

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 597

BY STATE AFFAIRS COMMITTEE

AN ACT

1
2 RELATING TO BREWERIES; AMENDING SECTION 23-944, IDAHO CODE, TO ALLOW PER-
3 SONS UNDER TWENTY-ONE YEARS OF AGE TO ENTER OR BE ON THE PREMISES OF A LI-
4 CENSED BREWERY WHERE BEER IS CONSUMED ON THE PREMISES AND TO MAKE TECH-
5 NICAL CORRECTIONS.

6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Section 23-944, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 23-944. EXCEPTIONS FROM RESTRICTION ON ENTERING OR REMAINING. It
10 shall not be unlawful for, nor shall section 23-943, Idaho Code, be construed
11 to restrict, any person under the age of twenty-one (21) years from entering
12 or being:

13 (1) ~~u~~Upon the premises of any restaurant, as herein defined, or in any
14 railroad observation or club car or any airplane of a commercial airline,
15 notwithstanding that such premises may also be licensed for the sale of
16 liquor by the drink or for the sale of beer for consumption on the premises or
17 that alcohol beverages, or beer, or both, are prepared, mixed or dispensed
18 and served and consumed therein;

19 (2) ~~i~~n any building, a part or portion of which is used as a place, as
20 herein defined, provided such place is separated or partitioned from the re-
21 mainder of said building and access to such place through a doorway or door-
22 ways or other means of ingress can be controlled to prevent persons under the
23 ages specified with respect thereto in section 23-943, Idaho Code, from en-
24 tering therein;

25 (3) ~~i~~n any baseball park, sports arena, convention center, multipur-
26 pose arena, theater that is presenting live performances or fairgrounds,
27 notwithstanding that such premises or any portion thereof may be licensed
28 for the sale of liquor by the drink, wine or beer for consumption on the
29 premises or that such products are dispensed and served and consumed
30 therein; provided, that the person under the age of twenty-one (21) years is
31 attending a lawful activity, show, exhibition, performance or event on the
32 premises or is required to be present as a condition of his employment. It is
33 lawful for persons under the age of twenty-one (21) years to enter and remain
34 in a baseball park, sports arena, convention center, multipurpose arena,
35 theater that is presenting live performances or fairgrounds so long as the
36 activity, show, exhibition, performance or event is lawful and the person
37 does not violate section 23-949, Idaho Code;

38 (4) ~~u~~Upon the premises of any licensed brewery or winery notwithstand-
39 ing that such premises or any portion thereof may also be licensed for the
40 sale of beer or wine for consumption on the premises or that beer or wine is
41 dispensed and served and consumed therein;

1 (5) ~~u~~Upon the licensed premises of a wine retailer, wholly owned and op-
2 erated by a licensed winery which retails exclusively the products of that
3 winery~~;~~i

4 (6) ~~a~~At a location, other than a liquor, beer, or wine licensed
5 premises, authorized to serve alcohol beverages under a valid alcohol bever-
6 age catering permit~~;~~ or

7 (7) ~~i~~In any movie theater that is allowed to sell beer or wine for con-
8 sumption on the premises pursuant to a valid license and which movie theater
9 had a license that was valid and not suspended or revoked on January 1, 2006.
10 No films, still pictures, electronic reproductions or other visual repro-
11 ductions which are in violation of chapter 41, title 18, Idaho Code (inde-
12 cency and obscenity), or are in violation of federal law regarding pornogra-
13 phy, indecency or obscenity shall be shown or displayed on the premises. As
14 used in this subsection, "movie theater" means a motion picture theater that
15 is being utilized solely for exhibition of a motion picture.