

1 **ALCOHOLIC BEVERAGE CONTROL ACT ENFORCEMENT**

2 **FUND**

3 2022 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Derrin R. Owens**

6 House Sponsor: Cheryl K. Acton

8 **LONG TITLE**

9 **General Description:**

10 This bill amends provisions regarding money in the Alcoholic Beverage Control Act
11 Enforcement Fund.

12 **Highlighted Provisions:**

13 This bill:

- 14 ▶ requires the Division of Finance to deposit into the General Fund \$3 million of
- 15 unspent money in the Alcoholic Beverage Control Act Enforcement Fund; and
- 16 ▶ makes technical and conforming changes.

17 **Money Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 AMENDS:

23 **32B-2-305**, as last amended by Laws of Utah 2020, Fifth Special Session, Chapter 20

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

26 Section 1. Section **32B-2-305** is amended to read:

27 **32B-2-305. Alcoholic Beverage Control Act Enforcement Fund.**

28 (1) As used in this section:

29 (a) "Alcohol-related law enforcement officer" is as defined in Section **32B-1-201**.

30 (b) "Enforcement ratio" is as defined in Section 32B-1-201.

31 (c) "Fund" means the Alcoholic Beverage Control Act Enforcement Fund created in
32 this section.

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

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

36 (i) deposits made under Subsection (4); and

37 (ii) interest earned on the fund.

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

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

40 (4) After the deposit made under Section 32B-2-304 for the school lunch program, the
41 department shall deposit 0.875% of the total gross revenue from the sale of liquor with the state
42 treasurer to be credited to the fund to be:

43 (a) used by the Department of Public Safety as provided in Subsection (5)[-]; and

44 (b) reallocated to the General Fund as described in Subsection (6).

45 (5) (a) The Department of Public Safety shall expend money from the fund to
46 supplement appropriations by the Legislature so that the Department of Public Safety maintains
47 a sufficient number of alcohol-related law enforcement officers such that beginning on July 1,
48 2012, each year the enforcement ratio as of July 1 is equal to or less than the number specified
49 in Section 32B-1-201.

50 (b) Beginning July 1, 2012, four alcohol-related law enforcement officers shall have as
51 a primary focus the enforcement of this title in relationship to restaurants.

52 (6) For fiscal year 2023, the Division of Finance shall deposit into the General Fund \$3
53 million of unspent money in the fund.