

IN THE SENATE

SENATE BILL NO. 1324

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO WINERIES; AMENDING SECTION 23-1334, IDAHO CODE, TO ALLOW PERSONS
2 UNDER THE AGE OF TWENTY-ONE TO ENTER OR BE ON THE PREMISES OF A WINERY.
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4 Be It Enacted by the Legislature of the State of Idaho:

5 SECTION 1. That Section 23-1334, Idaho Code, be, and the same is hereby
6 amended to read as follows:

7 23-1334. MINORS -- AUTHORIZATION TO DELIVER -- EXCEPTIONS FROM RE-
8 STRICTION ON ENTERING OR REMAINING. (a) The prohibitions on possession of
9 wine by any person under the age of twenty-one (21) years do not apply to pos-
10 session by a person under the age of twenty-one (21) years making a delivery
11 in pursuance of the order of his parent or in pursuance of his employment,
12 or when such person under the age of twenty-one (21) years is in a private
13 residence accompanied by his parent or guardian and with such parent's or
14 guardian's consent.

15 (b) Any person who shall, by any means, represent to any retailer or
16 distributor or the agent or employee of such retailer or distributor, that
17 any other person is twenty-one (21) years or more of age, when in fact such
18 other person is under the age of twenty-one (21) years, for the purpose of
19 entering licensed premises or inducing such retailer or distributor, or the
20 agent or employee of such retailer or distributor, to sell, serve, or dis-
21 pense wine to such other person shall be guilty of a misdemeanor.

22 (c) It shall not be unlawful for, nor shall section 23-943, Idaho Code,
23 be construed to restrict, any person under the age of twenty-one (21) years
24 from entering or being upon the premises of any licensed winery, notwith-
25 standing that such premises or any portion thereof may also be licensed for
26 the sale of beer or wine for consumption on the premises or that wine is dis-
27 persed and served and consumed therein.