

IN THE SENATE

SENATE BILL NO. 1178

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO ALCOHOLIC BEVERAGES; AMENDING SECTION 23-1031, IDAHO CODE, TO  
REVISE PROVISIONS RELATING TO AN EXTENSION OF CREDIT; AND AMENDING SEC-  
TION 23-1326, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CREDIT SALES  
TO CERTAIN RETAILERS.

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

SECTION 1. That Section 23-1031, Idaho Code, be, and the same is hereby  
amended to read as follows:

23-1031. EXTENSION OF CREDIT. ~~No~~ The sale or delivery of beer shall  
may be made to any licensed retailer, except for cash paid at the time of or  
prior to delivery thereof, and in no event shall or any brewer, wholesaler or  
dealer licensed in the state and engaged in the sale of beer for resale may  
extend any credit on account of such beer to a licensed retailer, nor shall  
any for a period not to exceed five (5) business days from time of delivery.  
A licensed retailer may accept or receive delivery of such beer except when  
payment therefor is made in cash at the time of or prior to delivery thereof  
or upon an extension of credit as provided in this section. The acceptance  
of a first party check from a licensed retailer by a brewer, wholesaler or  
dealer licensed in the state and engaged in the sale of beer for resale,  
or the use of electronic funds transfer, ~~or~~ debit card or credit card by a  
licensed retailer, shall not be deemed an extension or acceptance of credit  
hereunder. Any extension or acceptance of credit in violation ~~hereof~~ of this  
section shall constitute the giving and receiving of aid or assistance to  
or by a licensed retailer prohibited by the provisions of section 23-1033,  
Idaho Code.

SECTION 2. That Section 23-1326, Idaho Code, be, and the same is hereby  
amended to read as follows:

23-1326. CREDIT SALES TO RETAILERS ~~PROHIBITED~~. ~~No~~ The sale or delivery  
of wine shall may be made to any retailer, except for cash paid at the time  
of or prior to delivery thereof, and in no event shall or any distributor may  
extend any credit on account of such wine to a retailer, nor shall any for a  
period not to exceed five (5) business days from time of delivery. A retailer  
may accept or receive delivery of such wine except when payment therefor is  
made in cash at the time of or prior to delivery thereof or upon an extension  
of credit as provided in this section. The acceptance of a first party check  
from a retailer by a distributor, or the use of electronic funds transfer, ~~or~~  
debit card or credit card by a licensed retailer, shall not be deemed an ex-  
tension of or acceptance of credit hereunder. Any extension or acceptance of  
credit in violation of this section shall constitute the giving and receiv-

1     ing of aid or assistance to or by a licensed retailer prohibited by the provi-  
2     sions of section 23-1325, Idaho Code.