

Effective 7/1/2014

32B-8a-201 Transferability of retail license.

- (1)
 - (a) A retail license is separate from other property of a retail licensee.
 - (b) Notwithstanding Subsection (1)(a), the Legislature may terminate or modify the existence of any type of retail license.
 - (c) Except as provided in this chapter, a person may not:
 - (i) transfer a retail license from one location to another location; or
 - (ii) sell, transfer, assign, exchange, barter, give, or attempt in any way to dispose of the retail license to another person whether for monetary gain or not.
 - (d) If approved by the commission and subject to the requirements of this chapter, a retail licensee may transfer a retail license:
 - (i) from the retail licensee to another person, regardless of whether it is for the same premises; and
 - (ii) from one premises of the retail licensee to another premises of the retail licensee.
- (2)
 - (a) The commission may not approve the transfer of a retail license that results in a transferee holding a different type of retail license than is held by the transferor.
 - (b) The commission may not approve the transfer of a retail license from one location to another location, if the location of the premises to which the retail license would be transferred is in a different county than the location of the licensed premises of the retail license being transferred.
- (3) The commission may not approve the transfer of a retail license if the transferee:
 - (a) is not eligible to hold the same type of retail license as the retail license to be transferred at the premises to which the retail license would be transferred; or
 - (b) is delinquent in the payment of any of the following that arises in full or in part out of the operation of a retail license:
 - (i) a tax, fee, or charge due under this title or Title 59, Revenue and Taxation; or
 - (ii) an amount due under Title 35A, Chapter 4, Employment Security Act.
- (4) This chapter does not apply to a:
 - (a) master full-service restaurant license; or
 - (b) master limited-service restaurant license.

Amended by Chapter 349, 2013 General Session
Revisor instructions Chapter 349, 2013 General Session