

JAN 20 2023

A BILL FOR AN ACT

RELATING TO ALCOHOL.

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

1 SECTION 1. Section 281-1, Hawaii Revised Statutes, is
2 amended by amending the definition of "beer" to read as follows:
3 "Beer" means any alcoholic beverage containing no less
4 than 0.5 per cent alcohol by volume obtained by the [alcoholic]
5 fermentation of any infusion or decoction of [~~barley or other~~
6 ~~grain,~~ malt, [~~and hops in water.~~] wholly or in part, or any
7 substitute, including grain of any kind, bran, glucose, sugar,
8 or molasses. "Beer" includes ale, porter, brown, stout, lager
9 beer, small beer, strong beer, and alcoholic seltzer beverages.
10 "Beer" does not include sake, also known as Japanese rice wine;
11 cooler beverage; or any products of distillation, by whatever
12 name known, that contain distilled spirits, alcoholic spirits,
13 or spirits."

14 SECTION 2. Section 281-31, Hawaii Revised Statutes, is
15 amended by amending subsection (n) to read as follows:

16 "(n) Class 14. Brewpub license. A brewpub licensee:



- 1 (1) May sell malt beverages and beer manufactured on the
2 licensee's premises for consumption on the premises;
- 3 (2) May sell malt beverages and beer manufactured by the
4 licensee in brewery-sealed packages to class 3
5 wholesale dealer licensees pursuant to conditions
6 imposed by the county by ordinance or rule;
- 7 (3) May sell intoxicating liquor purchased from a class 3
8 wholesale dealer licensee to consumers for consumption
9 on the licensee's premises. The categories of
10 establishments shall be as follows:
- 11 (A) A standard bar; or
- 12 (B) Premises in which live entertainment or recorded
13 music is provided. Facilities for dancing by the
14 patrons may be permitted as provided by
15 commission rules;
- 16 (4) May, subject to federal labeling and bottling
17 requirements, sell malt beverages and beer
18 manufactured on the licensee's premises to consumers
19 in brewery-sealed kegs and recyclable or reusable
20 containers and sell malt beverages and beer
21 manufactured on the licensee's premises or purchased



1 from a class 1 manufacturer licensee, a class 3
2 wholesale dealer licensee, a class 14 brewpub
3 licensee, or a class 18 small craft producer pub
4 licensee to consumers in growlers for off-premises
5 consumption; provided that for purposes of this
6 paragraph, "growler" means a recyclable or reusable
7 container that does not exceed one gallon and is
8 securely sealed on the licensee's premises;

9 (5) Shall comply with all requirements pertaining to class
10 4 retail dealer licensees when engaging in the retail
11 sale of malt beverages[+] and beer;

12 (6) May, subject to federal labeling and bottling
13 requirements, sell malt beverages and beer
14 manufactured on the licensee's premises in brewery-
15 sealed containers directly to class 2 restaurant
16 licensees, class 3 wholesale dealer licensees, class 4
17 retail dealer licensees, class 5 dispenser licensees,
18 class 6 club licensees, class 8 transient vessel
19 licensees, class 9 tour or cruise vessel licensees,
20 class 10 special licensees, class 11 cabaret
21 licensees, class 12 hotel licensees, class 13 caterer



1 licensees, class 14 brewpub licensees, class 15
2 condominium hotel licensees, class 18 small craft
3 producer pub licensees, and consumers pursuant to
4 conditions imposed by county ordinances or rules
5 governing class 1 manufacturer licensees and class 3
6 wholesale dealer licensees;

7 (7) May conduct the activities under paragraphs (1) to (6)
8 at locations other than the licensee's primary
9 manufacturing premises; provided that:

10 (A) The manufacturing takes place in Hawaii;

11 (B) Each of the other locations:

12 (i) Operates within the State under the same
13 trade name for the premises; and

14 (ii) Is properly licensed within the county of
15 its operation as a class 1 manufacturer
16 licensee, class 2 restaurant licensee, class
17 4 retail dealer licensee, class 5 dispenser
18 licensee, class 12 hotel licensee, class 14
19 brewpub licensee, or class 18 small craft
20 producer pub licensee;



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1 (C) The county liquor commission of the county in
 2 which the licensee satellite is located shall
 3 have jurisdiction of the satellite; and

4 (D) All requirements of the license class of the
 5 location shall be in effect as required by the
 6 county liquor commission for the satellite
 7 licensed premises; and

8 (8) May allow minors, who are accompanied by a parent or
 9 legal guardian of legal drinking age, on the
 10 licensee's premises."

11 SECTION 3. Statutory material to be repealed is bracketed
 12 and stricken. New statutory material is underscored.

13 SECTION 4. This Act shall take effect on January 1, 2024.

14 INTRODUCED BY: 



S.B. NO. 717

Report Title:

Alcohol; Beer; Liquor Law; Brewpubs

Description:

Expands the definition of "beer" under the liquor regulatory laws to mean any alcoholic beverage containing no less than 0.5 per cent alcohol by volume obtained by fermentation of any infusion or decoction of malt or any substitute, including alcohol seltzer beverages and excluding sake, cooler beverages, and other distilled products. Authorizes brewpubs to sell beer they manufacture, or beer manufactured on their premises, subject to certain conditions. Effective 1/1/2024.

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

