

JAN 23 2015

A BILL FOR AN ACT

RELATING TO LIQUOR.

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

1 SECTION 1. Chapter 281, Hawaii Revised Statutes, is
2 amended by adding a new part to be appropriately designated and
3 to read as follows:

4 **"PART . ALCOHOL IMPACT AREAS**

5 **§281-A Alcohol impact area designation; recognition**

6 **criteria.** (a) An alcohol impact area may be designated by a
7 county ordinance pursuant to section 46-1.5(28). Following the
8 designation as an alcohol impact area the respective county
9 shall make a good faith effort for at least six months to
10 mitigate the effects of chronic public inebriation before a
11 county liquor commission or liquor adjudication board may
12 recognize an alcohol impact area and before any unique review
13 process, restriction, or condition may be applied to the area.

14 (b) Following the minimum six-month mitigation period, a
15 designated alcohol impact area may be recognized by a county
16 liquor commission or liquor adjudication board if the following
17 criteria are met:



- 1 (1) The alcohol impact area's proposed geographic
2 boundaries shall not include the entire county and
3 shall be described in a way that makes it clear which
4 liquor licensees are in the proposed impact area;
- 5 (2) Proposed boundaries of the alcohol impact area are
6 clearly understandable to the public;
- 7 (3) The ordinance details the rationale behind the
8 proposed boundaries in the alcohol impact area;
- 9 (4) A pervasive pattern of public intoxication or public
10 consumption of liquor in the proposed alcohol impact
11 area as evidenced by police reports, emergency medical
12 response data, sanitation reports, public health
13 records, community group petitions, or other similar
14 records;
- 15 (5) Findings that demonstrate a need for an alcohol impact
16 area due to chronic public inebriation or illegal
17 activity associated with off-premises liquor sales or
18 consumption in the proposed area, threatening the
19 welfare, health, peace, or safety of an alcohol impact
20 area's visitors or occupants;



1 (6) Documentation that demonstrates a good faith effort to
2 control the problem;

3 (7) Documentation of the voluntary options offered to
4 remedy the problem of chronic public inebriation or
5 illegal activity associated with off-premises liquor
6 sales or consumption in the proposed area and why
7 these voluntary measures failed to sufficiently
8 resolve the problem; and

9 (8) A list of restrictions or conditions with an
10 explanation as to how the restrictions or conditions
11 will reduce chronic public inebriation or illegal
12 activity associated with off-premises liquor sales.

13 **§281-B Alcohol impact area restrictions or conditions.**

14 (a) Within an alcohol impact area that has been recognized, a
15 county liquor commission or liquor control adjudication board
16 may impose restrictions or conditions that may include but are
17 not limited to:

18 (1) Business hours of operation for off-premises liquor
19 sales;

20 (2) Off-premises sale of certain liquor products within an
21 alcohol impact area; or



1 (3) Container sizes available for off-premises liquor
2 sales.

3 (b) A product restriction shall originate from a county's
4 law enforcement agency or public health authority. Restrictions
5 relating to business operations may originate from a county's
6 law enforcement agency or governing body.

7 (c) Product restrictions shall be reasonably linked to
8 problems associated with chronic public inebriation or illegal
9 activity. Reasonable links include but are not limited to:
10 police, fire, or emergency medical response statistics;
11 photographic evidence; law enforcement, citizen, or medical
12 provider testimony; testimony by current or former chronic
13 public inebriants; litter pickup; or other statistical evidence
14 that a reasonable person may rely upon to determine whether a
15 product is associated with chronic public inebriation or illegal
16 activity.

17 (d) Beer and wine products may be restricted only if they
18 have a minimum alcohol content of 5.7 per cent by volume and 12
19 per cent by volume, respectively.

20 (e) A product restriction or modification shall take
21 effect no less than thirty days after the county liquor



1 commission or liquor adjudication board recognizes the
2 restriction.

3 (f) Following approval by a county liquor commission or
4 liquor control adjudication board, a county may restrict a
5 product that is materially similar to a product already
6 restricted in its own alcohol impact area or restricted in
7 another recognized alcohol impact area if the product is
8 materially similar to a product already restricted in its own
9 alcohol impact area. A county shall demonstrate to the
10 respective county liquor commission or liquor control
11 adjudication board, in writing, the material similarities and
12 the need for product inclusion.

13 (g) A county may propose the removal of a restriction,
14 condition, or product from its alcohol impact area; provided
15 that the county demonstrates the reason for removal to the
16 respective county liquor commission or liquor control
17 adjudication board in writing.

18 **§281-C Alcohol impact area notification; implementation**
19 **and duration; modification.** (a) Once an alcohol impact area
20 has been recognized, a county liquor commission or liquor



1 control adjudication board shall notify, in a timely manner, the
2 following:

- 3 (1) Appropriate liquor distributors of any product
4 restrictions; and
- 5 (2) All off-premises sales licensees in an alcohol impact
6 area whenever a county liquor commission or liquor
7 control adjudication board recognizes, or recognizes
8 changes to, an alcohol impact area.

9 (b) Recognition of an alcohol impact area shall take
10 effect on the day that the county liquor commission or liquor
11 adjudication board passes a resolution to recognize an alcohol
12 impact area. Recognition shall remain in effect until:

- 13 (1) A county repeals the enabling ordinance that
14 designates an alcohol impact area;
- 15 (2) A county requests that the county liquor commission or
16 liquor adjudication board revoke its recognition of an
17 alcohol impact area;
- 18 (3) A county liquor commission or liquor adjudication
19 board repeals its recognition of an alcohol impact
20 area on its own initiative and following a public
21 hearing; or



1 (4) A county fails to comply with the reporting
2 requirements of section 281-E.

3 (c) A county may petition a county liquor commission or
4 liquor adjudication board to modify an alcohol impact area's
5 geographic boundaries or an existing restriction or condition
6 and the commission or board may agree to the modification if
7 supporting documentation demonstrates the need for modification.

8 **§281-D Alcohol impact area and liquor license application**

9 **or renewal.** (a) When a county liquor commission or liquor
10 control adjudication board receives an application for a new
11 liquor license that includes an off-premises sales privilege in
12 an alcohol impact area, the respective county shall have sixty
13 days to comment upon the application. The county:

14 (1) May request an extension of the sixty-day comment
15 period when unusual circumstances require additional
16 time for comment; and

17 (2) Shall notify an applicant when the county requests an
18 extension to the sixty-day comment period.

19 (b) When a county liquor commission or liquor control
20 adjudication board receives an application for a liquor license
21 renewal that includes an off-premises sales privilege, the



1 respective county shall be notified at least ninety days before
2 the current license expires and have ninety days to comment upon
3 the application. In renewal applications involving a licensee,
4 a licensed business, or a licensed location with a documented
5 history of noncompliance or illegal activity, the county:

6 (1) May request an extension of the ninety-day comment
7 period when unusual circumstances require additional
8 time for comment; and

9 (2) Shall notify a licensee when the county requests an
10 extension to the ninety-day comment period.

11 **§281-E Alcohol impact area report and assessment;**

12 **recognized alcohol impact area revocation.** (a) No later than
13 sixty days following each anniversary of a county liquor
14 commission or liquor control adjudication board's recognition of
15 an alcohol impact area, a county shall submit an annual report
16 to the respective county liquor commission or liquor control
17 adjudication board that demonstrates the effectiveness of an
18 alcohol impact area's restrictions or conditions.

19 (b) A county liquor commission or liquor control
20 adjudication board shall assess an alcohol impact area once
21 every five years. Within ten days after receiving a county's



1 annual report, a county liquor commission or liquor control
2 adjudication board shall notify affected parties of the upcoming
3 assessment. An assessment shall include:

- 4 (1) Analysis of comments or petitions submitted by
5 affected parties;
- 6 (2) Analysis of each annual report submitted during a
7 five-year period; and
- 8 (3) Modifications that a county shall make to an alcohol
9 impact area or the reasons for revoking recognition of
10 an alcohol impact area.

11 (c) Within twenty days of receiving a county liquor
12 commission or liquor control adjudication board's notification
13 of an upcoming assessment, an affected party may petition the
14 county liquor commission or liquor control adjudication board to
15 discontinue its recognition of an alcohol impact area by
16 submitting findings that:

- 17 (1) Demonstrate how chronic public inebriation or illegal
18 activity associated with liquor sales or consumption
19 within a proposed alcohol impact area does not or no
20 longer contributes to the deterioration of the general
21 quality of life within an alcohol impact area or



1 threaten the welfare, health, peace, or safety of an
2 alcohol impact area's visitors or occupants;

3 (2) Demonstrate the absence of a pervasive pattern of
4 public intoxication or public consumption of liquor as
5 documented in crime statistics, police reports,
6 emergency medical response data, detoxification
7 reports, sanitation reports, public health records, or
8 similar records; and

9 (3) Demonstrate how the absence of restrictions or
10 conditions will reduce chronic public inebriation or
11 illegal activity associated with off-premises sales or
12 liquor consumption.

13 An affected party may request one twenty-day extension if the
14 party provides sufficient reason as to why the party is unable
15 to meet the initial petition deadline, and a county liquor
16 commission or liquor control adjudication board shall complete
17 an assessment no later than sixty days following the close of
18 the final comment or petition period."

19 SECTION 2. Section 46-1.5, Hawaii Revised Statutes, is
20 amended to read as follows:



1 **"§46-1.5 General powers and limitation of the counties.**

2 Subject to general law, each county shall have the following
3 powers and shall be subject to the following liabilities and
4 limitations:

5 (1) Each county shall have the power to frame and adopt a
6 charter for its own self-government that shall
7 establish the county executive, administrative, and
8 legislative structure and organization, including but
9 not limited to the method of appointment or election
10 of officials, their duties, responsibilities, and
11 compensation, and the terms of their office;

12 (2) Each county shall have the power to provide for and
13 regulate the marking and lighting of all buildings and
14 other structures that may be obstructions or hazards
15 to aerial navigation, so far as may be necessary or
16 proper for the protection and safeguarding of life,
17 health, and property;

18 (3) Each county shall have the power to enforce all claims
19 on behalf of the county and approve all lawful claims
20 against the county, but shall be prohibited from
21 entering into, granting, or making in any manner any



1 contract, authorization, allowance payment, or
2 liability contrary to the provisions of any county
3 charter or general law;

4 (4) Each county shall have the power to make contracts and
5 to do all things necessary and proper to carry into
6 execution all powers vested in the county or any
7 county officer;

8 (5) Each county shall have the power to:

9 (A) Maintain channels, whether natural or artificial,
10 including their exits to the ocean, in suitable
11 condition to carry off storm waters;

12 (B) Remove from the channels, and from the shores and
13 beaches, any debris that is likely to create an
14 unsanitary condition or become a public nuisance;
15 provided that, to the extent any of the foregoing
16 work is a private responsibility, the
17 responsibility may be enforced by the county in
18 lieu of the work being done at public expense;

19 (C) Construct, acquire by gift, purchase, or by the
20 exercise of eminent domain, reconstruct, improve,
21 better, extend, and maintain projects or



1 undertakings for the control of and protection
2 against floods and flood waters, including the
3 power to drain and rehabilitate lands already
4 flooded; and

5 (D) Enact zoning ordinances providing that lands
6 deemed subject to seasonable, periodic, or
7 occasional flooding shall not be used for
8 residence or other purposes in a manner as to
9 endanger the health or safety of the occupants
10 thereof, as required by the Federal Flood
11 Insurance Act of 1956 (chapter 1025, Public Law
12 1016);

13 (6) Each county shall have the power to exercise the power
14 of condemnation by eminent domain when it is in the
15 public interest to do so;

16 (7) Each county shall have the power to exercise
17 regulatory powers over business activity as are
18 assigned to them by chapter 445 or other general law;

19 (8) Each county shall have the power to fix the fees and
20 charges for all official services not otherwise
21 provided for;



- 1 (9) Each county shall have the power to provide by
2 ordinance assessments for the improvement or
3 maintenance of districts within the county;
- 4 (10) Except as otherwise provided, no county shall have the
5 power to give or loan credit to, or in aid of, any
6 person or corporation, directly or indirectly, except
7 for a public purpose;
- 8 (11) Where not within the jurisdiction of the public
9 utilities commission, each county shall have the power
10 to regulate by ordinance the operation of motor
11 vehicle common carriers transporting passengers within
12 the county and adopt and amend rules the county deems
13 necessary for the public convenience and necessity;
- 14 (12) Each county shall have the power to enact and enforce
15 ordinances necessary to prevent or summarily remove
16 public nuisances and to compel the clearing or removal
17 of any public nuisance, refuse, and uncultivated
18 undergrowth from streets, sidewalks, public places,
19 and unoccupied lots. In connection with these powers,
20 each county may impose and enforce liens upon the
21 property for the cost to the county of removing and



1 completing the necessary work where the property
2 owners fail, after reasonable notice, to comply with
3 the ordinances. The authority provided by this
4 paragraph shall not be self-executing, but shall
5 become fully effective within a county only upon the
6 enactment or adoption by the county of appropriate and
7 particular laws, ordinances, or rules defining "public
8 nuisances" with respect to each county's respective
9 circumstances. The counties shall provide the
10 property owner with the opportunity to contest the
11 summary action and to recover the owner's property;

12 (13) Each county shall have the power to enact ordinances
13 deemed necessary to protect health, life, and
14 property, and to preserve the order and security of
15 the county and its inhabitants on any subject or
16 matter not inconsistent with, or tending to defeat,
17 the intent of any state statute where the statute does
18 not disclose an express or implied intent that the
19 statute shall be exclusive or uniform throughout the
20 State;

21 (14) Each county shall have the power to:



- 1 (A) Make and enforce within the limits of the county
- 2 all necessary ordinances covering all:
- 3 (i) Local police matters;
- 4 (ii) Matters of sanitation;
- 5 (iii) Matters of inspection of buildings;
- 6 (iv) Matters of condemnation of unsafe
- 7 structures, plumbing, sewers, dairies, milk,
- 8 fish, and morgues; and
- 9 (v) Matters of the collection and disposition of
- 10 rubbish and garbage;
- 11 (B) Provide exemptions for homeless facilities and
- 12 any other program for the homeless authorized by
- 13 part XVII of chapter 346, for all matters under
- 14 this paragraph;
- 15 (C) Appoint county physicians and sanitary and other
- 16 inspectors as necessary to carry into effect
- 17 ordinances made under this paragraph, who shall
- 18 have the same power as given by law to agents of
- 19 the department of health, subject only to
- 20 limitations placed on them by the terms and
- 21 conditions of their appointments; and



1 (D) Fix a penalty for the violation of any ordinance,
2 which penalty may be a misdemeanor, petty
3 misdemeanor, or violation as defined by general
4 law;

5 (15) Each county shall have the power to provide public
6 pounds; to regulate the impounding of stray animals
7 and fowl, and their disposition; and to provide for
8 the appointment, powers, duties, and fees of animal
9 control officers;

10 (16) Each county shall have the power to purchase and
11 otherwise acquire, lease, and hold real and personal
12 property within the defined boundaries of the county
13 and to dispose of the real and personal property as
14 the interests of the inhabitants of the county may
15 require, except that:

16 (A) Any property held for school purposes may not be
17 disposed of without the consent of the
18 superintendent of education;

19 (B) No property bordering the ocean shall be sold or
20 otherwise disposed of; and



1 (C) All proceeds from the sale of park lands shall be
2 expended only for the acquisition of property for
3 park or recreational purposes;

4 (17) Each county shall have the power to provide by charter
5 for the prosecution of all offenses and to prosecute
6 for offenses against the laws of the State under the
7 authority of the attorney general of the State;

8 (18) Each county shall have the power to make
9 appropriations in amounts deemed appropriate from any
10 moneys in the treasury, for the purpose of:

11 (A) Community promotion and public celebrations;

12 (B) The entertainment of distinguished persons as may
13 from time to time visit the county;

14 (C) The entertainment of other distinguished persons,
15 as well as, public officials when deemed to be in
16 the best interest of the community; and

17 (D) The rendering of civic tribute to individuals
18 who, by virtue of their accomplishments and
19 community service, merit civic commendations,
20 recognition, or remembrance;

21 (19) Each county shall have the power to:



- 1 (A) Construct, purchase, take on lease, lease,
2 sublease, or in any other manner acquire, manage,
3 maintain, or dispose of buildings for county
4 purposes, sewers, sewer systems, pumping
5 stations, waterworks, including reservoirs,
6 wells, pipelines, and other conduits for
7 distributing water to the public, lighting
8 plants, and apparatus and appliances for lighting
9 streets and public buildings, and manage,
10 regulate, and control the same;
- 11 (B) Regulate and control the location and quality of
12 all appliances necessary to the furnishing of
13 water, heat, light, power, telephone, and
14 telecommunications service to the county;
- 15 (C) Acquire, regulate, and control any and all
16 appliances for the sprinkling and cleaning of the
17 streets and the public ways, and for flushing the
18 sewers; and
- 19 (D) Open, close, construct, or maintain county
20 highways or charge toll on county highways;
21 provided that all revenues received from a toll



- 1 charge shall be used for the construction or
2 maintenance of county highways;
- 3 (20) Each county shall have the power to regulate the
4 renting, subletting, and rental conditions of property
5 for places of abode by ordinance;
- 6 (21) Unless otherwise provided by law, each county shall
7 have the power to establish by ordinance the order of
8 succession of county officials in the event of a
9 military or civil disaster;
- 10 (22) Each county shall have the power to sue and be sued in
11 its corporate name;
- 12 (23) Each county shall have the power to establish and
13 maintain waterworks and sewer works; to collect rates
14 for water supplied to consumers and for the use of
15 sewers; to install water meters whenever deemed
16 expedient; provided that owners of premises having
17 vested water rights under existing laws appurtenant to
18 the premises shall not be charged for the installation
19 or use of the water meters on the premises; to take
20 over from the State existing waterworks systems,
21 including water rights, pipelines, and other



1 appurtenances belonging thereto, and sewer systems,
2 and to enlarge, develop, and improve the same;

3 (24) (A) Each county may impose civil fines, in addition
4 to criminal penalties, for any violation of
5 county ordinances or rules after reasonable
6 notice and requests to correct or cease the
7 violation have been made upon the violator. Any
8 administratively imposed civil fine shall not be
9 collected until after an opportunity for a
10 hearing under chapter 91. Any appeal shall be
11 filed within thirty days from the date of the
12 final written decision. These proceedings shall
13 not be a prerequisite for any civil fine or
14 injunctive relief ordered by the circuit court;

15 (B) Each county by ordinance may provide for the
16 addition of any unpaid civil fines, ordered by
17 any court of competent jurisdiction, to any
18 taxes, fees, or charges, with the exception of
19 fees or charges for water for residential use and
20 sewer charges, collected by the county. Each
21 county by ordinance may also provide for the



1 addition of any unpaid administratively imposed
2 civil fines, which remain due after all judicial
3 review rights under section 91-14 are exhausted,
4 to any taxes, fees, or charges, with the
5 exception of water for residential use and sewer
6 charges, collected by the county. The ordinance
7 shall specify the administrative procedures for
8 the addition of the unpaid civil fines to the
9 eligible taxes, fees, or charges and may require
10 hearings or other proceedings. After addition of
11 the unpaid civil fines to the taxes, fees, or
12 charges, the unpaid civil fines shall not become
13 a part of any taxes, fees, or charges. The
14 county by ordinance may condition the issuance or
15 renewal of a license, approval, or permit for
16 which a fee or charge is assessed, except for
17 water for residential use and sewer charges, on
18 payment of the unpaid civil fines. Upon
19 recordation of a notice of unpaid civil fines in
20 the bureau of conveyances, the amount of the
21 civil fines, including any increase in the amount



1 of the fine which the county may assess, shall
2 constitute a lien upon all real property or
3 rights to real property belonging to any person
4 liable for the unpaid civil fines. The lien in
5 favor of the county shall be subordinate to any
6 lien in favor of any person recorded or
7 registered prior to the recordation of the notice
8 of unpaid civil fines and senior to any lien
9 recorded or registered after the recordation of
10 the notice. The lien shall continue until the
11 unpaid civil fines are paid in full or until a
12 certificate of release or partial release of the
13 lien, prepared by the county at the owner's
14 expense, is recorded. The notice of unpaid civil
15 fines shall state the amount of the fine as of
16 the date of the notice and maximum permissible
17 daily increase of the fine. The county shall not
18 be required to include a social security number,
19 state general excise taxpayer identification
20 number, or federal employer identification number
21 on the notice. Recordation of the notice in the



1 bureau of conveyances shall be deemed, at such
2 time, for all purposes and without any further
3 action, to procure a lien on land registered in
4 land court under chapter 501. After the unpaid
5 civil fines are added to the taxes, fees, or
6 charges as specified by county ordinance, the
7 unpaid civil fines shall be deemed immediately
8 due, owing, and delinquent and may be collected
9 in any lawful manner. The procedure for
10 collection of unpaid civil fines authorized in
11 this paragraph shall be in addition to any other
12 procedures for collection available to the State
13 and county by law or rules of the courts;

14 (C) Each county may impose civil fines upon any
15 person who places graffiti on any real or
16 personal property owned, managed, or maintained
17 by the county. The fine may be up to \$1,000 or
18 may be equal to the actual cost of having the
19 damaged property repaired or replaced. The
20 parent or guardian having custody of a minor who
21 places graffiti on any real or personal property



1 owned, managed, or maintained by the county shall
2 be jointly and severally liable with the minor
3 for any civil fines imposed hereunder. Any such
4 fine may be administratively imposed after an
5 opportunity for a hearing under chapter 91, but
6 such a proceeding shall not be a prerequisite for
7 any civil fine ordered by any court. As used in
8 this subparagraph, "graffiti" means any
9 unauthorized drawing, inscription, figure, or
10 mark of any type intentionally created by paint,
11 ink, chalk, dye, or similar substances;

12 (D) At the completion of an appeal in which the
13 county's enforcement action is affirmed and upon
14 correction of the violation if requested by the
15 violator, the case shall be reviewed by the
16 county agency that imposed the civil fines to
17 determine the appropriateness of the amount of
18 the civil fines that accrued while the appeal
19 proceedings were pending. In its review of the
20 amount of the accrued fines, the county agency
21 may consider:



- 1 (i) The nature and egregiousness of the
- 2 violation;
- 3 (ii) The duration of the violation;
- 4 (iii) The number of recurring and other similar
- 5 violations;
- 6 (iv) Any effort taken by the violator to correct
- 7 the violation;
- 8 (v) The degree of involvement in causing or
- 9 continuing the violation;
- 10 (vi) Reasons for any delay in the completion of
- 11 the appeal; and
- 12 (vii) Other extenuating circumstances.

13 The civil fine that is imposed by administrative
14 order after this review is completed and the
15 violation is corrected shall be subject to
16 judicial review, notwithstanding any provisions
17 for administrative review in county charters;

18 (E) After completion of a review of the amount of
19 accrued civil fine by the county agency that
20 imposed the fine, the amount of the civil fine
21 determined appropriate, including both the



1 initial civil fine and any accrued daily civil
2 fine, shall immediately become due and
3 collectible following reasonable notice to the
4 violator. If no review of the accrued civil fine
5 is requested, the amount of the civil fine, not
6 to exceed the total accrual of civil fine prior
7 to correcting the violation, shall immediately
8 become due and collectible following reasonable
9 notice to the violator, at the completion of all
10 appeal proceedings;

11 (F) If no county agency exists to conduct appeal
12 proceedings for a particular civil fine action
13 taken by the county, then one shall be
14 established by ordinance before the county shall
15 impose the civil fine;

16 (25) Any law to the contrary notwithstanding, any county
17 mayor, by executive order, may exempt donors, provider
18 agencies, homeless facilities, and any other program
19 for the homeless under part XVII of chapter 346 from
20 real property taxes, water and sewer development fees,
21 rates collected for water supplied to consumers and



1 for use of sewers, and any other county taxes,
2 charges, or fees; provided that any county may enact
3 ordinances to regulate and grant the exemptions
4 granted by this paragraph;

5 (26) Any county may establish a captive insurance company
6 pursuant to article 19, chapter 431; ~~and~~

7 (27) Each county shall have the power to enact and enforce
8 ordinances regulating towing operations~~[--]~~; and

9 (28) Each county shall have the power to enact ordinances
10 designating alcohol impact areas pursuant to section
11 281-A."

12 SECTION 3. Section 281-1, Hawaii Revised Statutes, is
13 amended by adding a new definition to be appropriately inserted
14 and to read as follows:

15 "Alcohol impact area" means a geographic area designated
16 as such pursuant to section 281-A due to the area having been
17 adversely affected by chronic public inebriation or illegal
18 activity associated with off-premises liquor sales or
19 consumption."

20 SECTION 4. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



S.B. NO. 490

1 SECTION 5. This Act shall take effect upon its approval.

2

INTRODUCED BY: *Franne Chun Co*



Report Title:

Public Safety; Alcohol Impact Area; Chronic Public Inebriation; Liquor Commission; Liquor Control Adjudication Board; Off-premises Liquor License

Description:

Defines alcohol impact area as a geographic area designated by a county due to the area having been adversely affected by chronic public inebriation or illegal activity associated with off-premises liquor sales or consumption. Provides a county with the authority to enact an ordinance to designate an alcohol impact area and a county liquor commission or liquor adjudication board with the authority to recognize an alcohol impact area. Requires a county to submit annual reports to a county liquor commission or liquor control adjudication board and requires a county liquor commission or adjudication board to conduct an assessment of an alcohol impact area once every five years.

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

