

Honolulu, Hawaii

March 18, 2010

RE: S.B. No. 2276  
S.D. 1  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fifth State Legislature  
Regular Session of 2010  
State of Hawaii

Sir:

Your Committee on Housing, to which was referred S.B. No. 2276, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR,"

begs leave to report as follows:

The purpose of this bill is to prohibit the possession of any open liquor container on public highways, public sidewalks, and sidewalks and common areas of a public housing project. This measure also establishes possession of an open liquor container as prima facie evidence that a person is consuming liquor.

The Hawaii Public Housing Authority, Honolulu Police Department, and several concerned individuals testified in support of this bill.

Your Committee finds that disruptive behavior, generally caused by drinking and primarily on the part of non-residents and visitors, is a problem in some public housing projects. Currently, the police are unable to arrest someone holding a container of liquor unless the police observe the person putting the container to their mouth or a witness is willing to testify. Your Committee feels that enhancement of current laws will help ameliorate the situation and provide additional protection to residents of public housing projects.



Upon further consideration, your Committee has amended this bill by:

- (1) Inserting language to state that an unaccompanied guest of a public housing tenant who possesses an open liquor container or consumes any liquor while on any sidewalk or common area within a public housing project and remains unlawfully after a reasonable warning or request to leave by housing authority management or a police officer will also be considered to be trespassing; and
- (2) Inserting language to state that if a public housing tenant's guest is repeatedly found in possession of an open liquor container or consuming any liquor, that tenant may be subject to eviction.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2276, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2276, S.D. 1, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Housing,



RIDA CABANILLA, Chair



