

IN THE SENATE

SENATE BILL NO. 1134

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO LIQUOR; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION  
2 OF A NEW SECTION 23-903d, IDAHO CODE, TO ESTABLISH PROVISIONS REGARD-  
3 ING LICENSES ISSUED TO ESTABLISHED CATERERS; AMENDING SECTION 23-904,  
4 IDAHO CODE, TO PROVIDE FOR FEES FOR AN ESTABLISHED CATERER LIQUOR LI-  
5 CENSE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.  
6

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

8 SECTION 1. That Chapter 9, Title 23, Idaho Code, be, and the same is  
9 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
10 ignated as Section 23-903d, Idaho Code, and to read as follows:

11 23-903d. LICENSES ISSUED TO ESTABLISHED CATERERS. (1) Upon registra-  
12 tion with the director of the Idaho state police as an established caterer  
13 and upon application to the director for an established caterer liquor li-  
14 cense and notwithstanding the population limitations set forth in section  
15 23-903(1), Idaho Code, nothing in this chapter shall prohibit the issuance  
16 of an established caterer liquor license to the owner, operator, or lessee of  
17 an established caterer for use at events catered by the established caterer,  
18 subject to the provisions of this section. "Established caterer" means a  
19 catering business that has been in operation for no less than five (5) years  
20 and has catered and will continue to cater no fewer than twenty-five (25)  
21 events per year.

22 (2) An established caterer liquor license shall be for onetime use only  
23 at an event catered by the established caterer. There shall be no limitation  
24 on the number of established caterer liquor licenses that an established  
25 caterer may apply for.

26 (3) (a) An established caterer selling liquor pursuant to an estab-  
27 lished caterer liquor license shall abide by the following:

28 (i) Liquor shall be dispensed and prepared for consumption by the  
29 established caterer licensed pursuant to this section only in ar-  
30 eas approved by the local licensing authority; and

31 (ii) All liquor sales shall cease at the time food services cease.  
32 The local licensing authority may impose additional date and time  
33 restrictions on liquor sales.

34 (b) No established caterer licensed pursuant to this section shall pro-  
35 mote or operate the catering event as a bar and lounge.

36 (4) Established caterer liquor licenses shall not count toward the lim-  
37 itation on the number of licenses issued according to population, as pro-  
38 vided in section 23-903(1), Idaho Code.

39 (5) An established caterer liquor license may not be sold or leased and  
40 shall not be transferable to any other caterer.

41 (6) The fees for licenses granted pursuant to this section shall be as  
42 set forth in section 23-904(11), Idaho Code.

1 SECTION 2. That Section 23-904, Idaho Code, be, and the same is hereby  
2 amended to read as follows:

3 23-904. LICENSE FEES. Each licensee licensed under the provisions of  
4 this act shall pay an annual license fee to the director as follows:

5 (1) For each license in a city of one thousand (1,000) population or  
6 less, three hundred dollars (\$300) per annum.

7 (2) For each license in a city of from one thousand (1,000) to three  
8 thousand (3,000) population, five hundred dollars (\$500) per annum.

9 (3) For each license in a city having a population of more than three  
10 thousand (3,000), seven hundred fifty dollars (\$750) per annum.

11 (4) For each railroad train for sale only in buffet, club or dining  
12 cars, fifty dollars (\$50.00) per annum of the scheduled run of such train  
13 within the state of Idaho; provided, that such license shall be in full, and  
14 in lieu of all other licenses herein provided for.

15 (5) For each common carrier boat line for sale only in buffet, club din-  
16 ing rooms, two hundred fifty dollars (\$250) per annum. Such license shall be  
17 in full, and in lieu of all other licenses herein provided for.

18 (6) For each license issued to the owner, operator, or lessee of a golf  
19 course as described in section 23-903, Idaho Code, or to the lessee of any  
20 premises situate on such golf course, situate in any county having a popula-  
21 tion of:

22 (a) Less than twenty thousand (20,000), two hundred dollars (\$200) per  
23 annum;

24 (b) Twenty thousand (20,000) but less than forty thousand (40,000),  
25 three hundred dollars (\$300) per annum; and

26 (c) Forty thousand (40,000) or more, four hundred dollars (\$400) per  
27 annum.

28 (7) For each common carrier airline for sale only in common carrier air-  
29 craft, two hundred fifty dollars (\$250) per annum. Such license shall be in  
30 full, and in lieu of all other licenses herein provided for.

31 (8) For each license issued to the owner, operator, or lessee of a  
32 restaurant operated on an airport, as described in section 23-903, Idaho  
33 Code, situate within the corporate limits of a city, the fee shall be the same  
34 as provided in paragraphs (1) through (3), inclusive, of this section.

35 (9) For each license issued to the owner, operator, or lessee of a  
36 restaurant operated on an airport, as described in section 23-903, Idaho  
37 Code, situate without the corporate limits of a city, the fee shall be the  
38 same as provided in paragraph (6) of this section. Licenses issued under and  
39 pursuant to the provisions of this act shall expire at 1:00 o'clock a.m. on  
40 the first day of January of the following year.

41 (10) For each license issued to an owner or operator of a year-round  
42 resort as described in section 23-957, Idaho Code, a one (1) time fee of  
43 twenty-five thousand dollars (\$25,000), with a subsequent renewal fee of  
44 three thousand five hundred dollars (\$3,500) per annum. For each license  
45 issued to an owner or operator of a beverage, lodging or dining facility  
46 within the premises of a year-round resort as described in section 23-957,  
47 Idaho Code, a one (1) time fee of twenty-five thousand dollars (\$25,000) with  
48 a subsequent renewal fee of three thousand five hundred dollars (\$3,500) per  
49 annum. For each license issued to a lessee of a beverage, lodging or dining

1 facility within the premises of the year-round resort as described in sec-  
2 tion 23-957, Idaho Code, a one (1) time fee of twenty-five thousand dollars  
3 (\$25,000) with a subsequent renewal fee of three thousand five hundred dol-  
4 lars (\$3,500) per annum.

5 (11) For each license issued to the owner, operator, or lessee of an  
6 established caterer, as described in section 23-903d, Idaho Code, the fee  
7 shall be one hundred fifty dollars (\$150) per annum for registration as an  
8 established caterer and fifty dollars (\$50) for each established caterer  
9 liquor license granted for a catering event.

10 Provided that any licensee who operates for only a portion of a year may  
11 have his license fee prorated from the date he commences operation to the end  
12 of the calendar year, but in no event for less than six (6) months.

13 In the event a licensee who was previously issued a license on a prorated  
14 basis under the provisions hereof desires to have such license renewed for  
15 the same period for the next succeeding year, he shall file his intention to  
16 so apply for such license with the director, accompanied by the fee required  
17 for the issuance of such license on or before December 31 of the year preced-  
18 ing.

19 The license fees herein provided for are exclusive of and in addition to  
20 other license fees chargeable in the state of Idaho.

21 The basis upon which respective populations of municipalities shall be  
22 determined is the last preceding census or any subsequent special census  
23 conducted by the United States bureau of the census, unless a direct enumer-  
24 ation of the inhabitants thereof be made by the state of Idaho, in which case  
25 such later direct enumeration shall constitute such basis.

26 SECTION 3. An emergency existing therefor, which emergency is hereby  
27 declared to exist, this act shall be in full force and effect on and after  
28 July 1, 2025.