

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 646

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO ALCOHOLIC BEVERAGES; AMENDING SECTION 23-501, IDAHO CODE, TO
2 PROVIDE FOR THE PRODUCTION OF MEAD, CIDER, AND OTHER FERMENTED BEV-
3 ERAGES FOR PERSONAL USE; AMENDING CHAPTER 5, TITLE 23, IDAHO CODE, BY
4 THE ADDITION OF A NEW SECTION 23-520, IDAHO CODE, TO PROVIDE FOR THE
5 USE OF HOMEMADE BEER, WINE, MEAD, CIDER, AND OTHER FERMENTED BEVERAGES
6 AT LICENSED PREMISES IN CERTAIN INSTANCES; AMENDING CHAPTER 5, TITLE
7 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-521, IDAHO CODE, TO
8 PROVIDE FOR THE STORAGE OF HOMEMADE BEER, WINE, MEAD, CIDER, AND OTHER
9 FERMENTED BEVERAGES AT LICENSED PREMISES IN CERTAIN INSTANCES AND TO
10 PROVIDE FOR CERTAIN USES; AND DECLARING AN EMERGENCY AND PROVIDING AN
11 EFFECTIVE DATE.
12

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

14 SECTION 1. That Section 23-501, Idaho Code, be, and the same is hereby
15 amended to read as follows:

16 23-501. WINE OR, BEER, MEAD, CIDER, AND OTHER FERMENTED BEVERAGES FOR
17 PERSONAL USE. (1) Any person shall have the privilege of manufacturing wine
18 or brewing, beer, mead, cider, or other fermented beverages for the personal
19 use of himself, family, and guests.

20 (2) The production of wine, beer, mead, cider, or other fermented bev-
21 erages per household for family or personal use pursuant to this section may
22 not exceed:

23 (a) Two hundred (200) gallons per calendar year if there are two (2) or
24 more adults residing in the household; or

25 (b) One hundred (100) gallons per calendar year if there is one (1)
26 adult residing in the household.

27 SECTION 2. That Chapter 5, Title 23, Idaho Code, be, and the same is
28 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
29 ignated as Section 23-520, Idaho Code, and to read as follows:

30 23-520. HOMEMADE BEER, WINE, MEAD, CIDER, AND OTHER FERMENTED BEVER-
31 AGES AT LICENSED PREMISES. In addition to any other privilege granted to a
32 licensee under this chapter, a licensee may conduct an organized judging,
33 tasting, exhibition, contest, or competition of homemade beer, wine, mead,
34 cider, or other fermented beverages produced pursuant to section 23-501,
35 Idaho Code. Consumption at such events shall be limited solely to the par-
36 ticipants in and designated judges of such events. Fermented beverages used
37 for the purposes described in this section shall be served in portions not
38 exceeding six (6) ounces and shall not be sold to, offered for sale to, or
39 made available for consumption by the general public.

1 SECTION 3. That Chapter 5, Title 23, Idaho Code, be, and the same is
2 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
3 ignated as Section 23-521, Idaho Code, and to read as follows:

4 23-521. STORAGE OF HOMEMADE BEER, WINE, MEAD, CIDER, AND OTHER FER-
5 MENTED BEVERAGES. (1) In addition to any other privilege granted to a
6 licensee under this chapter, a licensee may allow homemade beer, wine, mead,
7 cider, or other fermented beverages produced under section 23-501, Idaho
8 Code, to be stored at the premises described in a full or limited on-premises
9 sales license, off-premises sales license, brewery-public house license,
10 brewery license, winery license, or warehouse license of the licensee.
11 Homemade beer, wine, mead, cider, or other fermented beverages stored pur-
12 suant to this subsection must be clearly identified by the producer and kept
13 separate from the alcoholic beverage stock of the licensee and may not be
14 sold or made available for sale to the general public.

15 (2) A licensee may not acquire any ownership interest in any homemade
16 beer, wine, mead, cider, or other fermented beverages produced under section
17 23-501, Idaho Code, that are stored pursuant to this section. However, this
18 section does not prohibit a licensee from storing homemade beer, wine, mead,
19 cider, or other fermented beverages produced under section 23-501, Idaho
20 Code, in conducting an organized judging, tasting, exhibition, contest, or
21 competition of the homemade beer, wine, mead, cider, or other fermented bev-
22 erages, or related events, if the homemade beer, wine, mead, cider, or other
23 fermented beverages are stored with the licensee for that purpose.

24 SECTION 4. An emergency existing therefor, which emergency is hereby
25 declared to exist, this act shall be in full force and effect on and after
26 July 1, 2022.