

Dear Senators Guthrie, Bernt, Ruchti, and
Representatives Crane, Scott, Church:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the
Office of the Governor - Idaho State Liquor Division:

IDAPA 15.10.01 - Rules of the Idaho State Liquor Division-Proposed Rule (Docket No.
15-1001-2601).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the
cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research
and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative
Services. The final date to call a meeting on the enclosed rules is no later than 11/02/2026. If a meeting is
called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis
from Legislative Services. The final date to hold a meeting on the enclosed rules is 11/30/2026.

The germane joint subcommittee may request a statement of economic impact with respect to a
proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement,
and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has
been held.

To notify Research and Legislation, call 334-4854, or send a written request to the address on the
memorandum attached below.



Terri Kondeff
Director

Legislative Services Office Idaho State Legislature

Serving Idaho's Citizen Legislature

MEMORANDUM

TO: Rules Review Subcommittee of the Senate State Affairs Committee and the House State Affairs Committee
FROM: Principal Legislative Drafting Attorney - Ryan Bush
DATE: October 14, 2026
SUBJECT: Office of the Governor - Idaho State Liquor Division

IDAPA 15.10.01 - Rules of the Idaho State Liquor Division-Proposed Rule (Docket No. 15-1001-2601)

Summary and Stated Reasons for the Rule

The Idaho State Liquor Division submits notice of proposed rulemaking at IDAPA 15.10.01 - Rules of the Idaho State Liquor Division. The proposed rule eliminates Resident Supplier Representatives from the Division's list of suppliers. The Division states that this is to proactively address any potential constitutional challenges.

Negotiated Rulemaking / Fiscal Impact

The Division conducted negotiated rulemaking and notice was published in the July edition of the Idaho Administrative Bulletin. There is no fiscal impact anticipated with this rulemaking.

Statutory Authority

The Division appears to be within its statutory authority as provided in Section 23-206, Idaho Code.

cc: Office of the Governor - Idaho State Liquor Division
Jeffrey R. Anderson

*** PLEASE NOTE ***

Per the Idaho Constitution, all administrative rules may be reviewed by the Legislature during the next legislative session. The Legislature has 3 options with this rulemaking docket: **1)** Approve the docket in its entirety; **2)** Reject the docket in its entirety; or **3)** Reject the docket in part.

**IDAPA 15 – OFFICE OF THE GOVERNOR
IDAHO STATE LIQUOR DIVISION**

15.10.01 – RULES OF THE IDAHO STATE LIQUOR DIVISION

DOCKET NO. 15-1001-2601

NOTICE OF RULEMAKING – PROPOSED RULE

AUTHORITY: In compliance with Section [67-5221](#)(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section [23-206](#)(b) Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 21, 2026.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

In accordance with Section [67-5292](#), Idaho Code, this agency is reviewing IDAPA 15.10.01 to assess whether the content of the rule chapter is still necessary. The agency proposes to eliminate the Resident Supplier Representative rule section (15.10.01.021.07) in its entirety, to proactively address potential constitutional challenges.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased:

There are no fees being changed as a result of this rulemaking.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking:

There is no fiscal impact as a result of the changes being made.

NEGOTIATED RULEMAKING: Pursuant to Section [67-5220](#)(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the July 1, 2026 Idaho Administrative Bulletin, [Vol. 26-7 Page 66](#).

INCORPORATION BY REFERENCE: Pursuant to Section [67-5229](#)(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule:

Not Applicable.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Lisa Johnson (208) 947-9410.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 28, 2026.

DATED this 1st day of September, 2026.

Lisa Johnson, Accounting and Analytics Manager
Idaho State Liquor Division
1349 E Beechcraft Ct
Boise, ID 83716
(208) 947-9410

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 15-1001-2601
(Only Those Sections With Amendments Are Shown.)

15.10.01 – RULES OF THE IDAHO STATE LIQUOR DIVISION

021. SUPPLIERS.

01. **Obligations.** Suppliers will conform to the requirements of the Tax and Trade Bureau of the U.S. Department of Treasury. (7-1-24)

02. **Liquor Shipments.** Pursuant to Sections 23-203(a), 23-203(b) and 23-207(d), Idaho Code, all Liquor transported into the state of Idaho is under the direction of the Division. (7-1-24)

a. It is a violation of Sections 23-203(a), 23-203(b) and 23-207(d), Idaho Code, for any Supplier or other party to ship Liquor into the state of Idaho for purposes not authorized by the Director. (7-1-24)

b. The Division reserves the right to select the mode of transportation for all Liquor within the state of Idaho. (7-1-24)

03. **Title to Liquor, Wines and Related Products.** Title to Product Line items passes from the Supplier to the Division when the product is accepted, unless Product Line items are delivered directly to Bailment status. (7-1-24)

a. The Division reserves the right to conduct quality tests or inspect products. (7-1-24)

b. The Division reserves the right to reject any Product Line item that does not conform to requirements. (7-1-24)

c. In the event the Division rejects any delivery, ownership remains with the Supplier. It is the Supplier's responsibility to remove or relocate any refused products. (7-1-24)

04. **Product Returns.** Product Line Items may be returned to Suppliers by the Division in accordance with the Tax and Trade Bureau of the U.S. Department of Treasury regulations. (7-1-24)

05. **New Listings.** New Listings will be added at the discretion of the Director pursuant to Sections 23-203 and 23-207, Idaho Code. (7-1-24)

06. **Delisting.** Delistings are at the discretion of the Director pursuant to Sections 23-203 and 23-207, Idaho Code. (7-1-24)

~~07. **Resident Supplier Representatives.** All Suppliers doing business with the Division will have resident representation. A resident Supplier Representative cannot have been convicted of any felony. (7-1-24)~~

~~07.~~ **Supplier Representative Permits.** Supplier Representatives will obtain a permit from the Division to conduct business at any State Store or Distributing Station. (7-1-24)

a. Permits will not be issued to any retail licensee or a distributor of beer or Wine. (7-1-24)

b. Supplier Representatives may represent more than one (1) Supplier without additional permit fees. (7-1-24)

098. **Samples.** Samples are limited to ten (10) Wine Gallons per month and the sizes of Samples are that which are permitted by federal regulation or statute. (3-25-22)

409. **Promotional Samples.** Promotional Samples are limited to fifty (50) ml size bottles unless specified otherwise by the Director. (7-1-24)

140. **Contact With Licensees.** No Supplier Representative, or anyone acting in that capacity, will deliver any Liquor, Wine, or beer sold by the Division to a Licensee's place of business, other than Samples of items that are not carried in that Licensee's Product Line. (7-1-24)

121. **Liquor Displays.** The Division regulates all Retail Store Liquor displays. (7-1-24)

132. **Violations.** Any Supplier Representative, or anyone acting in that capacity, who violates Title 23, Idaho Code, or any rule of the Division, may subject the manufacturer's, wholesaler's or Distributor's products to removal from the Division's Product Line or; the Director, at his discretion, may suspend (temporarily or permanently) their Supplier Representative permit. (7-1-24)