
A BILL FOR AN ACT

RELATING TO INTOXICATING LIQUOR.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 281-78, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) No person shall possess any open liquor container or
4 consume any liquor on any:

5 (1) Public highway, except as permitted in section
6 291-3.4;

7 (2) Public sidewalk, including any sidewalk within a
8 public housing project as defined in section 356D-1 or
9 356D-91; or

10 (3) Common area of a public housing project as defined in
11 section 356D-1 or 356D-91. For purposes of this
12 paragraph, "common area" means roofs, halls,
13 corridors, lobbies, stairs, stairways, fire escapes,
14 entrances and [{}exits{}] of the building or
15 buildings, basements, yards, gardens, recreational
16 facilities, parking areas, storage spaces, and other
17 parts of the project normally in common use or other



1 areas designated by the Hawaii public housing
2 authority.

3 For the purposes of paragraphs (2) and (3), possessing an
4 open liquor container shall be prima facie evidence that a
5 person is consuming liquor."

6 SECTION 2. This Act does not affect rights and duties that
7 matured, penalties that were incurred, and proceedings that were
8 begun, before its effective date.

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 Statutory material to be repealed is bracketed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

11 SECTION 4. This Act shall take effect on January 1, 2010.

12

INTRODUCED BY: *Michelle Carter*

JAN 23 2009



Report Title:

Public Housing; Alcohol Consumption; Prohibition

Description:

Prohibits possession of open liquor containers in public housing common areas and on streets and sidewalks.

