

JAN 23 2009

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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 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 Statutory material to be repealed is bracketed  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.

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INTRODUCED BY:

*R. O. Ojima*  
*by request*



**Report Title:**

Public Housing; Alcohol Consumption; Prohibition

**Description:**

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

