

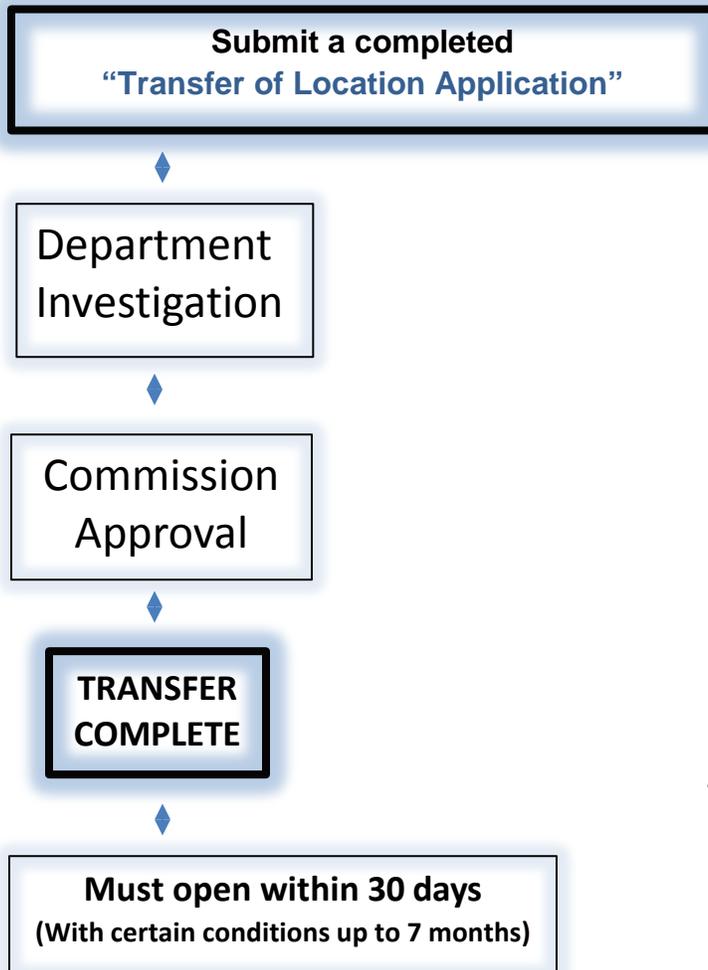


MOVING your business and taking your DABC license with you to a new location.

The Transfer of License Act now governs situations in which a license holder is relocating their current license to another location (no change in ownership or sale).

If approved by the DABC commission, a retail license may transfer their license from one location to another. However, any transfer of location may not be to a different county.

All requirements related to premises and proximity must be met, new local licensing, and the licensee must begin operations in the new location within 30 days (the department may allow a one-time extension of an additional 30 days).



Transfer Fees

1. If a licensee is moving from one location to another within the same county:

The fee is the same as the renewal fee for the license type. It must also include a \$300 application fee;

Full Service Restaurant Fee is based on cost of liquor + \$300 *

* Cost of Liquor

| | | | | | |
|-----------------------------------|---------|---|-----|---------|-------------------|
| • under \$5,000 | \$ 935 | + | 300 | Total = | \$1,235.00 |
| • \$5,000 but less than \$10,000 | \$1,155 | + | 300 | Total = | \$1,455.00 |
| • \$10,000 but less than \$25,000 | \$1,650 | + | 300 | Total = | \$1,950.00 |
| • \$25,000 or more | \$1,925 | + | 300 | Total = | \$2,225.00 |

| | | | | | |
|-----------------------------------|---------|---------------|-------|---------|-------------------|
| Beer-only Restaurant | \$ 605 | License fee + | \$300 | Total = | \$ 905.00 |
| Limited Service Restaurant | \$ 750 | License fee + | \$300 | Total = | \$1,050.00 |
| Club | \$2,000 | License fee + | \$300 | Total = | \$2,300.00 |
| Tavern | \$1,250 | License fee + | \$300 | Total = | \$1,500.00 |
| Banquet Catering | \$ 750 | License fee + | \$300 | Total = | \$1,050.00 |
| Reception Center | \$ 750 | License fee + | \$300 | Total = | \$1,050.00 |

JUST THE FACTS – TRANSFER OF LICENSE ACT

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

- (1) (c) Except as provided in this chapter, a person may not:
 - (i) transfer a retail license from one location to another location . . .
 - (d) If approved by the commission and subject to the requirements of this chapter, a retail licensee may transfer a retail license . . .
 - (ii) from one premises of the retail licensee to another premises of the retail licensee.
- (2) (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:
 - (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.

32B-8a-203. Operational requirements for transferee.

- (1) (a) A transferee shall begin operations of the retail license within 30 days from the day on which a transfer is approved by the commission, except that:
 - (i) the department may grant an extension of this time period not to exceed 30 days; and
 - (ii) after the extension is authorized by the department under Subsection [\(1\)\(a\)\(i\)](#), the commission may grant one or more additional extensions not to exceed, in the aggregate, seven months from the day on which the commission approves the transfer, if the transferee can demonstrate to the commission that the transferee:
 - (A) cannot begin operations because the transferee is improving the licensed premises;
 - (B) has obtained a building permit for the improvements described in Subsection [\(1\)\(a\)\(ii\)\(A\)](#); and
 - (C) is working expeditiously to complete the improvements to the licensed premises.
- (b) A transferee is considered to have begun operations of the retail license if the transferee:
 - (i) has a licensed premises that is open to the public;
 - (ii) sells, offers for sale, or furnishes alcoholic products to a patron on the licensed premises described in Subsection [\(1\)\(b\)\(i\)](#); and
 - (iii) has a valid business license.

- (2) If a transferee fails to begin operations of the retail license within the time period required by Subsection [\(1\)](#), the following are automatically forfeited effective immediately:
 - (a) the retail license; and
 - (b) the retail license fee.
- (3) A transferee shall begin operations of the retail license at the location to which the transfer applies before the transferee may seek a transfer of the retail license to a different location.

32B-8a-303. Transfer fees.

- (1) Except as otherwise provided in this section, the department shall charge the following transfer fees:
 - (b) for the transfer of a retail license from one premises to another premises of the same retail licensee, the transfer fee equals the renewal fee amount specified in the relevant part under [Chapter 6, Specific Retail License Act](#), for the type of retail license that is being transferred;
 - (c) subject to Subsections [\(1\)\(d\)](#) and [\(2\)](#), for a transfer described in Section [32B-8a-202](#), the transfer fee equals the renewal fee amount specified in the relevant part under [Chapter 6, Specific Retail License Act](#), for the type of retail license that is being transferred;

32B-8a-502. Effect of transfer in violation of this chapter.

- (1) If a retail license is transferred in violation of this chapter, the commission may:
 - (a) void the transfer; and
 - (b) require the retail license to be forfeited.
- (2) Subsection [\(1\)](#) is in addition to any other penalty under this title that is applicable to the person who violates this chapter.