

1 **ALCOHOL MODIFICATIONS**

2 2018 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Jerry W. Stevenson**

5 House Sponsor: Brad R. Wilson

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies provisions of the Attire, Conduct, and Entertainment Act.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ defines terms;

13 ▶ addresses prohibited attire and conduct on premises or at an event regulated under
14 the Alcoholic Beverage Control Act;

15 ▶ modifies the markup for hard cider manufactured by a manufacturer producing less
16 than a certain number of gallons; and

17 ▶ makes technical and conforming changes.

18 **Money Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 None

22 **Utah Code Sections Affected:**

23 AMENDS:

24 **32B-1-102**, as last amended by Laws of Utah 2017, Chapter 455

25 **32B-1-504**, as enacted by Laws of Utah 2010, Chapter 276

26 **32B-2-304**, as last amended by Laws of Utah 2017, Chapter 455

27 **32B-6-302**, as last amended by Laws of Utah 2017, Chapter 455

28 **63I-2-232**, as last amended by Laws of Utah 2017, Chapter 455

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

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

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

33 As used in this title:

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

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

36 (b) that is located at an international airport with a United States Customs office on the
37 premises of the international airport.

38 (2) "Airport lounge license" means a license issued in accordance with Chapter 5,
39 Retail License Act, and Chapter 6, Part 5, Airport Lounge License.

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

41 (a) beer; or

42 (b) liquor.

43 (4) (a) "Alcoholic product" means a product that:

44 (i) contains at least .5% of alcohol by volume; and

45 (ii) is obtained by fermentation, infusion, decoction, brewing, distillation, or other
46 process that uses liquid or combinations of liquids, whether drinkable or not, to create alcohol
47 in an amount equal to or greater than .5% of alcohol by volume.

48 (b) "Alcoholic product" includes an alcoholic beverage.

49 (c) "Alcoholic product" does not include any of the following common items that
50 otherwise come within the definition of an alcoholic product:

51 (i) except as provided in Subsection (4)(d), an extract;

52 (ii) vinegar;

53 (iii) preserved nonintoxicating cider;

54 (iv) essence;

55 (v) tincture;

56 (vi) food preparation; or

57 (vii) an over-the-counter medicine.

58 (d) "Alcoholic product" includes an extract containing alcohol obtained by distillation
59 when it is used as a flavoring in the manufacturing of an alcoholic product.

60 (5) "Alcohol training and education seminar" means a seminar that is:

61 (a) required by Chapter 5, Part 4, Alcohol Training and Education Act; and

62 (b) described in Section [62A-15-401](#).

63 (6) "Banquet" means an event:

64 (a) that is held at one or more designated locations approved by the commission in or
65 on the premises of a:

66 (i) hotel;

67 (ii) resort facility;

68 (iii) sports center; or

69 (iv) convention center;

70 (b) for which there is a contract:

71 (i) between a person operating a facility listed in Subsection (6)(a) and another person;

72 and

73 (ii) under which the person operating a facility listed in Subsection (6)(a) is required to
74 provide an alcoholic product at the event; and

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

76 (7) "Bar structure" means a surface or structure on a licensed premises if on or at any
77 place of the surface or structure an alcoholic product is:

78 (a) stored; or

79 (b) dispensed.

80 (8) (a) "Bar establishment license" means a license issued in accordance with Chapter
81 5, Retail License Act, and Chapter 6, Part 4, Bar Establishment License.

82 (b) "Bar establishment license" includes:

83 (i) a dining club license;

84 (ii) an equity license;

85 (iii) a fraternal license; or

86 (iv) a bar license.

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

89 (10) (a) Subject to Subsection (10)(d), "beer" means a product that:

90 (i) contains at least .5% of alcohol by volume, but not more than 4% of alcohol by
91 volume or 3.2% by weight; and

92 (ii) is obtained by fermentation, infusion, or decoction of malted grain.

93 (b) "Beer" may or may not contain hops or other vegetable products.

94 (c) "Beer" includes a product that:

95 (i) contains alcohol in the percentages described in Subsection (10)(a); and

96 (ii) is referred to as:

97 (A) beer;

98 (B) ale;

99 (C) porter;

100 (D) stout;

101 (E) lager; or

102 (F) a malt or malted beverage.

103 (d) "Beer" does not include a flavored malt beverage.

104 (11) "Beer-only restaurant license" means a license issued in accordance with Chapter
105 5, Retail License Act, and Chapter 6, Part 9, Beer-Only Restaurant License.

106 (12) "Beer retailer" means a business that:

107 (a) is engaged, primarily or incidentally, in the retail sale of beer to a patron, whether
108 for consumption on or off the business premises; and

109 (b) is licensed as:

110 (i) an off-premise beer retailer, in accordance with Chapter 7, Part 2, Off-Premise Beer
111 Retailer Local Authority; or

112 (ii) an on-premise beer retailer, in accordance with Chapter 5, Retail License Act, and
113 Chapter 6, Part 7, On-Premise Beer Retailer License.

- 114 (13) "Beer wholesaling license" means a license:
115 (a) issued in accordance with Chapter 13, Beer Wholesaling License Act; and
116 (b) to import for sale, or sell beer in wholesale or jobbing quantities to one or more
117 retail licensees or off-premise beer retailers.
- 118 (14) "Billboard" means a public display used to advertise, including:
119 (a) a light device;
120 (b) a painting;
121 (c) a drawing;
122 (d) a poster;
123 (e) a sign;
124 (f) a signboard; or
125 (g) a scoreboard.
- 126 (15) "Brewer" means a person engaged in manufacturing:
127 (a) beer;
128 (b) heavy beer; or
129 (c) a flavored malt beverage.
- 130 (16) "Brewery manufacturing license" means a license issued in accordance with
131 Chapter 11, Part 5, Brewery Manufacturing License.
- 132 (17) "Certificate of approval" means a certificate of approval obtained from the
133 department under Section [32B-11-201](#).
- 134 (18) "Chartered bus" means a passenger bus, coach, or other motor vehicle provided by
135 a bus company to a group of persons pursuant to a common purpose:
136 (a) under a single contract;
137 (b) at a fixed charge in accordance with the bus company's tariff; and
138 (c) to give the group of persons the exclusive use of the passenger bus, coach, or other
139 motor vehicle, and a driver to travel together to one or more specified destinations.
- 140 (19) "Church" means a building:
141 (a) set apart for worship;

- 142 (b) in which religious services are held;
- 143 (c) with which clergy is associated; and
- 144 (d) that is tax exempt under the laws of this state.
- 145 (20) "Commission" means the Alcoholic Beverage Control Commission created in
- 146 Section [32B-2-201](#).
- 147 (21) "Commissioner" means a member of the commission.
- 148 (22) "Community location" means:
- 149 (a) a public or private school;
- 150 (b) a church;
- 151 (c) a public library;
- 152 (d) a public playground; or
- 153 (e) a public park.
- 154 (23) "Community location governing authority" means:
- 155 (a) the governing body of the community location; or
- 156 (b) if the commission does not know who is the governing body of a community
- 157 location, a person who appears to the commission to have been given on behalf of the
- 158 community location the authority to prohibit an activity at the community location.
- 159 (24) "Container" means a receptacle that contains an alcoholic product, including:
- 160 (a) a bottle;
- 161 (b) a vessel; or
- 162 (c) a similar item.
- 163 (25) "Convention center" means a facility that is:
- 164 (a) in total at least 30,000 square feet; and
- 165 (b) otherwise defined as a "convention center" by the commission by rule.
- 166 (26) (a) "Counter" means a surface or structure in a dining area of a licensed premises
- 167 where seating is provided to a patron for service of food.
- 168 (b) "Counter" does not include a dispensing structure.
- 169 (27) "Department" means the Department of Alcoholic Beverage Control created in

170 Section [32B-2-203](#).

171 (28) "Department compliance officer" means an individual who is:

172 (a) an auditor or inspector; and

173 (b) employed by the department.

174 (29) "Department sample" means liquor that is placed in the possession of the
175 department for testing, analysis, and sampling.

176 (30) "Dining club license" means a license issued in accordance with Chapter 5, Retail
177 License Act, and Chapter 6, Part 4, Bar Establishment License, that is designated by the
178 commission as a dining club license.

179 (31) "Director," unless the context requires otherwise, means the director of the
180 department.

181 (32) "Disciplinary proceeding" means an adjudicative proceeding permitted under this
182 title:

183 (a) against a person subject to administrative action; and

184 (b) that is brought on the basis of a violation of this title.

185 (33) (a) Subject to Subsection (33)(b), "dispense" means:

186 (i) drawing of an alcoholic product:

187 (A) from an area where it is stored; or

188 (B) as provided in Subsection [32B-6-205\(12\)\(b\)\(ii\)](#), [32B-6-305\(12\)\(b\)\(ii\)](#),

189 [32B-6-805\(15\)\(b\)\(ii\)](#), or [32B-6-905\(12\)\(b\)\(ii\)](#); and

190 (ii) using the alcoholic product described in Subsection (33)(a)(i) on the premises of
191 the licensed premises to mix or prepare an alcoholic product to be furnished to a patron of the
192 retail licensee.

193 (b) The definition of "dispense" in this Subsection (33) applies only to:

194 (i) a full-service restaurant license;

195 (ii) a limited-service restaurant license;

196 (iii) a reception center license; and

197 (iv) a beer-only restaurant license.

- 198 (34) "Dispensing structure" means a surface or structure on a licensed premises:
199 (a) where an alcoholic product is stored or dispensed; or
200 (b) from which an alcoholic product is served.
- 201 (35) "Distillery manufacturing license" means a license issued in accordance with
202 Chapter 11, Part 4, Distillery Manufacturing License.
- 203 (36) "Distressed merchandise" means an alcoholic product in the possession of the
204 department that is saleable, but for some reason is unappealing to the public.
- 205 (37) "Educational facility" includes:
206 (a) a nursery school;
207 (b) an infant day care center; and
208 (c) a trade and technical school.
- 209 (38) "Equity license" means a license issued in accordance with Chapter 5, Retail
210 License Act, and Chapter 6, Part 4, Bar Establishment License, that is designated by the
211 commission as an equity license.
- 212 (39) "Event permit" means:
213 (a) a single event permit; or
214 (b) a temporary beer event permit.
- 215 (40) "Exempt license" means a license exempt under Section [32B-1-201](#) from being
216 considered in determining the total number of retail licenses that the commission may issue at
217 any time.
- 218 (41) (a) "Flavored malt beverage" means a beverage:
219 (i) that contains at least .5% alcohol by volume;
220 (ii) that is treated by processing, filtration, or another method of manufacture that is not
221 generally recognized as a traditional process in the production of a beer as described in 27
222 C.F.R. Sec. 25.55;
223 (iii) to which is added a flavor or other ingredient containing alcohol, except for a hop
224 extract; and
225 (iv) (A) for which the producer is required to file a formula for approval with the

226 federal Alcohol and Tobacco Tax and Trade Bureau pursuant to 27 C.F.R. Sec. 25.55; or

227 (B) that is not exempt under Subdivision (f) of 27 C.F.R. Sec. 25.55.

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

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

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

234 (44) (a) "Furnish" means by any means to provide with, supply, or give an individual
235 an alcoholic product, by sale or otherwise.

236 (b) "Furnish" includes to:

237 (i) serve;

238 (ii) deliver; or

239 (iii) otherwise make available.

240 (45) "Guest" means an individual who meets the requirements of Subsection
241 [32B-6-407\(9\)](#).

242 (46) "Hard cider" means the same as that term is defined in 26 U.S.C. Sec. 5041.

243 [~~46~~] (47) "Health care practitioner" means:

244 (a) a podiatrist licensed under Title 58, Chapter 5a, Podiatric Physician Licensing Act;

245 (b) an optometrist licensed under Title 58, Chapter 16a, Utah Optometry Practice Act;

246 (c) a pharmacist licensed under Title 58, Chapter 17b, Pharmacy Practice Act;

247 (d) a physical therapist licensed under Title 58, Chapter 24b, Physical Therapy Practice
248 Act;

249 (e) a nurse or advanced practice registered nurse licensed under Title 58, Chapter 31b,
250 Nurse Practice Act;

251 (f) a recreational therapist licensed under Title 58, Chapter 40, Recreational Therapy
252 Practice Act;

253 (g) an occupational therapist licensed under Title 58, Chapter 42a, Occupational

254 Therapy Practice Act;

255 (h) a nurse midwife licensed under Title 58, Chapter 44a, Nurse Midwife Practice Act;

256 (i) a mental health professional licensed under Title 58, Chapter 60, Mental Health

257 Professional Practice Act;

258 (j) a physician licensed under Title 58, Chapter 67, Utah Medical Practice Act;

259 (k) an osteopath licensed under Title 58, Chapter 68, Utah Osteopathic Medical

260 Practice Act;

261 (l) a dentist or dental hygienist licensed under Title 58, Chapter 69, Dentist and Dental

262 Hygienist Practice Act; and

263 (m) a physician assistant licensed under Title 58, Chapter 70a, Physician Assistant Act.

264 [~~(47)~~] (48) (a) "Heavy beer" means a product that:

265 (i) contains more than 4% alcohol by volume; and

266 (ii) is obtained by fermentation, infusion, or decoction of malted grain.

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

268 [~~(48)~~] (49) "Hotel" is as defined by the commission by rule.

269 [~~(49)~~] (50) "Hotel license" means a license issued in accordance with Chapter 5, Retail

270 License Act, and Chapter 8b, Hotel License Act.

271 [~~(50)~~] (51) "Identification card" means an identification card issued under Title 53,

272 Chapter 3, Part 8, Identification Card Act.

273 [~~(51)~~] (52) "Industry representative" means an individual who is compensated by

274 salary, commission, or other means for representing and selling an alcoholic product of a

275 manufacturer, supplier, or importer of liquor.

276 [~~(52)~~] (53) "Industry representative sample" means liquor that is placed in the

277 possession of the department for testing, analysis, and sampling by a local industry

278 representative on the premises of the department to educate the local industry representative of

279 the quality and characteristics of the product.

280 [~~(53)~~] (54) "Interdicted person" means a person to whom the sale, offer for sale, or

281 furnishing of an alcoholic product is prohibited by:

- 282 (a) law; or
- 283 (b) court order.
- 284 [~~54~~] (55) "Intoxicated" means that a person:
- 285 (a) is significantly impaired as to the person's mental or physical functions as a result of
- 286 the use of:
- 287 (i) an alcoholic product;
- 288 (ii) a controlled substance;
- 289 (iii) a substance having the property of releasing toxic vapors; or
- 290 (iv) a combination of Subsections [~~54~~] (55)(a)(i) through (iii); and
- 291 (b) exhibits plain and easily observed outward manifestations of behavior or physical
- 292 signs produced by the overconsumption of an alcoholic product.
- 293 [~~55~~] (56) "Investigator" means an individual who is:
- 294 (a) a department compliance officer; or
- 295 (b) a nondepartment enforcement officer.
- 296 [~~56~~] (57) "Invitee" means the same as that term is defined in Section [32B-8-102](#).
- 297 [~~57~~] (58) "License" means:
- 298 (a) a retail license;
- 299 (b) a license issued in accordance with Chapter 11, Manufacturing and Related
- 300 Licenses Act;
- 301 (c) a license issued in accordance with Chapter 12, Liquor Warehousing License Act;
- 302 or
- 303 (d) a license issued in accordance with Chapter 13, Beer Wholesaling License Act.
- 304 [~~58~~] (59) "Licensee" means a person who holds a license.
- 305 [~~59~~] (60) "Limited-service restaurant license" means a license issued in accordance
- 306 with Chapter 5, Retail License Act, and Chapter 6, Part 3, Limited-Service Restaurant License.
- 307 [~~60~~] (61) "Limousine" means a motor vehicle licensed by the state or a local
- 308 authority, other than a bus or taxicab:
- 309 (a) in which the driver and a passenger are separated by a partition, glass, or other

310 barrier;

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

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

315 [~~(61)~~] (62) (a) (i) "Liquor" means a liquid that:

316 (A) is:

317 (I) alcohol;

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

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

320 (IV) other drink or drinkable liquid; and

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

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

323 (ii) "Liquor" includes:

324 (A) heavy beer;

325 (B) wine; and

326 (C) a flavored malt beverage.

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

328 [~~(62)~~] (63) "Liquor Control Fund" means the enterprise fund created by Section
329 [32B-2-301](#).

330 [~~(63)~~] (64) "Liquor warehousing license" means a license that is issued:

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

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

334 [~~(64)~~] (65) "Local authority" means:

335 (a) for premises that are located in an unincorporated area of a county, the governing
336 body of a county; or

337 (b) for premises that are located in an incorporated city, town, or metro township, the

338 governing body of the city, town, or metro township.

339 ~~[(65)]~~ (66) "Lounge or bar area" is as defined by rule made by the commission.

340 ~~[(66)]~~ (67) "Manufacture" means to distill, brew, rectify, mix, compound, process,
341 ferment, or otherwise make an alcoholic product for personal use or for sale or distribution to
342 others.

343 ~~[(67)]~~ (68) "Member" means an individual who, after paying regular dues, has full
344 privileges in an equity licensee or fraternal licensee.

345 ~~[(68)]~~ (69) (a) "Military installation" means a base, air field, camp, post, station, yard,
346 center, or homeport facility for a ship:

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

348 (B) of the National Guard;

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

350 (iii) including a leased facility.

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

352 (i) civil works;

353 (ii) a rivers and harbors project; or

354 (iii) a flood control project.

355 ~~[(69)]~~ (70) "Minor" means an individual under the age of 21 years.

356 ~~[(70)]~~ (71) "Nondepartment enforcement agency" means an agency that:

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

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

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

360 ~~[(71)]~~ (72) "Nondepartment enforcement officer" means an individual who is:

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

362 (b) employed by a nondepartment enforcement agency.

363 ~~[(72)]~~ (73) (a) "Off-premise beer retailer" means a beer retailer who is:

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

365 (ii) engaged in the retail sale of beer to a patron for consumption off the beer retailer's

366 premises.

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

368 [~~(73)~~] (74) "Off-premise beer retailer state license" means a state license issued in
369 accordance with Chapter 7, Part 4, Off-Premise Beer Retailer State License.

370 [~~(74)~~] (75) "On-premise banquet license" means a license issued in accordance with
371 Chapter 5, Retail License Act, and Chapter 6, Part 6, On-Premise Banquet License.

372 [~~(75)~~] (76) "On-premise beer retailer" means a beer retailer who is:

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

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

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

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

381 (A) as a tavern; or

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

383 [~~(76)~~] (77) "Opaque" means impenetrable to sight.

384 [~~(77)~~] (78) "Package agency" means a retail liquor location operated:

385 (a) under an agreement with the department; and

386 (b) by a person:

387 (i) other than the state; and

388 (ii) who is authorized by the commission in accordance with Chapter 2, Part 6, Package
389 Agency, to sell packaged liquor for consumption off the premises of the package agency.

390 [~~(78)~~] (79) "Package agent" means a person who holds a package agency.

391 [~~(79)~~] (80) "Patron" means an individual to whom food, beverages, or services are sold,
392 offered for sale, or furnished, or who consumes an alcoholic product including:

393 (a) a customer;

- 394 (b) a member;
- 395 (c) a guest;
- 396 (d) an attendee of a banquet or event;
- 397 (e) an individual who receives room service;
- 398 (f) a resident of a resort;
- 399 (g) a public customer under a resort spa sublicense, as defined in Section [32B-8-102](#);

400 or

401 (h) an invitee.
402 [~~(80)~~] (81) "Permittee" means a person issued a permit under:

- 403 (a) Chapter 9, Event Permit Act; or
- 404 (b) Chapter 10, Special Use Permit Act.

405 [~~(81)~~] (82) "Person subject to administrative action" means:

- 406 (a) a licensee;
- 407 (b) a permittee;
- 408 (c) a manufacturer;
- 409 (d) a supplier;
- 410 (e) an importer;
- 411 (f) one of the following holding a certificate of approval:
 - 412 (i) an out-of-state brewer;
 - 413 (ii) an out-of-state importer of beer, heavy beer, or flavored malt beverages; or
 - 414 (iii) an out-of-state supplier of beer, heavy beer, or flavored malt beverages; or
- 415 (g) staff of:
 - 416 (i) a person listed in Subsections [~~(81)~~] (82)(a) through (f); or
 - 417 (ii) a package agent.

418 [~~(82)~~] (83) "Premises" means a building, enclosure, or room used in connection with
419 the storage, sale, furnishing, consumption, manufacture, or distribution, of an alcoholic
420 product, unless otherwise defined in this title or rules made by the commission.

421 [~~(83)~~] (84) "Prescription" means an order issued by a health care practitioner when:

422 (a) the health care practitioner is licensed under Title 58, Occupations and Professions,
423 to prescribe a controlled substance, other drug, or device for medicinal purposes;

424 (b) the order is made in the course of that health care practitioner's professional
425 practice; and

426 (c) the order is made for obtaining an alcoholic product for medicinal purposes only.

427 [~~84~~] (85) (a) "Private event" means a specific social, business, or recreational event:

428 (i) for which an entire room, area, or hall is leased or rented in advance by an identified
429 group; and

430 (ii) that is limited in attendance to people who are specifically designated and their
431 guests.

432 (b) "Private event" does not include an event to which the general public is invited,
433 whether for an admission fee or not.

434 [~~85~~] (86) (a) "Proof of age" means:

435 (i) an identification card;

436 (ii) an identification that:

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

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

440 (C) includes date of birth; and

441 (D) has a picture affixed;

442 (iii) a valid driver license certificate that:

443 (A) includes date of birth;

444 (B) has a picture affixed; and

445 (C) is issued:

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

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

448 (iv) a military identification card that:

449 (A) includes date of birth; and

- 450 (B) has a picture affixed; or
- 451 (v) a valid passport.
- 452 (b) "Proof of age" does not include a driving privilege card issued in accordance with

453 Section [53-3-207](#).

454 [~~86~~] (87) (a) "Public building" means a building or permanent structure that is:

455 (i) owned or leased by:

456 (A) the state; or

457 (B) a local government entity; and

458 (ii) used for:

459 (A) public education;

460 (B) transacting public business; or

461 (C) regularly conducting government activities.

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

465 [~~87~~] (88) "Public conveyance" means a conveyance that the public or a portion of the
466 public has access to and a right to use for transportation, including an airline, railroad, bus,
467 boat, or other public conveyance.

468 [~~88~~] (89) "Reception center" means a business that:

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

470 (b) has as its primary purpose the leasing of the facilities described in Subsection [~~88~~]

471 (89)(a) to a third party for the third party's event.

472 [~~89~~] (90) "Reception center license" means a license issued in accordance with
473 Chapter 5, Retail License Act, and Chapter 6, Part 8, Reception Center License.

474 [~~90~~] (91) (a) "Record" means information that is:

475 (i) inscribed on a tangible medium; or

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

477 (b) "Record" includes:

- 478 (i) a book;
 - 479 (ii) a book of account;
 - 480 (iii) a paper;
 - 481 (iv) a contract;
 - 482 (v) an agreement;
 - 483 (vi) a document; or
 - 484 (vii) a recording in any medium.
- 485 ~~[(91)]~~ (92) "Residence" means a person's principal place of abode within Utah.
- 486 ~~[(92)]~~ (93) "Resident," in relation to a resort, means the same as that term is defined in
- 487 Section [32B-8-102](#).
- 488 ~~[(93)]~~ (94) "Resort" means the same as that term is defined in Section [32B-8-102](#).
- 489 ~~[(94)]~~ (95) "Resort facility" is as defined by the commission by rule.
- 490 ~~[(95)]~~ (96) "Resort license" means a license issued in accordance with Chapter 5,
- 491 Retail License Act, and Chapter 8, Resort License Act.
- 492 ~~[(96)]~~ (97) "Responsible alcohol service plan" means a written set of policies and
- 493 procedures that outlines measures to prevent employees from:
- 494 (a) over-serving alcoholic beverages to customers;
 - 495 (b) serving alcoholic beverages to customers who are actually, apparently, or obviously
 - 496 intoxicated; and
 - 497 (c) serving alcoholic beverages to minors.
- 498 ~~[(97)]~~ (98) "Restaurant" means a business location:
- 499 (a) at which a variety of foods are prepared;
 - 500 (b) at which complete meals are served to the general public; and
 - 501 (c) that is engaged primarily in serving meals to the general public.
- 502 ~~[(98)]~~ (99) "Retail license" means one of the following licenses issued under this title:
- 503 (a) a full-service restaurant license;
 - 504 (b) a master full-service restaurant license;
 - 505 (c) a limited-service restaurant license;

- 506 (d) a master limited-service restaurant license;
- 507 (e) a bar establishment license;
- 508 (f) an airport lounge license;
- 509 (g) an on-premise banquet license;
- 510 (h) an on-premise beer license;
- 511 (i) a reception center license;
- 512 (j) a beer-only restaurant license;
- 513 (k) a resort license; or
- 514 (l) a hotel license.

515 ~~[(99)]~~ (100) "Room service" means furnishing an alcoholic product to a person in a
516 guest room of a:

- 517 (a) hotel; or
- 518 (b) resort facility.

519 ~~[(100)]~~ (101) (a) "School" means a building used primarily for the general education of
520 minors.

521 (b) "School" does not include an educational facility.

522 ~~[(101)]~~ (102) "Sell" or "offer for sale" means a transaction, exchange, or barter
523 whereby, for consideration, an alcoholic product is either directly or indirectly transferred,
524 solicited, ordered, delivered for value, or by a means or under a pretext is promised or
525 obtained, whether done by a person as a principal, proprietor, or as staff, unless otherwise
526 defined in this title or the rules made by the commission.

527 ~~[(102)]~~ (103) "Serve" means to place an alcoholic product before an individual.

528 ~~[(103)]~~ (104) "Sexually oriented entertainer" means a person who while in a state of
529 seminudity appears at or performs:

- 530 (a) for the entertainment of one or more patrons;
- 531 (b) on the premises of:
 - 532 (i) a bar licensee; or
 - 533 (ii) a tavern;

534 (c) on behalf of or at the request of the licensee described in Subsection [~~(103)~~]

535 (104)(b);

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

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

538 (i) an employee;

539 (ii) an independent contractor;

540 (iii) an agent of the licensee; or

541 (iv) a different type of classification.

542 [~~(104)~~] (105) "Single event permit" means a permit issued in accordance with Chapter
543 9, Part 3, Single Event Permit.

544 [~~(105)~~] (106) "Small brewer" means a brewer who manufactures less than 60,000
545 barrels of beer, heavy beer, and flavored malt beverages per year.

546 [~~(106)~~] (107) "Special use permit" means a permit issued in accordance with Chapter
547 10, Special Use Permit Act.

548 [~~(107)~~] (108) (a) "Spirituous liquor" means liquor that is distilled.

549 (b) "Spirituous liquor" includes an alcoholic product defined as a "distilled spirit" by
550 27 U.S.C. Sec. 211 and 27 C.F.R. Sec. 5.11 through 5.23.

551 [~~(108)~~] (109) "Sports center" is as defined by the commission by rule.

552 [~~(109)~~] (110) (a) "Staff" means an individual who engages in activity governed by this
553 title:

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

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

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

560 (b) "Staff" includes:

561 (i) an officer;

- 562 (ii) a director;
- 563 (iii) an employee;
- 564 (iv) personnel management;
- 565 (v) an agent of the licensee, including a managing agent;
- 566 (vi) an operator; or
- 567 (vii) a representative.

568 [~~(H0)~~] (111) "State of nudity" means:

- 569 (a) the appearance of:
 - 570 (i) the nipple or areola of a female human breast;
 - 571 (ii) a human genital;
 - 572 (iii) a human pubic area; or
 - 573 (iv) a human anus; or
- 574 (b) a state of dress that fails to opaquely cover:
 - 575 (i) the nipple or areola of a female human breast;
 - 576 (ii) a human genital;
 - 577 (iii) a human pubic area; or
 - 578 (iv) a human anus.

579 [~~(H1)~~] (112) "State of seminudity" means a state of dress in which opaque clothing
580 covers no more than:

- 581 (a) the nipple and areola of the female human breast in a shape and color other than the
582 natural shape and color of the nipple and areola; and
- 583 (b) the human genitals, pubic area, and anus:
 - 584 (i) with no less than the following at its widest point:
 - 585 (A) four inches coverage width in the front of the human body; and
 - 586 (B) five inches coverage width in the back of the human body; and
 - 587 (ii) with coverage that does not taper to less than one inch wide at the narrowest point.

588 [~~(H2)~~] (113) (a) "State store" means a facility for the sale of packaged liquor:

- 589 (i) located on premises owned or leased by the state; and

590 (ii) operated by a state employee.

591 (b) "State store" does not include:

592 (i) a package agency;

593 (ii) a licensee; or

594 (iii) a permittee.

595 ~~[(113)]~~ (114) (a) "Storage area" means an area on licensed premises where the licensee
596 stores an alcoholic product.

597 (b) "Store" means to place or maintain in a location an alcoholic product from which a
598 person draws to prepare an alcoholic product to be furnished to a patron, except as provided in
599 Subsection [32B-6-205\(12\)\(b\)\(ii\)](#), [32B-6-305\(12\)\(b\)\(ii\)](#), [32B-6-805\(15\)\(b\)\(ii\)](#), or
600 [32B-6-905\(12\)\(b\)\(ii\)](#).

601 ~~[(114)]~~ (115) "Sublicense" means the same as that term is defined in Section
602 [32B-8-102](#) or [32B-8b-102](#).

603 ~~[(115)]~~ (116) "Supplier" means a person who sells an alcoholic product to the
604 department.

605 ~~[(116)]~~ (117) "Tavern" means an on-premise beer retailer who is:

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

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

610 ~~[(117)]~~ (118) "Temporary beer event permit" means a permit issued in accordance with
611 Chapter 9, Part 4, Temporary Beer Event Permit.

612 ~~[(118)]~~ (119) "Temporary domicile" means the principal place of abode within Utah of
613 a person who does not have a present intention to continue residency within Utah permanently
614 or indefinitely.

615 ~~[(119)]~~ (120) "Translucent" means a substance that allows light to pass through, but
616 does not allow an object or person to be seen through the substance.

617 ~~[(120)]~~ (121) "Unsaleable liquor merchandise" means a container that:

618 (a) is unsaleable because the container is:

619 (i) unlabeled;

620 (ii) leaky;

621 (iii) damaged;

622 (iv) difficult to open; or

623 (v) partly filled;

624 (b) (i) has faded labels or defective caps or corks;

625 (ii) has contents that are:

626 (A) cloudy;

627 (B) spoiled; or

628 (C) chemically determined to be impure; or

629 (iii) contains:

630 (A) sediment; or

631 (B) a foreign substance; or

632 (c) is otherwise considered by the department as unfit for sale.

633 ~~[(121)]~~ (122) (a) "Wine" means an alcoholic product obtained by the fermentation of
634 the natural sugar content of fruits, plants, honey, or milk, or other like substance, whether or
635 not another ingredient is added.

636 (b) "Wine" includes:

637 (i) an alcoholic beverage defined as wine under 27 U.S.C. Sec. 211 and 27 C.F.R. Sec.
638 4.10; and

639 (ii) hard cider.

640 ~~[(b)]~~ (c) "Wine" is considered liquor for purposes of this title, except as otherwise
641 provided in this title.

642 ~~[(122)]~~ (123) "Winery manufacturing license" means a license issued in accordance
643 with Chapter 11, Part 3, Winery Manufacturing License.

644 Section 2. Section **32B-1-504** is amended to read:

645 **32B-1-504. General requirements on attire and conduct.**

646 (1) As used in this section, "obscene" means that:

647 (a) the average individual, applying contemporary community standards, would find
648 the conduct or material, taken as a whole, appeals to the prurient interest;

649 (b) the conduct or material depicts or describes sexual conduct in a patently offensive
650 way; and

651 (c) the conduct or material, taken as a whole, lacks serious literary, artistic, political, or
652 scientific value.

653 (2) The following attire and conduct on premises or at an event regulated by the
654 commission under this title are considered contrary to the public health, peace, safety, welfare,
655 and morals, and are prohibited:

656 ~~[(1)]~~ (a) employing or using a person in the sale, offer for sale, or furnishing of an
657 alcoholic product while the person is in:

658 ~~[(a)]~~ (i) a state of nudity;

659 ~~[(b)]~~ (ii) a state of seminudity; or

660 ~~[(c)]~~ (iii) performance attire or clothing that exposes to view any portion of:

661 ~~[(1)]~~ (A) the female breast below the top of the areola; or

662 ~~[(2)]~~ (B) the cleft of the buttocks;

663 ~~[(3)]~~ (b) employing or using the services of a person to mingle with patrons while the
664 person is in:

665 ~~[(a)]~~ (i) a state of nudity;

666 ~~[(b)]~~ (ii) a state of seminudity; or

667 ~~[(c)]~~ (iii) performance attire or clothing that exposes to view any portion of:

668 ~~[(1)]~~ (A) the female breast below the top of the areola; or

669 ~~[(2)]~~ (B) the cleft of the buttocks;

670 ~~[(3)]~~ (c) encouraging or permitting a person to:

671 ~~[(a)]~~ (i) engage in or simulate an act of:

672 ~~[(1)]~~ (A) sexual intercourse;

673 ~~[(2)]~~ (B) masturbation;

674 [(iii)] (C) sodomy;

675 [(iv)] (D) bestiality;

676 [(v)] (E) oral copulation;

677 [(vi)] (F) flagellation; or

678 [(vii)] (G) a sexual act that is prohibited by Utah law; or

679 [(b) touch,] (ii) caress[;] or fondle the breast, [~~buttocks,~~] anus, or genitals of any other

680 person;

681 [(4)] (d) permitting a person to wear or use a device or covering that:

682 [(a)] (i) is exposed to view; and

683 [(b)] (ii) simulates all or any portion of the human genitals, anus, pubic area, or female

684 breast;

685 [(5)] (e) permitting a person to use an artificial device or inanimate object to depict an

686 act prohibited by this section;

687 [(6)] (f) permitting a person to remain on premises or at an event who exposes to

688 public view any portion of that person's:

689 [(a)] (i) genitals, pubic area, or anus; or

690 [(b)] (ii) in the case of a female, the areola and nipple of the breast; or

691 [(7) showing a film, still picture, electronic reproduction, or other visual reproduction

692 depicting:]

693 [(a) an act or simulated act of:]

694 [(i) sexual intercourse;]

695 [(ii) masturbation;]

696 [(iii) sodomy;]

697 [(iv) bestiality;]

698 [(v) oral copulation;]

699 [(vi) flagellation; or]

700 [(vii) a sexual act that is prohibited by Utah law;]

701 [(b) a person being touched, caressed, or fondled on the breast, buttocks, anus, or

702 ~~genitals;]~~

703 ~~[(c) a scene wherein an artificial device or inanimate object is employed to depict, or a~~
704 ~~drawing is employed to portray, an act prohibited by this section; or]~~

705 ~~[(d) a scene wherein a person displays the genitals or anus.]~~

706 (g) showing a film, still picture, electronic reproduction, or other visual reproduction
707 depicting conduct or material that is obscene or in violation of other state or federal law
708 regarding pornography or obscenity.

709 (3) Subsection (2) does not apply to artistic expression that:

710 (a) when taken as a whole, has serious literary, artistic, political, or scientific value;

711 (b) is not in violation of state or federal law regarding pornography or obscenity; and

712 (c) occurs on premises or at an event regulated by the commission under this title that
713 is not predominantly used for performances by sexually oriented entertainers.

714 Section 3. Section **32B-2-304** is amended to read:

715 **32B-2-304. Liquor price -- School lunch program -- Remittance of markup.**

716 (1) For purposes of this section:

717 (a) (i) "Landed case cost" means:

718 (A) the cost of the product; and

719 (B) inbound shipping costs incurred by the department.

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

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

723 (c) Notwithstanding Section [32B-1-102](#), "small brewer" means a brewer who
724 manufactures in a calendar year less than 40,000 barrels of beer, heavy beer, and flavored malt
725 beverage.

726 (2) Except as provided in Subsection (3):

727 (a) spirituous liquor sold by the department within the state shall be marked up in an
728 amount not less than 88% above the landed case cost to the department;

729 (b) wine sold by the department within the state shall be marked up in an amount not

730 less than 88% above the landed case cost to the department;

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

733 (d) a flavored malt beverage sold by the department within the state shall be marked up
734 in an amount not less than 88% above the landed case cost to the department.

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

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

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

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

743 (c) Except for wine sold by the department to a military installation in Utah, wine that
744 is sold by the department within the state shall be marked up 49% above the landed case cost to
745 the department if:

746 (i) (A) except as provided in Subsection (3)(c)(i)(B), the wine is manufactured by a
747 manufacturer producing less than 20,000 gallons of wine in a calendar year; [~~and~~] or

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

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

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

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

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

756 (e) The department shall verify an amount described in Subsection (3)(b), (c), or (d)
757 pursuant to a federal or other verifiable production report.

758 (4) The department shall deposit 10% of the total gross revenue from sales of liquor
759 with the state treasurer to be credited to the Uniform School Fund and used to support the
760 school lunch program administered by the State Board of Education under Section
761 53A-19-201.

762 (5) This section does not prohibit the department from selling discontinued items at a
763 discount.

764 (6) (a) Except as provided in Section 53A-13-114, the department shall collect the
765 markup and remit the markup collected by the department under this section:

766 (i) to the State Tax Commission monthly on or before the last day of the month
767 immediately following the last day of the previous month; and

768 (ii) using a form prescribed by the State Tax Commission.

769 (b) For liquor provided to a package agency on consignment, the department shall
770 remit the markup to the State Tax Commission for the month during which the liquor is
771 provided to the package agency regardless of when the package agency pays the department for
772 the liquor provided to the package agency.

773 (c) The State Tax Commission shall deposit revenues remitted to it under Subsection
774 (6)(a) into the Markup Holding Fund created in Section 32B-2-301.

775 (d) The assessment, collection, and refund of a markup under this section shall be in
776 accordance with Title 59, Chapter 1, Part 14, Assessment, Collections, and Refunds Act.

777 (e) The department, if it fails to comply with this Subsection (6), is subject to penalties
778 as provided in Section 59-1-401 and interest as provided in Section 59-1-402.

779 (f) The State Tax Commission may make rules, in accordance with Title 63G, Chapter
780 3, Utah Administrative Rulemaking Act, to establish procedures under this Subsection (6).

781 Section 4. Section 32B-6-302 is amended to read:

782 **32B-6-302. Definitions.**

783 As used in this part:

784 (1) (a) "Dining area" means an area in the licensed premises of a limited-service
785 restaurant licensee that is primarily used for the service and consumption of food by one or

786 more patrons.

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

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

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

793 (ii) except as provided in Subsection (2)(b), measures at least 10 feet from any area
794 where alcoholic product is dispensed to the dining area and any waiting area, measured from
795 the point of the area where alcoholic product is dispensed that is closest to the dining area or
796 waiting area; or

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

801 (A) at least 42 inches high; and

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

804 (b) "Dispensing area" does not include any area described in Subsection (2)(a)(ii) that
805 is less than 10 feet from an area where alcoholic product is dispensed, but from which a patron
806 seated at a table or counter cannot view the dispensing of alcoholic product.

807 (3) (a) "Grandfathered bar structure" means a bar structure in a licensed premises of a
808 limited-service restaurant licensee that:

809 (i) as of May 11, 2009, has:

810 (A) patron seating at the bar structure;

811 (B) a partition at one or more locations on the bar structure that is along:

812 (I) the width of the bar structure; or

813 (II) the length of the bar structure; and

814 (C) facilities for the dispensing or storage of an alcoholic product:
815 (I) on the portion of the bar structure that is separated by the partition described in
816 Subsection (3)(a)(i)(B); or
817 (II) if the partition as described in Subsection (3)(a)(i)(B)(II) is adjacent to the bar
818 structure in a manner visible to a patron sitting at the bar structure;
819 (ii) is not operational as of May 12, 2009, if:
820 (A) a person applying for a limited-service restaurant license:
821 (I) has as of May 12, 2009, a building permit to construct the restaurant;
822 (II) is as of May 12, 2009, actively engaged in the construction of the restaurant, as
823 defined by rule made by the commission; and
824 (III) is issued the limited-service restaurant license by no later than December 31,
825 2009; and
826 (B) once constructed, the licensed premises has a bar structure described in Subsection
827 (3)(a)(i);
828 (iii) as of May 12, 2009, has no patron seating at the bar structure; or
829 (iv) is not operational as of May 12, 2009, if:
830 (A) a person applying for a limited-service restaurant license:
831 (I) has as of May 12, 2009, a building permit to construct the restaurant;
832 (II) is as of May 12, 2009, actively engaged in the construction of the restaurant, as
833 defined by rule made by the commission; and
834 (III) is issued a limited-service restaurant license by no later than December 31, 2009;
835 and
836 (B) once constructed, the licensed premises has a bar structure with no patron seating.
837 (b) "Grandfathered bar structure" does not include a grandfathered bar structure
838 described in Subsection (3)(a) on or after the day on which a restaurant remodels the
839 grandfathered bar structure, as defined by rule made by the commission.
840 (c) Subject to Subsection (3)(b), a grandfathered bar structure remains a grandfathered
841 bar structure notwithstanding whether a restaurant undergoes a change of ownership.

- 842 (4) "Seating grandfathered bar structure" means:
- 843 (a) a grandfathered bar structure described in Subsection (3)(a)(i) or (ii); or
- 844 (b) a bar structure grandfathered under Section [32B-6-409](#).
- 845 (5) "Waiting area" includes a lobby.
- 846 ~~[(6) "Wine" includes an alcoholic beverage defined as wine under 27 U.S.C. Sec. 211~~
- 847 ~~and 27 C.F.R. Sec. 4.10, including the following alcoholic beverages made in the manner of~~
- 848 ~~wine containing not less than 7% and not more than 24% of alcohol by volume:]~~
- 849 ~~[(a) sparkling and carbonated wine;]~~
- 850 ~~[(b) wine made from condensed grape must;]~~
- 851 ~~[(c) wine made from other agricultural products than the juice of sound, ripe grapes;]~~
- 852 ~~[(d) imitation wine;]~~
- 853 ~~[(e) compounds sold as wine;]~~
- 854 ~~[(f) vermouth;]~~
- 855 ~~[(g) cider;]~~
- 856 ~~[(h) perry; and]~~
- 857 ~~[(i) sake.]~~
- 858 Section 5. Section **63I-2-232** is amended to read:
- 859 **63I-2-232. Repeal dates -- Title 32B.**
- 860 (1) Subsection [32B-1-102](#)(7) is repealed July 1, 2022.
- 861 (2) Subsection [32B-1-102](#)(33)(a)(i)(B), the language that states "[32B-6-205](#)(12)(b)(ii),
- 862 [32B-6-305](#)(12)(b)(ii)," and ", or [32B-6-905](#)(12)(b)(ii)" is repealed July 1, 2022.
- 863 (3) Subsection [32B-1-102](#)~~[(114)]~~[\(115\)](#)(b), the language that states
- 864 "[32B-6-205](#)(12)(b)(ii), [32B-6-305](#)(12)(b)(ii)," and ", or [32B-6-905](#)(12)(b)(ii)" is repealed July
- 865 1, 2022.
- 866 (4) Subsection [32B-1-604](#)(4) is repealed June 1, 2018.
- 867 (5) Subsections [32B-6-202](#)(3) and (4) are repealed July 1, 2022.
- 868 (6) Section [32B-6-205](#) is repealed July 1, 2022.
- 869 (7) Subsection [32B-6-205.2](#)(17) is repealed July 1, 2022.

- 870 (8) Section 32B-6-205.3 is repealed July 1, 2022.
- 871 (9) Subsections 32B-6-302(3) and (4) are repealed July 1, 2022.
- 872 (10) Section 32B-6-305 is repealed July 1, 2022.
- 873 (11) Subsection 32B-6-305.2(17) is repealed July 1, 2022.
- 874 (12) Section 32B-6-305.3 is repealed July 1, 2022.
- 875 (13) Section 32B-6-404.1 is repealed July 1, 2022.
- 876 (14) Section 32B-6-409 is repealed July 1, 2022.
- 877 (15) Subsection 32B-6-703(2)(e)(iv) is repealed July 1, 2022.
- 878 (16) Subsections 32B-6-902(1)(c), (1)(d), and (2) are repealed July 1, 2022.
- 879 (17) Section 32B-6-905 is repealed July 1, 2022.
- 880 (18) Subsection 32B-6-905.1(17) is repealed July 1, 2022.
- 881 (19) Section 32B-6-905.2 is repealed July 1, 2022.
- 882 (20) Section 32B-7-303 is repealed March 1, 2019.
- 883 (21) Section 32B-7-304 is repealed March 1, 2019.
- 884 (22) Subsection 32B-8-402(1)(b) is repealed July 1, 2022.