

1 (2) Authorizes on-premises consumption of alcoholic
2 beverages, regardless of whether the consumption of
3 alcoholic beverages is under a license or permit
4 issued under chapter 281.

5 "Nude" means:

6 (1) Entirely unclothed; or

7 (2) Clothed in a manner that leaves uncovered or visible
8 through less than fully opaque clothing any portion of
9 the breasts below the top of the areola of the
10 breasts, if the person is female, or any portion of
11 the genitals or buttocks.

12 **§489X-B Fee based on admission to adult entertainment**

13 **business.** (a) Each adult entertainment business shall pay a
14 fee in an amount equal to \$3 for each entry by each customer
15 admitted to the business.

16 (b) An adult entertainment business shall record daily, in
17 the manner prescribed by the comptroller, the number of entries
18 into the business by customers. The business shall maintain the
19 records for the period required by the comptroller and make the
20 records available for inspection and audit on request by the
21 comptroller.



1 (c) This section shall not require an adult entertainment
2 business to impose a fee on a customer of the business. An
3 adult entertainment business may determine the manner in which
4 the business derives the money required to pay the fee imposed
5 under this section.

6 **§489X-C Remission of fee; submission of reports; penalty.**

7 (a) Within ten days following the close of each quarter, an
8 adult entertainment business shall:

9 (1) Remit the fee imposed by section 489X-B to the
10 comptroller in the manner prescribed by the
11 comptroller; and

12 (2) File a report with the comptroller in the manner and
13 containing the information required by the
14 comptroller.

15 (b) Any adult entertainment business that fails to remit
16 the fee and file the report required by this section shall be
17 fined \$1,000 for each day the business is not in compliance with
18 this section.

19 **§489X-D Allocation of fee to domestic violence and sexual**
20 **assault special fund.** The comptroller shall deposit the funds
21 received from the fee imposed under section 489X-B into the



1 domestic violence and sexual assault special fund established
2 under section 321-1.3."

3 SECTION 3. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 4. This Act shall take effect on July 1, 2008;
6 provided that this Act shall be repealed on January 1, 2011, and
7 chapter 489X, Hawaii Revised Statutes, shall be reenacted in the
8 form in which it read on June 30, 2008.

9

INTRODUCED BY: John M. Burns
John Burns

JAN 17 2008



Report Title:

Adult Entertainment Business; Fee

Description:

Requires adult entertainment businesses to pay fee of \$3 for each customer who enters the business. Fee to be deposited in domestic violence and sexual assault special fund. Effective 7/1/08. Repealed effective 1/1/11.

