

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 570, As Amended in the Senate

BY WAYS AND MEANS COMMITTEE

AN ACT

1 RELATING TO ALCOHOLIC BEVERAGES; AMENDING SECTION 23-302, IDAHO CODE, TO
2 PROVIDE THAT CERTAIN SPECIAL DISTRIBUTORS OF LIQUOR SHALL BE ALLOWED TO
3 CONTINUE TO OPERATE; AND DECLARING AN EMERGENCY.
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5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 23-302, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 23-302. DISTRIBUTING STATIONS -- NOTICE OF INTENT TO LOCATE. (a) The
9 division may select a special distributor in any municipality where in its
10 judgment a liquor store is not required; or in any unincorporated locality,
11 but only if satisfied of the existence therein of adequate local police pro-
12 tection, upon the furnishing by said distributor of a bond satisfactory to
13 the division, conditioned for his faithful observance of this act and the
14 rules and regulations of the division thereunder, and if the provisions of
15 section 23-301, Idaho Code, are complied with.

16 (b) In maintaining the location of any such store or station, or in dis-
17 continuing the same, the division shall give due consideration to the nor-
18 mal local demand for alcoholic liquor by resident temperate adult consumers
19 and the local community sentiment with respect to the liquor traffic as ex-
20 pressed by ordinance or otherwise; provided, however, that if the division
21 located a state liquor store in a municipality with a special distributor
22 on or after January 1, 2023, then any store or station that was in operation
23 as such a special distributor shall be allowed to continue to operate as a
24 special distributor in that location and municipality as long as the store
25 or station otherwise complies with the provisions of this chapter and the
26 rules and regulations of the division, including the provisions of the spe-
27 cial distributor agreement. Such special distributor agreements shall not
28 be assignable or transferable.

29 SECTION 2. An emergency existing therefor, which emergency is hereby
30 declared to exist, this act shall be in full force and effect on and after its
31 passage and approval.