

TITLE 23
ALCOHOLIC BEVERAGES

CHAPTER 1
INTERPRETATIVE AND GENERAL PROVISIONS OF IDAHO LIQUOR ACT

23-101. SHORT TITLE. This act may be cited as the "Idaho Liquor Act."

[23-101, added 1939, ch. 222, sec. 101, p. 465.]

23-102. PURPOSE OF ACT. This act is passed in the exercise of the police power of the state. It is not designed to abridge the personal privilege of a responsible adult to consume alcoholic liquor as a beverage, except in cases of the abuse of that privilege to the detriment of others. The public interest requires that traffic in alcoholic liquor be regulated and controlled by the state, through the medium of a state liquor division vested with exclusive authority to import and sell such liquor, with certain exceptions, which are subject to its regulation.

[23-102, added 1939, ch. 222, sec. 102, p. 465; am. 2009, ch. 23, sec. 2, p. 53.]

23-103. PRIOR OFFENSES AND RIGHTS NOT AFFECTED. This act shall not impair or affect any act done, offense committed, or right accruing, secured, or acquired, or penalty, forfeiture or punishment incurred prior to its effective date, but the same may be enjoyed, asserted, enforced, prosecuted, or inflicted as fully and to the same extent as if this act had not been passed.

[23-103, added 1939, ch. 222, sec. 103, p. 465.]

23-104. SEPARABILITY. Should any section, clause, sentence, or provision of this act, be held invalid for any reason, such holding or decree shall not be construed as affecting the validity of any of the remaining portions hereof, it being declared that the legislature would have adopted the remainder of this act, notwithstanding the invalidity of any such section, clause, sentence, or provision.

[23-104, added 1939, ch. 222, sec. 104, p. 465.]

23-105. ALCOHOLIC LIQUOR DEFINED. "Alcoholic liquor," as the term is used in this act, includes:

(a) "Alcohol," meaning the product of distillation of any fermented liquor, rectified once or more than once, whatever may be the origin thereof, or synthetic ethyl alcohol.

(b) "Spirits," meaning any beverage which contains alcohol obtained by distillation mixed with drinkable water and other substances in solution, including, among other things, brandy, rum, whiskey and gin.

(c) Any liquid or solid, patented or not, containing spirits, and susceptible of being consumed by a human being for beverage purposes and containing more than four percent (4%) of alcohol by volume.

[23-105, added 1939, ch. 222, sec. 106, p. 465; am. 2011, ch. 130, sec. 1, p. 363; am. 2012, ch. 113, sec. 1, p. 311.]