

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 605

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO ALCOHOL; AMENDING SECTION 23-948, IDAHO CODE, TO PROVIDE THAT  
2 LICENSES ISSUED TO THE OWNER, OPERATOR OR LESSEE OF A WATERFRONT RESORT  
3 SHALL REMAIN VALID AND MAY BE TRANSFERRED EVEN IF THE BODY OF WATER ON  
4 WHICH THE RESORT IS SITUATED CEASES TO MEET CERTAIN REQUIREMENTS AND TO  
5 MAKE TECHNICAL CORRECTIONS.  
6

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

8 SECTION 1. That Section 23-948, Idaho Code, be, and the same is hereby  
9 amended to read as follows:

10 23-948. WATERFRONT RESORTS -- LICENSING EVEN IF OUTSIDE CORPORATE  
11 LIMITS OF CITY. (a) Nothing contained in section 23-903, Idaho Code, shall  
12 prohibit the issuance of a license to the owner, operator or lessee of a  
13 waterfront resort, even if situated outside the incorporated limits of a  
14 city. The provisions of section 23-910, Idaho Code, shall apply to licenses  
15 issued under the provisions of this section. For the purpose of this sec-  
16 tion, a waterfront resort shall comprise real property with not less than  
17 two hundred (200) feet of lake frontage upon a lake or reservoir as defined  
18 by the army corps of engineers of not less than one hundred ~~and~~ sixty (160)  
19 acres, or river frontage upon a river with at least an average six (6) months'  
20 flow of eleven thousand (11,000) cubic feet per second, and shall be open to  
21 the public, where people assemble for the purpose of vacationing, boating or  
22 fishing, and each waterfront resort must have suitable docks or permanent  
23 improved boat launching facilities not less than sixteen (16) feet in width  
24 on property owned or leased by the resort operator or on property contiguous  
25 thereto owned by this state or the federal government open to the public for  
26 recreational uses for the purpose of caring for vacationers, or other recre-  
27 ational users and either of the following:

28 (1) Hotel or motel accommodations for not less than fifty (50) persons,  
29 including a full-service restaurant ~~which that~~ serves regularly at  
30 least two (2) meals per day to the public during a continuous period of  
31 at least four (4) months per year; or

32 (2) A building of not less than three thousand (3,000) square feet of  
33 public use floor space, including a full-service restaurant ~~which that~~  
34 serves regularly at least two (2) meals per day to the public during  
35 a continuous period of at least four (4) months per year and paved or  
36 gravelled parking for fifty (50) automobiles on the operator's owned or  
37 leased property and any contiguous property upon which are the docks or  
38 boat launching facilities described above.

39 (b) The fees for licenses granted under the provisions of this section  
40 shall be the same as those prescribed for golf courses as set forth in section  
41 23-904, Idaho Code, unless said resort ~~be~~ is located within the corporate

1 limits of a city or village, in which case the license fee shall be the same as  
2 for other licensees within such corporate limits.

3 (c) The provisions of this section shall not be construed to interfere  
4 with the privileges of the holder of a lake resort license issued under this  
5 section 23-948, Idaho Code, prior to the effective date of this section.

6 (d) Licenses issued pursuant to this section shall remain valid and may  
7 be transferred according to the provisions of this chapter even if the lake,  
8 reservoir or river on which the waterfront resort is situated ceases to meet  
9 the requirements provided in subsection (a) of this section.