

MINORS BUSSING TABLES

32B-5-308 – Employing a minor

The question of whether a minor may bus the alcohol off a patron's table was not addressed in state code prior to 2018. Some localities had specific prohibitions against it, so we said that they needed to check with the locality, but otherwise it was allowed.

With the 2019 legislative changes, minors who are at least 16 years of age may now bus tables in restaurants, including containers that contain an alcoholic product.

Then in 2017, 32B-1-104 was added to the alcohol beverage code which implemented an "express language" provision. Essentially this law made it so if something is not expressly stated in the 32B chapters, it is not allowed. Therefore, since minors bussing alcohol from table was not expressly allowed, minors could no longer bus alcohol off tables in a DABC licensed business.

With 2018 legislative changes for restaurants only, minors, who were at least 18 years of age were allowed to bus tables, including containers that contain an alcoholic product.

NEW IN 2019 - the law changed again. Now restaurants (full, limited and beer only) may employ minors at least 16 years of age to bus tables, including containers that contain an alcoholic product. See 32B-5-308 (3)

Minors under the age of 16 should not bus alcohol or alcohol containers from tables.

NOTE:

This only applies to restaurants. For any other license types bussers must be at least 21 years old.

