, Part  
1243 2, Retail Licensing Process, a person shall submit with the written application:

1244 (a) (i) a statement as to whether the person is seeking to qualify as:

1245 (A) an equity licensee;

1246 (B) a fraternal licensee;

1247 (C) a dining club licensee; or

1248 (D) a bar licensee; and

1249 (ii) evidence that the person meets the requirements for the type of bar establishment  
1250 license for which the person is applying;

1251 (b) evidence that the person operates a premises where a variety of food is prepared  
1252 and served in connection with dining accommodations; and

1253 (c) if the person is applying for an equity license or fraternal license, a copy of the  
1254 entity's bylaws or house rules, and an amendment to those records.

1255 (2) The commission may refuse to issue a bar establishment license to a person for an  
1256 equity license or fraternal license if the commission determines that a provision of the person's  
1257 bylaws or house rules, or amendments to those records is not:

1258 (a) reasonable; and

1259 (b) consistent with:

1260 (i) the declared nature and purpose of the bar establishment licensee; and

1261 (ii) the purposes of this part.

1262 (3) (a) A bar establishment license expires on June 30 of each year.

1263 (b) To renew a bar establishment license, a person shall comply with the requirements  
1264 of Chapter 5, Part 2, Retail Licensing Process, by no later than May 31.

1265 (4) (a) The nonrefundable application fee for a bar establishment license is \$300.

1266 (b) (i) The initial license fee for a bar establishment license is \$2,750.

1267 (ii) The department shall prorate the \$2,750 initial license fee based on the number of  
1268 months out of a year the bar establishment licensee is licensed before the day on which the bar  
1269 establishment license expires.

1270 (c) The renewal fee for a bar establishment license is \$2,000.

1271 (5) The bond amount required for a bar establishment license is the penal sum of  
1272 \$10,000.

1273 Section 22. Section **32B-6-504** is amended to read:

1274 **32B-6-504. Specific licensing requirements for airport lounge license.**

1275 (1) To obtain an airport lounge license, in addition to complying with Chapter 5, Part  
1276 2, Retail Licensing Process, a person shall submit with the written application:

1277 (a) both the written consent of the local authority and the written consent of the airport  
1278 authority; and

1279 (b) a copy of the sign proposed to be used by the airport lounge licensee on its licensed  
1280 premises to inform the public that alcoholic products are sold and consumed on the licensed  
1281 premises.

1282 (2) (a) An airport lounge license expires on October 31 of each year.

1283 (b) To renew a person's airport lounge license, a person shall comply with the renewal  
1284 requirements of Chapter 5, Part 2, Retail Licensing Process, by no later than September 30.

1285 (3) (a) The nonrefundable application fee for an airport lounge license is \$300.

1286 (b) (i) The initial license fee for an airport lounge license is \$8,000.

1287 (ii) The department shall prorate the \$8,000 initial license fee for the period that begins  
1288 the day on which the initial license fee is paid and ends the day on which the airport lounge  
1289 license expires.

1290 (c) The renewal fee for an airport lounge license is \$6,000.

1291 (4) The bond amount required for an airport lounge license is the penal sum of  
1292 \$10,000.

1293 (5) An airport lounge license is not subject to the proximity requirements of Section  
1294 [32B-1-202](#).

1295 Section 23. Section **32B-6-604** is amended to read:

1296 **32B-6-604. Specific licensing requirements for an on-premise banquet license.**

1297 (1) To obtain an on-premise banquet license a person shall comply with Chapter 5, Part  
1298 2, Retail Licensing Process.

1299 (2) (a) An on-premise banquet license expires on October 31 of each year.

1300 (b) To renew a person's on-premise banquet license, a person shall comply with the  
1301 requirements of Chapter 5, Part 2, Retail Licensing Process, by no later than September 30.

1302 (3) (a) The nonrefundable application fee for an on-premise banquet license is \$300.

1303 (b) (i) The initial license fee for an on-premise banquet license is \$750.

1304 (ii) The department shall prorate the \$750 initial license fee for the period that begins  
1305 the day on which the initial license fee is paid and ends the day on which the on-premise  
1306 banquet license expires.

1307 (c) The renewal fee for an on-premise banquet license is \$750.

1308 (4) The bond amount required for an on-premise banquet license is the penal sum of  
1309 \$10,000.

1310 (5) Notwithstanding the other provisions of this part, if an applicant is a state agency or  
1311 political subdivision of the state it is not required to:

1312 (a) pay an application fee, initial license fee, or renewal fee;

1313 (b) obtain the written consent of the local authority;

1314 (c) submit a copy of the applicant's current business license; or

1315 (d) post a bond as specified by Section 32B-5-204.

1316 (6) Notwithstanding Subsection 32B-5-303(3), the department may approve an  
1317 additional location in or on the licensed premises of an on-premise banquet licensee from  
1318 which the on-premise banquet licensee may store, sell, offer for sale, furnish, or allow the  
1319 consumption of an alcoholic product that is not included in its original application only:

1320 (a) upon proper application by an on-premise banquet licensee; and

1321 (b) in accordance with guidelines approved by the commission.

1322 Section 24. Section 32B-6-605 is amended to read:

1323 **32B-6-605. Specific operational requirements for on-premise banquet license.**

1324 (1) (a) In addition to complying with Chapter 5, Part 3, Retail Licensee Operational  
1325 Requirements, an on-premise banquet licensee and staff of the on-premise banquet licensee  
1326 shall comply with this section.

1327 (b) Failure to comply as provided in Subsection (1)(a) may result in disciplinary action

1328 in accordance with Chapter 3, Disciplinary Actions and Enforcement Act, against:

1329 (i) an on-premise banquet licensee;

1330 (ii) individual staff of an on-premise banquet licensee; or

1331 (iii) both an on-premise banquet licensee and staff of the on-premise banquet licensee.

1332 (2) An on-premise banquet licensee shall comply with Subsections [32B-5-301](#)(4) and  
1333 (5) for the entire premises of the hotel, resort facility, sports center, convention center,  
1334 performing arts facility, arena, or restaurant venue that is the basis for the on-premise banquet  
1335 license.

1336 (3) (a) For the purpose described in Subsection (3)(b), an on-premise banquet licensee  
1337 shall provide the department with advance notice of a scheduled banquet in accordance with  
1338 rules made by the commission.

1339 (b) Any of the following may conduct a random inspection of a banquet:

1340 (i) an authorized representative of the commission or the department; or

1341 (ii) a law enforcement officer.

1342 (4) (a) An on-premise banquet licensee is not subject to Subsection [32B-5-302](#)(1), but  
1343 shall make and maintain the records described in Subsection [32B-5-302](#)(2) and the records the  
1344 commission or department requires.

1345 (b) Section [32B-1-205](#) applies to a record required to be made or maintained in  
1346 accordance with this Subsection (4).

1347 (5) (a) Except as otherwise provided in this title, an on-premise banquet licensee may  
1348 sell, offer for sale, or furnish an alcoholic product at a banquet only for consumption at the  
1349 location of the banquet.

1350 (b) ~~[Except as provided in Subsection [32B-5-307](#)(4),]~~ Notwithstanding Section  
1351 [32B-5-307](#) and except as otherwise provided in this title:

1352 (i) ~~[a host of a banquet, a patron, or]~~ a person at a banquet other than the on-premise  
1353 banquet licensee or staff of the on-premise banquet licensee, may not remove an alcoholic  
1354 product from the premises of the banquet~~[-];~~ and

1355 ~~[(c) Notwithstanding Subsections [32B-5-307](#)(3) and (5) and except as provided in~~  
1356 Subsection [32B-5-307](#)(4),]

1357 (ii) a patron at a banquet may not bring an alcoholic product into or onto~~[-; or remove~~  
1358 an alcoholic product from,] the premises of ~~[a]~~ the banquet.

1359 (6) (a) An on-premise banquet licensee may not leave an unsold alcoholic product at  
1360 the banquet following the conclusion of the banquet.

1361 (b) At the conclusion of a banquet, an on-premise banquet licensee shall:

1362 (i) destroy an opened and unused alcoholic product that is not saleable, under  
1363 conditions established by the department; and

1364 (ii) return to the on-premise banquet licensee's approved locked storage area any:

1365 (A) opened and unused alcoholic product that is saleable; and

1366 (B) unopened container of an alcoholic product.

1367 (c) Except as provided in Subsection (6)(b) with regard to an open or sealed container  
1368 of an alcoholic product not sold or consumed at a banquet, an on-premise banquet licensee:

1369 (i) shall store the alcoholic product in the on-premise banquet licensee's approved  
1370 locked storage area; and

1371 (ii) may use the alcoholic product at more than one banquet.

1372 (7) Notwithstanding Section 32B-5-308, an on-premise banquet licensee may not  
1373 employ a minor to sell, furnish, or dispense an alcoholic product in connection with the  
1374 on-premise banquet licensee's banquet and room service activities.

1375 (8) An on-premise banquet licensee:

1376 (a) may provide room service in portions described in Section 32B-5-304;

1377 (b) may not sell, offer for sale, or furnish an alcoholic product at a banquet or in  
1378 connection with room service any day during a period that:

1379 (i) begins at 1 a.m.; and

1380 (ii) ends at 9:59 a.m.; and

1381 (c) notwithstanding Section 32B-5-305, may provide as room service one alcoholic  
1382 product free of charge per guest reservation, per guest room, if the alcoholic product:

1383 (i) is not a spirituous liquor; and

1384 (ii) is in an unopened container not to exceed 750 milliliters.

1385 (9) (a) Subject to the other provisions of this Subsection (9), a patron may not have  
1386 more than two alcoholic products of any kind at a time before the patron.

1387 (b) A patron may not have more than one spirituous liquor drink at a time before the  
1388 patron.

1389 (c) An individual portion of wine is considered to be one alcoholic product under

1390 Subsection (9)(a).

1391 (10) (a) An on-premise banquet licensee shall supervise and direct a person involved in  
1392 the sale, offer for sale, or furnishing of an alcoholic product.

1393 (b) A person involved in the sale, offer for sale, or furnishing of an alcoholic product  
1394 shall complete an alcohol training and education seminar.

1395 (11) A staff person of an on-premise banquet licensee shall remain at the banquet at all  
1396 times when an alcoholic product is sold, offered for sale, furnished, or consumed at the  
1397 banquet.

1398 (12) (a) Room service of an alcoholic product to a guest room or privately owned  
1399 dwelling unit of a hotel or resort facility shall be provided in person by staff of an on-premise  
1400 banquet licensee only to an adult guest in the guest room or privately owned dwelling unit.

1401 (b) An alcoholic product may not be left outside a guest room or privately owned  
1402 dwelling unit for retrieval by a guest or resident.

1403 (13) An on-premise banquet licensee may not maintain a minibar.

1404 Section 25. Section **32B-6-702** is amended to read:

1405 **32B-6-702. Definitions.**

1406 As used in this part:

1407 (1) "Commission-approved activity" means a leisure activity that:

1408 (a) the commission approves by rule made in accordance with Title 63G, Chapter 3,  
1409 Utah Administrative Rulemaking Act; and

1410 (b) does not involve the use of a dangerous weapon.

1411 (2) (a) "Recreational amenity" means:

1412 (i) a billiard parlor;

1413 (ii) a pool parlor;

1414 (iii) a bowling facility;

1415 (iv) a golf course;

1416 (v) miniature golf;

1417 (vi) a golf driving range;

1418 (vii) a tennis club;

1419 (viii) a sports facility that hosts professional sporting events and has a seating capacity  
1420 equal to or greater than [~~6,500~~] 5,000;

1421 (ix) a concert venue that has a seating capacity equal to or greater than [~~6,500~~] 5,000;

1422 (x) one of the following if owned by a government agency:

1423 (A) a convention center;

1424 (B) a fair facility;

1425 (C) an equestrian park;

1426 (D) a theater; or

1427 (E) a concert venue;

1428 (xi) an amusement park:

1429 (A) with one or more permanent amusement rides; and

1430 (B) located on at least 50 acres;

1431 (xii) a ski resort;

1432 (xiii) a venue for live entertainment if the venue:

1433 (A) is not regularly open for more than five hours on any day;

1434 (B) is operated so that food is available whenever beer is sold, offered for sale, or

1435 furnished at the venue; and

1436 (C) is operated so that no more than 15% of its total annual receipts are from the sale

1437 of beer;

1438 (xiv) concessions operated within the boundary of a park administered by the:

1439 (A) Division of State Parks; or

1440 (B) National Parks Service;

1441 (xv) a facility or venue that is a recreational amenity for a person licensed under this

1442 part before May 12, 2020;

1443 (xvi) a venue for karaoke; or

1444 (xvii) an enterprise developed around a commission-approved activity.

1445 (b) "Recreational amenity" does not include an item described in Subsection (2)(a), if

1446 the item is tangential to an enterprise or activity that is not included in Subsection (2)(a).

1447 Section 26. Section **32B-6-705** is amended to read:

1448 **32B-6-705. Specific licensing requirements for on-premise beer retailer license.**

1449 (1) To obtain an on-premise beer retailer license a person shall comply with Chapter 5,

1450 Part 2, Retail Licensing Process, except that an on-premise beer retailer is required to carry

1451 dramshop insurance coverage in accordance with Section **32B-5-201** only if the on-premise

1452 beer retailer sells more than \$5,000 of beer annually.

1453 (2) (a) An on-premise beer retailer license expires on the last day of February each  
1454 year.

1455 (b) To renew a person's on-premise beer retailer license, a person shall comply with the  
1456 renewal requirements of Chapter 5, Part 2, Retail Licensing Process, by no later than January  
1457 31.

1458 (3) (a) The nonrefundable application fee for an on-premise beer retailer license is  
1459 \$300.

1460 (b) (i) (A) The initial license fee for an on-premise beer retailer license that is not a  
1461 tavern is \$300.

1462 (B) The department shall prorate the \$300 initial license fee for the period that begins  
1463 the day on which the initial license fee is paid and ends the day on which the on-premise beer  
1464 retailer license expires.

1465 (ii) (A) The initial license fee for an on-premise beer retailer license that is a tavern is  
1466 \$1,500.

1467 (B) The department shall prorate the \$1,500 initial license fee for the period that begins  
1468 the day on which the initial license fee is paid and ends the day on which the on-premise beer  
1469 retailer license expires.

1470 (c) (i) The renewal fee for an on-premise beer retailer license that is not a tavern is  
1471 \$350.

1472 (ii) The renewal fee for an on-premise beer retailer license that is a tavern is \$1,250.

1473 (4) The bond amount required for an on-premise beer retailer license is the penal sum  
1474 of \$5,000.

1475 (5) Notwithstanding the other provisions of this part, if an applicant is a state agency or  
1476 political subdivision of the state it is not required to:

1477 (a) pay an application fee, initial license fee, or renewal fee;

1478 (b) obtain the written consent of the local authority;

1479 (c) submit a copy of the applicant's current business license; or

1480 (d) post a bond as specified by Section [32B-5-204](#).

1481 Section 27. Section **32B-6-804** is amended to read:

1482 **32B-6-804. Specific licensing requirements for reception center license.**



1483 (1) To obtain a reception center license a person shall comply with Chapter 5, Part 2,  
1484 Retail Licensing Process.

1485 (2) (a) A reception center license expires on October 31 of each year.

1486 (b) To renew a person's reception center license, a person shall comply with the  
1487 renewal requirements of Chapter 5, Part 2, Retail Licensing Process, by no later than  
1488 September 30.

1489 (3) (a) The nonrefundable application fee for a reception center license is \$300.

1490 (b) (i) The initial license fee for a reception center license is \$750.

1491 (ii) The department shall prorate the \$750 initial license fee for the period that begins  
1492 the day on which the initial license fee is paid and ends the day on which the reception center  
1493 license expires.

1494 (c) The renewal fee for a reception center license is \$750.

1495 (4) The bond amount required for a reception center license is the penal sum of  
1496 \$10,000.

1497 Section 28. Section **32B-6-902** is amended to read:

1498 **32B-6-902. Definitions.**

1499 (1) As used in this part:

1500 (a) (i) "Dining area" means an area in the licensed premises of a beer-only restaurant  
1501 licensee that is primarily used for the service and consumption of food by one or more patrons.

1502 (ii) "Dining area" does not include a dispensing area.

1503 (b) (i) "Dispensing area" means an area in the licensed premises of a beer-only  
1504 restaurant licensee where a dispensing structure is located and that:

1505 (A) is physically separated from the dining area and any waiting area by a structure or  
1506 other barrier that prevents a patron seated in the dining area or a waiting area from viewing the  
1507 dispensing of beer;

1508 (B) except as provided in Subsection (1)(b)(ii), measures at least 10 feet from the  
1509 dining area and any waiting area to the nearest edge of the dispensing structure; or

1510 (C) is physically separated from the dining area and any waiting area by a permanent  
1511 physical structure that complies with the provisions of Title 15A, State Construction and Fire  
1512 Codes Act, and, to the extent allowed under Title 15A, State Construction and Fire Codes Act,  
1513 measures at least 42 inches high, and at least 60 inches from the inside edge of the barrier to

1514 the nearest edge of the dispensing structure.

1515 (ii) "Dispensing area" does not include any area described in Subsection (1)(b)(i)(B)  
1516 that is less than 10 feet from an area where beer is dispensed, but from which a patron seated at  
1517 a table or counter cannot view the dispensing of beer.

1518 (c) "Small beer-only restaurant licensee" means a beer-only restaurant licensee [~~that~~  
1519 ~~has a grandfathered bar structure~~] whose dispensing area includes more than 45% of the  
1520 available seating for patrons on the licensed premises, excluding outdoor seating:

- 1521 (i) when measured in accordance with Subsection (1)(b)(i)(B); and
- 1522 (ii) based on the licensee's floor plan on file with the department on July 1, 2017.
- 1523 (d) "Waiting area" includes a lobby.

1524 Section 29. Section **32B-6-904** is amended to read:

1525 **32B-6-904. Specific licensing requirements for beer-only restaurant license.**

1526 (1) To obtain a beer-only restaurant license a person shall comply with Chapter 5, Part  
1527 2, Retail Licensing Process.

1528 (2) (a) A beer-only restaurant license expires the last day of February of each year.

1529 (b) To renew a person's beer-only restaurant license, a person shall comply with the  
1530 renewal requirements of Chapter 5, Part 2, Retail Licensing Process, by no later than January  
1531 31.

1532 (3) (a) The nonrefundable application fee for a beer-only restaurant license is \$330.

1533 (b) (i) The initial license fee for a beer-only restaurant license is \$825.

1534 (ii) The department shall prorate the \$825 initial license fee for the period that begins  
1535 the day on which the initial license fee is paid and ends the day on which the beer-only license  
1536 expires.

1537 (c) The renewal fee for a beer-only restaurant license is \$605.

1538 (4) The bond amount required for a beer-only restaurant license is the penal sum of  
1539 \$5,000.

1540 Section 30. Section **32B-6-1004** is amended to read:

1541 **32B-6-1004. Specific licensing requirements for a hospitality amenity license.**

1542 (1) To obtain a hospitality amenity license a person shall comply with Chapter 5, Part  
1543 2, Retail Licensing Process.

1544 (2) (a) A hospitality amenity license expires on October 31 of each year.

1545 (b) To renew a person's hospitality amenity license, a person shall comply with the  
1546 renewal requirements of Chapter 5, Part 2, Retail Licensing Process, by no later than  
1547 September 30.

1548 (3) (a) The nonrefundable application fee for a hospitality amenity license is \$330.

1549 (b) (i) The initial license fee for a hospitality amenity license is \$2,000.

1550 (ii) The department shall prorate the \$2,000 initial license fee for the period that begins  
1551 the day on which the initial license fee is paid and ends the day on which the hospitality  
1552 amenity license expires.

1553 (c) The renewal fee for a hospitality amenity license is \$1,000.

1554 (4) The bond amount required for a hospitality amenity license is the penal sum of  
1555 \$10,000.

1556 (5) Notwithstanding Subsection 32B-5-303(3), the commission may approve an  
1557 additional location in or on the licensed premises of a hospitality amenity licensee from which  
1558 the hospitality amenity licensee may store, sell, offer for sale, furnish, or allow the  
1559 consumption of an alcoholic product that is not included in the person's original application  
1560 only:

1561 (a) upon proper application by a hospitality amenity licensee; and

1562 (b) in accordance with guidelines the commission approves.

1563 Section 31. Section 32B-7-202 is amended to read:

1564 **32B-7-202. General operational requirements for off-premise beer retailer.**

1565 (1) (a) An off-premise beer retailer or staff of the off-premise beer retailer shall comply  
1566 with the provisions of this title and any applicable rules made by the commission.

1567 (b) Failure to comply with this section may result in a suspension or revocation of a  
1568 local license and, on or after July 1, 2018, disciplinary action in accordance with Chapter 3,  
1569 Disciplinary Actions and Enforcement Act.

1570 (2) (a) (i) An off-premise beer retailer may not purchase, acquire, possess for the  
1571 purpose of resale, or sell beer, except beer that the off-premise beer retailer lawfully purchases  
1572 from:

1573 (A) a beer wholesaler licensee; or

1574 (B) a small brewer that manufactures the beer.

1575 (ii) A violation of Subsection (2)(a) is a class A misdemeanor.

1576 (b) (i) If an off-premise beer retailer purchases beer under this Subsection (2) from a  
1577 beer wholesaler licensee, the off-premise beer retailer shall purchase beer only from a beer  
1578 wholesaler licensee who is designated by the manufacturer to sell beer in the geographical area  
1579 in which the off-premise beer retailer is located, unless an alternate wholesaler is authorized by  
1580 the department to sell to the off-premise beer retailer as provided in Section 32B-13-301.

1581 (ii) A violation of Subsection (2)(b) is a class B misdemeanor.

1582 (3) An off-premise beer retailer may not possess, sell, offer for sale, or furnish beer in a  
1583 container larger than two liters.

1584 (4) (a) Staff of an off-premise beer retailer, while on duty, may not:

1585 (i) consume an alcoholic product; or

1586 (ii) be intoxicated.

1587 (b) A minor may not sell beer on the licensed premises of an off-premise beer retailer  
1588 unless:

1589 (i) the sale is done under the supervision of a person 21 years old or older who is on the  
1590 licensed premises; and

1591 (ii) the minor is at least 16 years old.

1592 (5) An off-premise beer retailer may not sell, offer for sale, or furnish an alcoholic  
1593 product to:

1594 (a) a minor;

1595 (b) a person actually, apparently, or obviously intoxicated;

1596 (c) a known interdicted person; or

1597 (d) a known habitual drunkard.

1598 (6) (a) Subject to the other provisions of this Subsection (6), an off-premise beer  
1599 retailer shall:

1600 (i) display all beer accessible by and visible to a patron in no more than two locations  
1601 on the retail sales floor, each of which is:

1602 (A) a display cabinet, cooler, aisle, floor display, or room where beer is the only  
1603 beverage displayed; and

1604 (B) not adjacent to a display of nonalcoholic beverages, unless the location is a cooler  
1605 with a door from which the nonalcoholic beverages are not accessible, or the beer is separated  
1606 from the display of nonalcoholic beverages by a display of one or more nonbeverage products

1607 or another physical divider; and

1608 (ii) display a sign in the area described in Subsection (6)(a)(i) that:

1609 (A) is prominent;

1610 (B) is easily readable by a consumer;

1611 (C) meets the requirements for format established by the commission by rule; and

1612 (D) reads in print that is no smaller than .5 inches, bold type, "These beverages contain

1613 alcohol. Please read the label carefully."

1614 (b) Notwithstanding Subsection (6)(a), a nonalcoholic beer may be displayed with beer

1615 if the nonalcoholic beer is labeled, packaged, or advertised as a nonalcoholic beer.

1616 (c) The requirements of this Subsection (6) apply to beer notwithstanding that it is

1617 labeled, packaged, or advertised as:

1618 (i) a malt cooler; or

1619 (ii) a beverage that may provide energy.

1620 (d) A violation of this Subsection (6) is an infraction.

1621 (e) (i) Except as provided in Subsection (6)(e)(ii), the provisions of Subsection (6)(a)(i)

1622 apply on and after May 9, 2017.

1623 (ii) For a beer retailer that operates two or more off-premise beer retailers, the

1624 provisions of Subsection (6)(a)(i) apply on and after August 1, 2017.

1625 (7) (a) Staff of an off-premise beer retailer who directly supervises the sale of beer or

1626 who sells beer to a patron for consumption off the premises of the off-premise beer retailer

1627 shall wear a unique identification badge:

1628 (i) on the front of the staff's clothing;

1629 (ii) visible above the waist;

1630 (iii) bearing the staff's:

1631 (A) first or last name;

1632 (B) initials; or

1633 (C) unique identification in letters or numbers; and

1634 (iv) with the number or letters on the unique identification badge being sufficiently

1635 large to be clearly visible and identifiable while engaging in or directly supervising the retail

1636 sale of beer.

1637 (b) An off-premise beer retailer shall make and maintain a record of each current staff's

1638 unique identification badge assigned by the off-premise beer retailer that includes the staffs:

1639 (i) full name;

1640 (ii) address; and

1641 (iii) (A) driver license number; or

1642 (B) similar identification number.

1643 (c) An off-premise beer retailer shall make available a record required to be made or  
1644 maintained under this Subsection (7) for immediate inspection by:

1645 (i) a peace officer;

1646 (ii) a representative of the local authority that issues the off-premise beer retailer  
1647 license; or

1648 (iii) for an off-premise beer retailer state license, a representative of the commission or  
1649 department.

1650 (d) A local authority may impose a fine of up to \$250 against an off-premise beer  
1651 retailer that does not comply or require its staff to comply with this Subsection (7).

1652 (8) (a) An off-premise beer retailer may sell, offer for sale, or furnish beer through a  
1653 drive through window.

1654 (b) Subsection (8)(a) does not modify the display limitations and requirements  
1655 described in Subsection (6).

1656 (9) An off-premise beer retailer may not on the licensed premises:

1657 (a) engage in or permit any form of:

1658 (i) gambling, as defined in Section 76-10-1101; or

1659 (ii) fringe gambling, as defined in Section 76-10-1101;

1660 (b) have any fringe gaming device, video gaming device, or gambling device or record  
1661 as defined in Section 76-10-1101; or

1662 (c) engage in or permit a contest, game, gaming scheme, or gaming device that requires  
1663 the risking of something of value for a return or for an outcome when the return or outcome is  
1664 based upon an element of chance, excluding the playing of an amusement device that confers  
1665 only an immediate and unrecorded right of replay not exchangeable for value.

1666 (10) An off-premise beer retailer may not knowingly allow a person on the licensed  
1667 premises to, in violation of Title 58, Chapter 37, Utah Controlled Substances Act, or Chapter  
1668 37a, Utah Drug Paraphernalia Act:

1669 (a) sell, distribute, possess, or use a controlled substance, as defined in Section  
1670 [58-37-2](#); or

1671 (b) use, deliver, or possess, with the intent to deliver, drug paraphernalia, as defined in  
1672 Section [58-37a-3](#).

1673 (11) An off-premise beer retailer may not sell, offer for sale, or furnish a beer that is  
1674 intended to be frozen and consumed in a manner other than as a beverage, including beer in the  
1675 form of a freeze pop, popsicle, ice cream, or sorbet.

1676 Section 32. Section **32B-8-102** is amended to read:

1677 **32B-8-102. Definitions.**

1678 As used in this chapter:

1679 (1) "Boundary of a resort building" means the physical boundary of the real property  
1680 reasonably related to a resort building and any structure or improvement to that land as  
1681 determined by the commission.

1682 (2) "Designated conveyance area" means a route within a hotel or resort:

1683 (a) that connects one or more of the following:

1684 (i) the premises of a sublicensed bar;

1685 (ii) the premises of a sublicensed hospitality amenity area;

1686 (iii) a sublicensed banquet premises; or

1687 (iv) a guest's room; and

1688 (b) that does not begin, end, or pass through a pool area or other recreation area, a  
1689 designated business center, or a sublicensed premises not described in Subsection (2)(a).

1690 ~~[(2)]~~ (3) "Dwelling" means a portion of a resort building:

1691 (a) owned by one or more individuals;

1692 (b) that is used or designated for use as a residence by one or more persons; and

1693 (c) that may be rented, loaned, leased, or hired out for a period of no longer than 30  
1694 consecutive days by a person who uses it for a residence.

1695 ~~[(3)]~~ (4) "Engaged in the management of the resort" may be defined by the commission  
1696 by rule.

1697 ~~[(4)]~~ (5) "Resident" means an individual who:

1698 (a) owns a dwelling located within a resort building; or

1699 (b) rents lodging accommodations for 30 consecutive days or less from:

- 1700 (i) an owner of a dwelling described in Subsection [~~(4)~~(a)] (5)(a); or
- 1701 (ii) the resort licensee.
- 1702 [~~(5)~~] (6) "Resort" means a location:
- 1703 (a) on which is located one resort building; and
- 1704 (b) that is affiliated with a ski area that physically touches the boundary of the resort
- 1705 building.
- 1706 [~~(6)~~] (7) "Resort building" means a building:
- 1707 (a) that is primarily operated to provide dwellings or lodging accommodations;
- 1708 (b) that has at least 150 units that consist of a dwelling or lodging accommodations;
- 1709 (c) that consists of at least 400,000 square feet:
- 1710 (i) including only the building itself; and
- 1711 (ii) not including areas such as above ground surface parking; and
- 1712 (d) of which at least 50% of the units described in Subsection [~~(6)~~(b)] (7)(b) consist of
- 1713 dwellings owned by a person other than the resort licensee.
- 1714 Section 33. Section **32B-8-201** is amended to read:
- 1715 **32B-8-201. Commission's power to issue a resort license.**
- 1716 (1) Before a person as a resort under a single license may store, sell, offer for sale,
- 1717 furnish, or allow the consumption of an alcoholic product on sublicense premises, the person
- 1718 shall first obtain a resort license from the commission in accordance with this part.
- 1719 (2) (a) The commission may issue to a person a resort license to allow the storage, sale,
- 1720 offer for sale, furnishing, and consumption of an alcoholic product in connection with a resort
- 1721 designated in the resort license if the person operates at least four sublicenses under the resort
- 1722 license.
- 1723 (b) A resort license shall:
- 1724 (i) consist of:
- 1725 (A) a general resort license; and
- 1726 (B) four or more sublicenses; and
- 1727 (ii) designate the boundary of the resort building, each sublicense, and each designated
- 1728 conveyance area.
- 1729 (c) This chapter does not prohibit an alcoholic product in or on the boundary of the
- 1730 resort building to the extent otherwise permitted by this title.



1731 (3) The commission may not issue a total number of resort licenses that at any time  
1732 totals more than eight.

1733 Section 34. Section **32B-8-202** is amended to read:

1734 **32B-8-202. Specific licensing requirements for resort license.**

1735 (1) To obtain a resort license, in addition to complying with Chapter 5, Part 2, Retail  
1736 Licensing Process, a person shall submit with the person's written application:

1737 (a) evidence:

1738 (i) of proximity of the resort building to any community location;

1739 (ii) that each proposed sublicensed premises is entirely within the boundaries of the  
1740 resort building; and

1741 (iii) that the building designated in the application as the resort building qualifies as a  
1742 resort building; [~~and~~]

1743 (b) a description and boundary map of the resort building[-];

1744 (c) a description, floor plan, and boundary map of each proposed designated  
1745 conveyance area; and

1746 (d) a signed consent form stating that the resort licensee will permit any authorized  
1747 representative of the commission or department, or any law enforcement officer, to have an  
1748 unrestricted right to enter any proposed designated conveyance area.

1749 (2) (a) A resort license expires on October 31 of each year.

1750 (b) To renew a person's resort license, the person shall comply with the requirements of  
1751 Chapter 5, Part 2, Retail Licensing Process, by no later than September 30.

1752 (3) (a) The nonrefundable application fee for a resort license is \$300.

1753 (b) The initial license fee for a resort license is calculated as follows:

1754 (i) if four sublicenses are being applied for under the resort license, \$10,000; or

1755 (ii) if more than four sublicenses are being applied for under the resort license, the sum  
1756 of:

1757 (A) \$10,000; and

1758 (B) \$2,000 for each sublicense in excess of four sublicenses for which the person is  
1759 applying.

1760 (c) The renewal fee for a resort license is \$1,000 for each sublicense under the resort  
1761 license.

1762 (4) (a) The bond amount required for a resort license is the penal sum of \$25,000[-],  
1763 covering each sublicense and each designated conveyance area under the resort license.

1764 (b) A resort licensee is not required to have a separate bond for each sublicense[-]  
1765 ~~except that the aggregate of the bonds posted by the resort licensee shall cover each sublicense~~  
1766 ~~under the resort license]~~ or each designated conveyance area.

1767 (5) The commission may not issue a resort license for a resort building that does not  
1768 meet the proximity requirements of Section 32B-1-202.

1769 (6) In accordance with Subsection 32B-8d-103(4), a resort licensee may request to add  
1770 a sublicense after the commission issues the resort licensee's resort license.

1771 (7) (a) A resort licensee may request to add a designated conveyance area after the  
1772 commission issues the resort licensee's resort license.

1773 (b) If a resort licensee seeks to add a designated conveyance area under Subsection  
1774 (7)(a), the resort licensee shall submit to the department:

1775 (i) the information and evidence described in Subsections (1)(a)(iii), (1)(c), and (1)(d);  
1776 and

1777 (ii) if the resort licensee is an entity, proper verification evidencing that the person who  
1778 signs the submission is authorized to sign on behalf of the entity.

1779 Section 35. Section 32B-8-401 is amended to read:

1780 **32B-8-401. Specific operational requirements for resort license.**

1781 (1) (a) In addition to complying with Chapter 5, Part 3, Retail Licensee Operational  
1782 Requirements, a resort licensee, staff of the resort licensee, and a sublicensee or a person  
1783 otherwise operating under a sublicense shall comply with this section.

1784 (b) Subject to Section 32B-8-502, failure to comply as provided in Subsection (1)(a)  
1785 may result in disciplinary action in accordance with Chapter 3, Disciplinary Actions and  
1786 Enforcement Act, against:

1787 (i) the resort licensee;

1788 (ii) individual staff of the resort licensee;

1789 (iii) a sublicensee or person otherwise operating under a sublicense of the resort  
1790 licensee;

1791 (iv) individual staff of a sublicensee or person otherwise operating under a sublicense  
1792 of the resort licensee; or

1793 (v) any combination of the persons listed in Subsections (1)(b)(i) through (iv).  
1794 (2) (a) A resort licensee may not sell, offer for sale, or furnish an alcoholic product  
1795 except:  
1796 (i) on sublicensed premises;  
1797 (ii) pursuant to a permit issued under this title;  
1798 (iii) under a package agency agreement with the department, subject to Chapter 2, Part  
1799 6, Package Agency; or  
1800 (iv) through room service.  
1801 (b) A resort licensee who sells, offers for sale, or furnishes an alcoholic product as  
1802 provided in Subsection (2)(a), shall sell, offer for sale, or furnish the alcoholic product:  
1803 (i) if on a sublicense premises, in accordance with the operational requirements  
1804 described in Section [32B-8d-104](#);  
1805 (ii) if under a permit issued under this title, in accordance with the operational  
1806 requirements under the provisions applicable to the permit;  
1807 (iii) if as a package agency, in accordance with the contract with the department and  
1808 Chapter 2, Part 6, Package Agency; and  
1809 (iv) if through room service, in accordance with Subsection [~~(5)~~] (6).  
1810 (3) A resort licensee shall operate in a manner so that at least 70% of the annual  
1811 aggregate of the gross receipts related to the sale of food or beverages for the resort license and  
1812 each of the resort licensee's sublicenses is from the sale of food, not including:  
1813 (a) mix for an alcoholic product; and  
1814 (b) a charge in connection with the service of an alcoholic product.  
1815 (4) (a) A resort licensee shall supervise and direct a person involved in the sale, offer  
1816 for sale, or furnishing of an alcoholic product under a resort license.  
1817 (b) A person involved in the sale, offer for sale, or furnishing of an alcoholic product  
1818 under a resort license shall complete the alcohol training and education seminar.  
1819 (5) (a) A resort licensee shall:  
1820 (i) in accordance with commission rule, establish and maintain signage that clearly  
1821 identifies each designated conveyance area and conspicuously states that a patron may not take  
1822 an alcoholic beverage beyond the designated conveyance area except as otherwise provided in  
1823 this chapter;

1824 (ii) ensure that an alcoholic beverage is not left unattended in a designated conveyance  
1825 area; and

1826 (iii) ensure that each patron complies with the requirements of Subsection  
1827 32B-8d-104(5)(b)(ii).

1828 ~~[(5)]~~ (6) (a) ~~[Room]~~ Staff of the resort licensee shall provide room service of an  
1829 alcoholic product to a lodging accommodation of a resort licensee ~~[shall be provided]~~ in person  
1830 ~~[by staff of the resort licensee]~~ only to an adult occupant in the lodging accommodation.

1831 (b) An alcoholic product may not be left outside a lodging accommodation for retrieval  
1832 by an occupant.

1833 Section 36. Section **32B-8b-102** is amended to read:

1834 **32B-8b-102. Definitions.**

1835 As used in this chapter:

1836 (1) "Boundary of a hotel" means the physical boundary of one or more contiguous  
1837 parcels of real property owned or managed by the same person and on which a hotel is located.

1838 (2) "Designated conveyance area" means a route within a hotel or resort:

1839 (a) that connects one or more of the following:

1840 (i) the premises of a sublicensed bar;

1841 (ii) the premises of a sublicensed hospitality amenity area;

1842 (iii) a sublicensed banquet premises; or

1843 (iv) a guest's room; and

1844 (b) does not begin, end, or pass through a pool area or other recreation area, a  
1845 designated business center, or a sublicensed premises not described in Subsection (2)(a).

1846 ~~[(2)]~~ (3) "Hotel" means one or more buildings that:

1847 (a) comprise a hotel, as defined by the commission;

1848 (b) are owned or managed by the same person or by a person who has a majority  
1849 interest in or can direct or exercise control over the management or policy of the person who  
1850 owns or manages any other building under the hotel license within the boundary of the hotel;

1851 (c) primarily operate to provide lodging accommodations;

1852 (d) have on-premise banquet space and provide on-premise banquet service within the  
1853 boundary of the hotel meeting the requirements of this title;

1854 (e) have a restaurant or bar establishment within the boundary of the hotel meeting the

1855 requirements of this title; and

1856 (f) have at least 40 rooms as temporary sleeping accommodations for compensation.

1857 Section 37. Section **32B-8b-201** is amended to read:

1858 **32B-8b-201. Commission's power to issue a hotel license.**

1859 (1) Before a person as a hotel under a single license may store, sell, offer for sale,  
1860 furnish, or allow the consumption of an alcoholic product on sublicense premises, the person  
1861 shall first obtain a hotel license from the commission in accordance with this part.

1862 (2) (a) The commission may issue to a person a hotel license to allow the storage, sale,  
1863 offer for sale, furnishing, and consumption of an alcoholic product in connection with a hotel  
1864 designated in the hotel license if the person operates at least three sublicenses under the hotel  
1865 license:

1866 (i) one of which is an on-premise banquet license; and

1867 (ii) one of which is:

1868 (A) a full-service restaurant sublicense;

1869 (B) a limited-service restaurant sublicense;

1870 (C) a beer-only restaurant sublicense; or

1871 (D) a bar establishment sublicense.

1872 (b) A hotel license shall:

1873 (i) consist of:

1874 (A) a general hotel license; and

1875 (B) three or more sublicenses meeting the requirements of Subsection (2)(a); and

1876 (ii) designate the boundary of the hotel [~~and~~], sublicenses[~~;~~], and each designated  
1877 conveyance area.

1878 (c) This chapter does not prohibit an alcoholic product on the boundary of the hotel to  
1879 the extent otherwise permitted by this title.

1880 (3) The commission may not issue a total number of hotel licenses that at any time  
1881 totals more than 80.

1882 Section 38. Section **32B-8b-202** is amended to read:

1883 **32B-8b-202. Specific licensing requirements for hotel license.**

1884 (1) To obtain a hotel license, in addition to complying with Chapter 5, Part 2, Retail  
1885 Licensing Process, a person shall submit with the person's written application:

- 1886 (a) evidence:
- 1887 (i) of proximity of each building under the hotel license to any community location;
- 1888 (ii) that each proposed sublicensed premises is entirely within the boundary of the
- 1889 hotel; and
- 1890 (iii) that each building designated in the application as a building under the hotel
- 1891 license qualifies to be under the hotel license; [~~and~~]
- 1892 (b) a description and boundary map of the hotel[-];
- 1893 (c) a description, floor plan, and boundary map of each proposed designated
- 1894 conveyance area; and
- 1895 (d) a signed consent form stating that the hotel licensee will permit any authorized
- 1896 representative of the commission or department, or any law enforcement officer, to have an
- 1897 unrestricted right to enter any proposed designated conveyance area.
- 1898 (2) (a) A hotel license expires on October 31 of each year.
- 1899 (b) To renew a person's hotel license, the person shall comply with the requirements of
- 1900 Chapter 5, Part 2, Retail Licensing Process, by no later than September 30.
- 1901 (3) (a) The nonrefundable application fee for a hotel license is \$500.
- 1902 (b) The initial license fee for a hotel license is calculated as follows:
- 1903 (i) if three sublicenses are being applied for under the hotel license, \$5,000; or
- 1904 (ii) if more than three sublicenses are being applied for under the hotel license, the sum
- 1905 of:
- 1906 (A) \$5,000; and
- 1907 (B) \$2,000 for each sublicense in excess of three sublicenses for which the person is
- 1908 applying.
- 1909 (c) The renewal fee for a hotel license is \$1,000 for each sublicense under the hotel
- 1910 license.
- 1911 (4) (a) The bond amount required for a hotel license is the penal sum of \$10,000,
- 1912 covering each sublicense and each designated conveyance area under the hotel license.
- 1913 (b) A hotel licensee is not required to have a separate bond for each sublicense~~[-except~~
- 1914 ~~that the aggregate of the bonds posted by the hotel licensee shall cover each sublicense under~~
- 1915 ~~the hotel license]~~ or each designated conveyance area.
- 1916 (5) The commission may not issue a hotel license that includes a building under the

1917 hotel license that does not meet the proximity requirements of Section 32B-1-202.

1918 (6) In accordance with Subsection 32B-8d-103(4), a hotel licensee may request to add a  
1919 sublicense after the commission issues the hotel licensee's hotel license.

1920 (7) (a) A hotel licensee may request to add a designated conveyance area after the  
1921 commission issues the hotel licensee's hotel license.

1922 (b) If a hotel licensee seeks to add a designated conveyance area under Subsection  
1923 (7)(a), the hotel licensee shall submit to the department:

1924 (i) the information and evidence described in Subsections (1)(a)(iii), (1)(c), and (1)(d);  
1925 and

1926 (ii) if the hotel licensee is an entity, proper verification evidencing that the person who  
1927 signs the submission is authorized to sign on behalf of the entity.

1928 Section 39. Section 32B-8b-301 is amended to read:

1929 **32B-8b-301. Specific operational requirements for hotel license.**

1930 (1) (a) In addition to complying with Chapter 5, Part 3, Retail Licensee Operational  
1931 Requirements, a hotel licensee, staff of the hotel licensee, and a sublicensee or person  
1932 otherwise operating under a sublicense shall comply with this section.

1933 (b) Failure to comply as provided in Subsection (1)(a) may result in disciplinary action  
1934 in accordance with Chapter 3, Disciplinary Actions and Enforcement Act, against:

1935 (i) the hotel licensee;

1936 (ii) individual staff of the hotel licensee;

1937 (iii) a sublicensee or person otherwise operating under a sublicense of the hotel  
1938 licensee;

1939 (iv) individual staff of a sublicensee or person otherwise operating under a sublicense  
1940 of the hotel licensee; or

1941 (v) any combination of the persons listed in this Subsection (1)(b).

1942 (2) (a) A hotel licensee may not sell, offer for sale, or furnish an alcoholic product  
1943 except:

1944 (i) on sublicensed premises;

1945 (ii) pursuant to a permit issued under this title;

1946 (iii) under a package agency agreement with the department, subject to Chapter 2, Part  
1947 6, Package Agency; or

1948 (iv) through room service.

1949 (b) A hotel licensee who sells, offers for sale, or furnishes an alcoholic product as  
1950 provided in Subsection (2)(a) shall sell, offer for sale, or furnish the alcoholic product:

1951 (i) if on sublicensed premises, in accordance with the operational requirements  
1952 described in Section [32B-8d-104](#);

1953 (ii) if under a permit issued under this title, in accordance with the operational  
1954 requirements under the provisions applicable to the permit;

1955 (iii) if as a package agency, in accordance with the contract with the department and  
1956 Chapter 2, Part 6, Package Agency; and

1957 (iv) if through room service, in accordance with Subsection ~~[(4)]~~ (5).

1958 (c) Notwithstanding the other provisions of this Subsection (2) and except as provided  
1959 in Section [32B-8d-104](#), a hotel licensee may not permit a patron to carry an alcoholic product  
1960 off the premises of a sublicense in violation of Section [32B-5-307](#) ~~[or]~~, off an area designated  
1961 under a permit, or off a designated conveyance area.

1962 (3) A hotel licensee shall supervise and direct a person involved in the sale, offer for  
1963 sale, or furnishing of an alcoholic product under a hotel license.

1964 (4) (a) A hotel licensee shall:

1965 (i) in accordance with commission rule, establish and maintain signage that clearly  
1966 identifies each designated conveyance area and conspicuously states that a patron may not take  
1967 an alcoholic beverage beyond the designated conveyance area except as otherwise provided in  
1968 this chapter;

1969 (ii) ensure that an alcoholic beverage is not left unattended in a designated conveyance  
1970 area; and

1971 (iii) ensure that each patron complies with the requirements of Subsection  
1972 [32B-8d-104](#)(5)(b)(ii).

1973 (b) In accordance with Subsection (2), a hotel licensee may not sell, offer for sale, or  
1974 furnish an alcoholic product in a designated conveyance area.

1975 ~~[(4)]~~ (5) (a) ~~[Room]~~ Staff of the hotel licensee shall provide room service of an  
1976 alcoholic product to a lodging accommodation of a hotel licensee [shall be provided] in person  
1977 [by staff of the hotel licensee] only to an adult occupant in the lodging accommodation.

1978 (b) An alcoholic product may not be left outside a lodging accommodation for retrieval



1979 by an occupant.

1980 ~~[(5)]~~ (6) A hotel licensee shall operate in a manner so that at least 70% of the annual  
1981 aggregate of the gross receipts related to the sale of food or beverages for the hotel license and  
1982 each of the hotel license's sublicenses is from the sale of food, not including:

1983 (a) mix for an alcoholic product; and

1984 (b) a charge in connection with the service of an alcoholic product.

1985 Section 40. Section **32B-8d-104** is amended to read:

1986 **32B-8d-104. General operational requirements for a sublicense.**

1987 (1) Except as provided in Subsections (2) through ~~[(3)]~~ (5), a person operating under a  
1988 sublicense is subject to the operational requirements under the provisions applicable to the  
1989 sublicense.

1990 (2) Notwithstanding a requirement in the provisions applicable to the sublicense, a  
1991 person operating under the sublicense is not subject to a requirement that a certain percentage  
1992 of the gross receipts for the sublicense be from the sale of food, except to the extent that the  
1993 gross receipts for the sublicense are included in calculating the percentages under Subsections  
1994 [32B-8-401](#)(3), ~~[[32B-8b-301](#)(5)]~~ [32B-8b-301](#)(6), and [32B-8c-301](#)(3).

1995 (3) Notwithstanding ~~[Section [32B-5-307](#):]~~ Sections [32B-5-307](#) and,

1996 ~~[(a)]~~ a patron may transport beer between the sublicensed premises of an arena  
1997 licensee's accompanying sublicenses, if the patron transports the beer from and to an area of  
1998 each sublicensed premises:

1999 ~~[(i)]~~ (a) that is adjacent to the other; and

2000 ~~[(ii)]~~ (b) where the consumption of beer is permitted~~[-and]~~.

2001 ~~[(b)]~~ (4) Notwithstanding Section [32B-5-307](#), staff of a sublicensee or person  
2002 otherwise operating under a sublicense of a hotel licensee or a resort licensee may transport an  
2003 alcoholic beverage from and to sublicensed premises of the hotel license or resort license, if:

2004 ~~[(i)]~~ (a) the sublicensee is:

2005 ~~[(A)]~~ (i) a full-service restaurant sublicensee;

2006 ~~[(B)]~~ (ii) a limited-service restaurant sublicensee;

2007 ~~[(C)]~~ (iii) a bar establishment sublicensee;

2008 ~~[(D)]~~ (iv) a beer-only restaurant sublicensee; or

2009 ~~[(E)]~~ (v) an on-premise beer retailer sublicensee;

2010            [(ii)] (b) the individual staff carries the alcoholic beverage:  
2011            [(A)] (i) from the sublicensed premises of a sublicensee described in Subsection  
2012 [(3)(b)(i)] (4)(a);  
2013            [(B)] (ii) briefly through an unlicensed area or briefly through sublicensed premises on  
2014 which the type of alcoholic beverage that the individual staff carries is permitted; and  
2015            [(C)] (iii) to the sublicensed premises of a sublicensee described in Subsection  
2016 [(3)(b)(i)] (4)(a); and  
2017            [(iii)] (c) the individual staff at all times stays within:  
2018            [(A)] (i) the boundary of the hotel; or  
2019            [(B)] (ii) the boundary of the resort building.  
2020            [(4)] (5) (a) Notwithstanding Section [32B-5-307](#), [32B-6-605](#), or [32B-6-1005](#), a patron  
2021 may transport an alcoholic beverage between any of the following locations, if the patron  
2022 lawfully obtained the alcoholic beverage on the premises of a sublicensee described in  
2023 Subsections (5)(a)(i) through (iv) and complies with Subsection (5)(b):  
2024            (i) a bar establishment sublicensee's sublicensed premises;  
2025            (ii) a hospitality amenity sublicensee's sublicensed premises;  
2026            (iii) an on-premise banquet sublicensee's sublicensed premises; and  
2027            (iv) a guest room.  
2028            (b) A patron may transport an alcoholic beverage in accordance with Subsection (5)(a)  
2029 only if:  
2030            (i) the patron travels exclusively within a designated conveyance area as defined in  
2031 Section [32B-8-102](#) or [32B-8b-102](#); and  
2032            (ii) the alcoholic beverage:  
2033            (A) is not in the alcoholic beverage's original container; and  
2034            (B) is in an opaque or solid color container that is readily identifiable as intended for  
2035 use in a designated conveyance area.  
2036            (6) Except as provided in Section [32B-8-502](#), for purposes of interpreting an  
2037 operational requirement imposed by the provisions applicable to a sublicense:  
2038            (a) a requirement imposed on a sublicensee or person operating under a sublicense  
2039 applies to the principal licensee; and  
2040            (b) a requirement imposed on staff of a sublicensee or person operating under a

2041 sublicense applies to staff of the principal licensee.

2042 Section 41. Section **32B-10-202** is amended to read:

2043 **32B-10-202. Application for special use permit -- Qualifications.**

2044 (1) To obtain a special use permit, a person shall submit to the department:

2045 (a) a written application in a form prescribed by the department;

2046 (b) a nonrefundable application fee, if required by the relevant part of this chapter  
2047 applicable to the type of special use permit for which the person applies;

2048 (c) an initial permit fee:

2049 (i) if required by the relevant part of this chapter applicable to the type of special use  
2050 permit for which the person applies; and

2051 (ii) that is refundable if a special use permit is not issued;

2052 (d) a one-time special use permit fee if required by a section of this chapter:

2053 (i) applicable to the type of special use permit for which the person applies; and

2054 (ii) that is refundable if a special use permit is not issued;

2055 (e) a statement of the purpose for which the person applies for the special use permit;

2056 (f) a description of the types of alcoholic product the person intends to use under  
2057 authority of the special use permit;

2058 (g) written consent of the local authority;

2059 (h) if required, a bond as provided in Section [32B-10-205](#);

2060 (i) a floor plan of the immediate area within the premises in which the person proposes  
2061 that an alcoholic product will be used, mixed, stored, sold, or consumed if required by the  
2062 relevant part of this chapter applicable to the type of special use permit for which the person  
2063 applies;

2064 (j) a signed consent form stating that the special use permittee will permit any  
2065 authorized representative of the commission, department, or any other law enforcement officer  
2066 to have unrestricted right to enter the special use permittee's premises;

2067 (k) if the person is an entity, proper verification evidencing that a person who signs the  
2068 application is authorized to sign on behalf of the entity; and

2069 (l) any other information the commission or department may require.

2070 (2) (a) The commission may issue a special use permit only to a person who qualifies  
2071 as follows:

2072 (i) the commission may issue a religious wine use permit to a religious organization;

2073 (ii) the commission may issue an industrial or manufacturing use permit to a person  
2074 engaged in an industrial or manufacturing pursuit;

2075 (iii) the commission may issue a scientific or educational use permit to a person  
2076 engaged in a scientific or educational pursuit; and

2077 (iv) the commission may issue a public service permit to:

2078 (A) an operator of an airline, railroad, or other public conveyance[-]; or

2079 (B) an entity with authorization from an international airport to establish and operate a  
2080 hospitality room at the international airport.

2081 (b) The commission may not issue a special use permit to a person who is disqualified  
2082 under Section [32B-1-304](#).

2083 (c) If a person to whom a special use permit is issued no longer possesses the  
2084 qualifications required by this title for obtaining that special use permit, the commission may  
2085 suspend or revoke that special use permit.

2086 Section 42. Section **32B-10-303** is amended to read:

2087 **32B-10-303. Specific application and renewal requirements for public service**  
2088 **permit.**

2089 (1) To obtain a public service permit, in addition to complying with Section  
2090 [32B-10-202](#), a person shall submit to the department:

2091 (a) a statement of the total of regularly numbered flights, trains, buses, boats, or other  
2092 types of public conveyance for which the person plans to use the special use permit;

2093 (b) a floor plan of any room or facility in which the person plans to establish a  
2094 hospitality room; and

2095 (c) evidence of proximity of a proposed hospitality room to:

2096 (i) the arrival and departure area used by a person traveling on the person's airline,  
2097 railroad, bus, boat, or other public conveyance[-]; or

2098 (ii) if the applicant is a person described in Subsection [32B-10-202\(2\)\(a\)\(iv\)\(B\)](#), the  
2099 arrival and departure area of another person's airline.

2100 (2) (a) The nonrefundable application fee for a public service permit is \$75.

2101 (b) The initial permit fee for a public service permit is \$250.

2102 (c) The bond amount required for a public service permittee is the penal sum of \$1,000.

2103 (3) (a) To renew a public service permit, a person shall comply with Section  
2104 [32B-10-203](#).

2105 (b) (i) ~~[The]~~ Except as provided in Subsection (3)(b)(ii), the renewal fee for a public  
2106 service permit is \$30 for each regularly numbered passenger airplane flight, passenger train,  
2107 bus, boat, or any other regularly scheduled public conveyance upon which an alcoholic product  
2108 is sold, offered for sale, or furnished.

2109 (ii) For an applicant described in Subsection [32B-10-202\(2\)\(a\)\(iv\)\(B\)](#), the renewal fee  
2110 for a public service permit is \$5,000.

2111 Section 43. Section **32B-10-304** is amended to read:

2112 **32B-10-304. Specific operational requirements for a public service permit.**

2113 (1) (a) In addition to complying with Section [32B-10-206](#), a public service permittee  
2114 and staff of the public service permittee shall comply with this section.

2115 (b) Failure to comply as provided in Subsection (1)(a) may result in disciplinary action  
2116 in accordance with Chapter 3, Disciplinary Actions and Enforcement Act, against:

2117 (i) a public service permittee;

2118 (ii) individual staff of a public service permittee; or

2119 (iii) both a public service permittee and staff of the public service permittee.

2120 (2) (a) A public service permittee described in Subsection [32B-10-202\(2\)\(a\)\(iv\)\(A\)](#)  
2121 whose public conveyances operate on an interstate basis may do the following:

2122 (i) purchase an alcoholic product outside of the state;

2123 (ii) bring an alcoholic product purchased outside of the state into the state; and

2124 (iii) sell, offer for sale, and furnish an alcoholic product purchased outside of the state  
2125 to a passenger traveling on the public service permittee's public conveyance for consumption  
2126 while en route on the public conveyance.

2127 (b) A public service permittee described in Subsection [32B-10-202\(2\)\(a\)\(iv\)\(A\)](#) whose  
2128 public conveyance operates solely within the state~~[-, to]~~:

2129 (i) may sell, offer for sale, or furnish an alcoholic product to a passenger traveling on  
2130 the public service permittee's public conveyance for consumption while en route on the public  
2131 conveyance~~[-, shall purchase:]~~; and

2132 (ii) shall purchase:

2133 ~~[(+)]~~ (A) liquor from a state store or package agency; and

2134            [(it)] (B) beer from a beer wholesaler licensee.

2135            (c) A public service permittee described in Subsection [32B-10-202\(2\)\(a\)\(iv\)\(B\)](#):

2136            (i) may sell, offer for sale, or furnish an alcoholic product to a patron at the public

2137 service permittee's hospitality room; and

2138            (ii) shall purchase:

2139            (A) liquor from a state store or package agency; and

2140            (B) beer from a beer wholesaler licensee.

2141            (3) (a) A public service permittee may establish a hospitality room, if:

2142            (i) (A) the room is located within a depot, terminal, or similar facility adjacent to and

2143 servicing the public service permittee's airline, railroad, bus, boat, or other public conveyance;

2144 or

2145            (B) the room is located within a terminal at an international airport and servicing

2146 another public service permittee's airline;

2147            (ii) the room is completely enclosed and the interior is not visible to the public;

2148            (iii) the sale, offer for sale, or furnishing of an alcoholic product is made only to a

2149 person:

2150            (A) then in transit using the public service permittee's airline, railroad, bus line, or

2151 other public conveyance or, for a public service permittee described in Subsection (2), another

2152 public service permittee's airline; and

2153            (B) holding a valid boarding pass or similar travel document issued by [~~the~~] a public

2154 service permittee; and

2155            (iv) (A) liquor is purchased from:

2156            (I) a state store; or

2157            (II) a package agency; and

2158            (B) beer is purchased from a beer wholesaler licensee.

2159            (b) (i) A public service permittee operating a hospitality room shall display in a

2160 prominent place in the hospitality room, a sign in large letters that consists of text in the

2161 following order:

2162            (A) a header that reads: "WARNING";

2163            (B) a warning statement that reads: "Drinking alcoholic beverages during pregnancy

2164 can cause birth defects and permanent brain damage for the child.";

2165 (C) a statement in smaller font that reads: "Call the Utah Department of Health at  
2166 [insert most current toll-free number] with questions or for more information.";

2167 (D) a header that reads: "WARNING"; and

2168 (E) a warning statement that reads: "Driving under the influence of alcohol or drugs is  
2169 a serious crime that is prosecuted aggressively in Utah."

2170 (ii) (A) The text described in Subsections (3)(b)(i)(A) through (C) shall be in a  
2171 different font style than the text described in Subsections (3)(b)(i)(D) and (E).

2172 (B) The warning statements in the sign described in Subsection (3)(b)(i) shall be in the  
2173 same font size.

2174 (iii) The Department of Health shall work with the commission and department to  
2175 facilitate consistency in the format of a sign required under this section.

2176 (c) A hospitality room shall be operated in accordance with this chapter and rules  
2177 adopted by the commission.

2178 Section 44. Section **32B-15-201** is amended to read:

2179 **32B-15-201. Liability for injuries and damage resulting from distribution of**  
2180 **alcoholic products -- Prima facie evidence.**

2181 (1) (a) Except as provided in Subsections [32B-15-202](#)(2) and (3), a person described in  
2182 Subsection (1)(b) is liable for:

2183 (i) any and all injury and damage, except punitive damages to:

2184 (A) a third person; or

2185 (B) the heir, as defined in Section [78B-3-105](#), of the third person; or

2186 (ii) the death of a third person.

2187 (b) A person is liable under Subsection (1)(a) if:

2188 (i) the person directly gives, sells, or otherwise provides an alcoholic product:

2189 (A) to a person described in Subsection (1)(b)(ii); and

2190 (B) as part of the commercial sale, storage, service, manufacture, distribution, or  
2191 consumption of an alcoholic product;

2192 (ii) those actions cause the intoxication of:

2193 (A) an individual under 21 years old;

2194 (B) an individual who is apparently under the influence of an alcoholic product or  
2195 drug;

2196 (C) an individual whom the person furnishing the alcoholic product knew or should  
2197 have known from the circumstances was under the influence of an alcoholic product or drug; or

2198 (D) an individual who is a known interdicted person; and

2199 (iii) the injury or death described in Subsection (1)(a) results from the intoxication of  
2200 the individual who is provided the alcoholic product.

2201 (c) It is prima facie evidence that a person is liable under Subsection (1)(a) for an  
2202 injury or death that results from the intoxication of an individual described in Subsection  
2203 (1)(b)(ii)(B) or (C) if:

2204 (i) the person directly gives, sells, or otherwise provides the individual the last  
2205 alcoholic product the individual consumes before the injury or death described in Subsection  
2206 (1)(b)(iii);

2207 (ii) the individual consumes the alcoholic product at the location where the person  
2208 directly gives, sells, or otherwise provides the individual the alcoholic product;

2209 (iii) the injury or death occurs within 30 minutes after the time at which the individual  
2210 leaves, and within a 10 mile radius of, the location where the person gives, sells, or otherwise  
2211 provides the individual the alcoholic product; and

2212 (iv) (A) the individual is charged with [a criminal violation of Section 41-6a-502 for  
2213 driving under the influence of an alcoholic product in relation to the injury or death.] an offense  
2214 described in Subsection 41-6a-501(2)(a); or

2215 (B) if the individual dies as a result of the event that caused the injury or death, a  
2216 subsequent chemical test shows that the individual had a blood alcohol concentration of .05  
2217 grams or greater at the time of the test.

2218 (2) (a) A person 21 years old or older who is described in Subsection (2)(b) is liable  
2219 for:

2220 (i) any and all injury and damage, except punitive damages to:

2221 (A) a third person; or

2222 (B) the heir, as defined in Section 78B-3-105, of the third person; or

2223 (ii) the death of the third person.

2224 (b) A person is liable under Subsection (2)(a) if:

2225 (i) the person directly gives or otherwise provides an alcoholic product to an individual  
2226 who the person knows or should have known is under 21 years old;



2227 (ii) those actions caused the intoxication of the individual provided the alcoholic  
2228 product;

2229 (iii) the injury or death described in Subsection (2)(a) results from the intoxication of  
2230 the individual who is provided the alcoholic product; and

2231 (iv) the person is not liable under Subsection (1), because the person did not directly  
2232 give or provide the alcoholic product as part of the commercial sale, storage, service,  
2233 manufacture, distribution, or consumption of an alcoholic product.

2234 (3) This section does not apply to a business licensed in accordance with Chapter 7,  
2235 Off-Premise Beer Retailer Act, to sell beer at retail only for off-premise consumption.

2236 Section 45. Section **41-6a-531** is enacted to read:

2237 **41-6a-531. Access to DUI investigative reports.**

2238 (1) As used in this section:

2239 (a) "Agent" means a person's attorney that has been formally engaged.

2240 (b) "DUI investigative report" means all materials that a peace officer gathers as part of  
2241 investigating an offense described in Subsection 41-6a-501 including:

2242 (i) the identity of witnesses and, if known, contact information;

2243 (ii) witness statements;

2244 (iii) photographs and videotapes;

2245 (iv) diagrams;

2246 (v) field notes;

2247 (vi) test results; and

2248 (vii) any Targeted Responsibility for Alcohol Connected Emergencies investigation  
2249 report.

2250 (2) (a) Upon request, a law enforcement agency shall disclose an unredacted DUI  
2251 investigative report to:

2252 (i) a person who suffers loss or injury related to the person's actions that gave rise to  
2253 the investigation; or

2254 (ii) an agent, parent, or legal guardian of the person described in Subsection (2)(a)(i).

2255 (b) A law enforcement agency responding to a request under Subsection (2)(a) may:

2256 (i) withhold a portion of the DUI investigative report if disclosure would materially  
2257 prejudice an ongoing criminal investigation or criminal prosecution;

- 2258 (ii) redact or withhold any privileged information;
- 2259 (iii) redact an individual's phone number or address, if disclosure of the individual's
- 2260 phone number or address may endanger an individual's physical safety; or
- 2261 (iv) provide the DUI investigative report subject to an agreement that limits the
- 2262 recipient's use of the DUI investigative report to use solely for the purpose of pursuing a civil
- 2263 claim related to the incident.

2264 (3) A law enforcement agency may charge a reasonable fee to cover the cost incurred  
2265 by disclosing a DUI investigative report in accordance with this section.

2266 Section 46. Section **53-28-101** is enacted to read:

2267 **CHAPTER 28. PLACE OF LAST DRINK PROGRAM**

2268 **53-28-101. Definitions.**

2269 (1) "Alcohol-related law enforcement officer" means the same as that term is defined in  
2270 Section [32B-1-201](#).

2271 (2) "Alcohol-related traffic stop" means a traffic stop that results in an individual being  
2272 arrested for an offense described in Subsection [41-6a-501\(2\)\(a\)](#) related to alcohol.

2273 (3) "Alcoholic beverage" means the same as that term is defined in Section [32B-1-102](#).

2274 (4) "Place of last drink" means the location where an individual obtains and consumes  
2275 the last alcoholic beverage before the individual is the subject of an alcohol-related traffic stop.

2276 (5) "Retail licensee" means the same as that term is defined in Section [32B-1-102](#).

2277 Section 47. Section **53-28-102** is enacted to read:

2278 **53-28-102. Place of last drink reporting requirements.**

2279 (1) The department shall establish a program in accordance with this chapter to:

2280 (a) identify when an individual's place of last drink is a retail licensee; and

2281 (b) efficiently share information with alcohol-related law enforcement officers about  
2282 each retail licensee that is an individual's place of last drink for the purpose of allowing the  
2283 alcohol-related law enforcement officers to investigate a possible violation of Section  
2284 [32B-5-306](#).

2285 (2) In developing the program described in this section, the department shall coordinate  
2286 with and take input from the Department of Alcoholic Beverage Services created in Section  
2287 [32B-2-203](#).

2288 (3) Before November 1, 2025, the department shall provide a written report to the

2289 Criminal Justice and Law Enforcement Interim Committee that describes how the department  
 2290 implemented the program, the extent to which the program accomplishes the objectives  
 2291 described in Subsection (1), and any planned or recommended changes.

2292 Section 48. Section **59-15-101** is amended to read:

2293 **59-15-101. Tax basis -- Rate.**

2294 (1) As used in this chapter, "beer" means:

2295 (a) beer as defined in Section 32B-1-102; or

2296 (b) heavy beer as defined in Section 32B-1-102.

2297 (2) (a) ~~A tax is imposed at the rate specified in [Subsection (1)(b) on all beer, as~~  
 2298 ~~defined in Section 32B-1-102;]~~ Subsection (2)(b) on beer that is imported or manufactured for  
 2299 sale, use, or distribution in this state.

2300 ~~[(b) The tax described in Subsection (1)(a) shall be imposed at a rate of:]~~

2301 ~~[(i) \$11 per 31-gallon barrel for beer imported or manufactured:]~~

2302 ~~[(A) before July 1, 2003; and]~~

2303 ~~[(B) for sale, use, or distribution in this state; and]~~

2304 ~~[(ii) \$13.10 per 31-gallon barrel for beer imported or manufactured:]~~

2305 ~~[(A) on or after July 1, 2003; and]~~

2306 ~~[(B) for sale, use, or distribution in this state.]~~

2307 (b) The rate of the tax imposed under this Subsection (2) is:

2308 (i) \$13.10 per 31-gallon barrel for beer imported or manufactured before July 1, 2024;

2309 (ii) \$13.35 per 31-gallon barrel for beer imported or manufactured on or after July 1,  
 2310 2024, and before July 1, 2025;

2311 (iii) \$13.60 per 31-gallon barrel for beer imported or manufactured on or after July 1,  
 2312 2025, and before July 1, 2026;

2313 (iv) \$13.85 per 31-gallon barrel for beer imported or manufactured on or after July 1,  
 2314 2026, and before July 1, 2027; and

2315 (v) \$14.10 per 31-gallon barrel for beer imported or manufactured on or after July 1,  
 2316 2027.

2317 (c) The tax imposed under this Subsection [(1)] (2):

2318 (i) shall be imposed at a proportionate rate for:

2319 (A) any quantity of beer other than a 31-gallon barrel; or

- 2320 (B) the fractional parts of a 31-gallon barrel; and
- 2321 (ii) may not be imposed more than once on the same beer.
- 2322 ~~[(2)]~~ (3) A tax may not be imposed on beer:
- 2323 (a) sold to the United States and its agencies; or
- 2324 (b) (i) manufactured or imported for sale, use, or distribution outside the state; and
- 2325 (ii) exported from the state.

2326 Section 49. Section **59-15-109** is amended to read:

2327 **59-15-109. Commission to deposit beer tax revenue.**

2328 (1) ~~[Except as provided in Subsection (2), taxes collected under this chapter shall be~~  
2329 ~~paid by the commission to the state treasurer daily for deposit]~~ Except as provided in  
2330 Subsections (2) and (3), the commission shall deposit revenue collected under this chapter as  
2331 follows:

2332 (a) the greater of the following shall be deposited into the Alcoholic Beverage  
2333 Enforcement and Treatment Restricted Account created in Section [32B-2-403](#):

- 2334 (i) an amount calculated by:
  - 2335 (A) determining an amount equal to 50% of the revenue collected for the fiscal year
  - 2336 two years preceding the fiscal year for which the deposit is made; and
  - 2337 (B) subtracting \$30,000 from the amount determined under Subsection (1)(a)(i)(A); or
  - 2338 (ii) \$4,350,000; and
- 2339 (b) the revenue collected in excess of the amount deposited in accordance with  
2340 Subsection (1)(a) shall be deposited into the General Fund.

2341 (2) The ~~[state treasurer]~~ commission shall annually deposit into the Alcoholic Beverage  
2342 Enforcement and Treatment Restricted Account created in Section [32B-2-403](#) an amount equal  
2343 to the amount of revenue generated in the current fiscal year by the portion of the tax imposed  
2344 under Section [59-15-101](#) that ~~[exceeds]~~ is equal to:

- 2345 ~~[(a) \$12.80 per 31-gallon barrel for beer imported or manufactured:]~~
- 2346 ~~[(i) on or after July 1, 2003; and]~~
- 2347 ~~[(ii) for sale, use, or distribution in this state; and]~~
- 2348 (a) \$0.30 per 31-gallon barrel for beer imported or manufactured on or after July 1,  
2349 2003; and

2350 (b) a proportionate rate to the rate described in Subsection (2)(a) for:

2351 (i) any quantity of beer other than a 31-gallon barrel; or  
 2352 (ii) the fractional parts of a 31-gallon barrel.  
 2353 (3) Beginning fiscal year 2024-25, the commission shall annually deposit into the  
 2354 Alcoholic Beverage Control Act Enforcement Fund created in Section 32B-2-305 an amount  
 2355 equal to the amount of revenue generated in the current fiscal year by the portion of the tax  
 2356 imposed under Section 59-15-101 that exceeds:

2357 (a) \$13.10 per 31-gallon barrel for beer imported or manufactured on or after July 1,  
 2358 2024; and

2359 (b) a proportionate rate to the rate described in Subsection (3)(a) for:

2360 (i) any quantity of beer other than a 31-gallon barrel; or

2361 (ii) the fractional parts of a 31-gallon barrel.

2362 [~~(3)~~] (4) (a) The commission shall notify the entities described in Subsection [~~(3)~~](b)

2363 (4)(b) not later than the September 1 preceding the fiscal year of the deposit of:

2364 (i) the amount of the proceeds of the beer excise tax collected in accordance with this  
 2365 section for the fiscal year two years preceding the fiscal year of deposit; and

2366 (ii) an amount equal to 50% of the amount listed in Subsection [~~(3)~~](a)(i) (4)(a)(i).

2367 (b) The notification required by Subsection [~~(3)~~](a) (4)(a) shall be sent to:

2368 (i) the Governor's Office of Planning and Budget; and

2369 (ii) the Legislative Fiscal Analyst.

2370 Section 50. Section 63I-2-232 is amended to read:

2371 **63I-2-232. Repeal dates: Title 32B.**

2372 (1) Subsection 32B-1-603.5(7), regarding the Department of Alcoholic Beverage  
 2373 Services' review of beer that is sold or distributed in the state, is repealed December 31, 2024.

2374 (2) Subsection 32B-2-205(4), which creates a workgroup to make recommendations  
 2375 regarding training and recordkeeping for certain cash transactions, is repealed January 1, 2025.

2376 Section 51. **Repealer.**

2377 This bill repeals:

2378 Section 32B-2-210, **Alcoholic Beverage Services Advisory Board.**

2379 Section 52. **Effective date.**

2380 This bill takes effect on May 1, 2024.