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# 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~~];

8 (3) Any sidewalk within a public housing project as  
9 defined in section 356D-1 or 356D-91; or

10 [~~3~~] (4) Common area of a public housing project as  
11 defined in section 356D-1 or 356D-91. For purposes of  
12 this 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 (3) and (4), 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 Statutory material to be repealed is bracketed  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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**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. Deems possession of an open liquor container in a sidewalk or common area of a public housing project as prima facie evidence of consumption of liquor. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

