

TRANSFERRING THE DABC LICENSE

When no money or assets are paid for the license such as probate, wills, gift to family members, bankruptcy, etc.



Applicants are encouraged to contact the department at 801-977-6800 prior to beginning this process.

Transferring a retail license among family members, guardians, partners (when there is no new partner) trustee or corporations where **NO CONSIDERATION** is paid for the DABC license:

To transfer a retail license **when no consideration (cash, checks, or other items of value)** is transferred to the seller of the license for the following:

- Parent or adult child of a retail licensee
- Married spouses – from one spouse to the other spouse
- A deceased licensee to one or more surviving partners, executor, administrator or conservator of the estate, or the surviving spouse
- An Incompetent person to the guardian
- A debtor in a bankruptcy case to the trustee
- From the receiver of an estate to a new receiver of the estate
- To a living trust
- Between partners when no new partner is being licensed
- Between corporations owned by the same individuals

STEP 1:

Submit a completed
Transfer of a retail license application or a
51% or more entity change application

- Follow the checklist carefully to ensure your application is COMPLETE
- Provide the purchase agreement or other documents as required to verify no assets are being paid for the DABC license
- Provide proof that the business is in compliance with taxing agencies

STEP 2: **SUBMIT** a complete application:

- No transfers of ownership may become effective without a DABC investigation and the commission's approval.
- The DABC license number for the entity may or may not change depending on the circumstances.
- All of the documents currently on file with DABC may or may not change depending on the circumstances.
- If the entity chooses or is required to change the entity, or make changes to the bond or insurance, etc., those documents must be provided to DABC in the application.

STEP 3:

Department
Investigation



Commission
Decision

IN ADDITION TO THE STANDARD INVESTIGATION:

- DABC reviews the new entity structure and ownership changes
- Reviews the purchase agreement if applicable.
- Reviews that all documents are in place

JUST THE FACTS:

See the statutes and rules: 32B-5-310, 32B-8a-102, 201, 203, 302, 303, 502 and R82-5-102



The transfer fee in this case is **ONE-HALF of the initial license fee** for the type of retail license that is being transferred. The \$300.00 non-refundable application fee also still applies.