

JAN 21 2010

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 [f]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 Statutory material to be repealed is bracketed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 July 1, 2010.

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INTRODUCED BY: Norman Satomof

Michelle A. Tidani

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Erzanne Chun Clelland



Report Title:

Public Housing; Alcohol Consumption; Prohibition

Description:

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

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