

JAN 20 2023

A BILL FOR AN ACT

RELATING TO INTOXICATING LIQUOR.

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

1 SECTION 1. The legislature finds that outdoor events held
2 on public streets and spaces can be beneficial for communities,
3 residents, businesses, and attendees. However, the legislature
4 also finds that certain events that have caused the closure of
5 public spaces and streets have adversely affected communities
6 that serve as hosts. The frequency of permitted events,
7 particularly in Honolulu's Chinatown area, and the service and
8 consumption of liquor on the public street and sidewalk at these
9 events create noise, parking, and other problems for area
10 businesses, residents, transportation services, and law
11 enforcement officers. The legislature further finds that the
12 service and consumption of liquor at events permitted to be held
13 in public spaces must be confined to a demarcated area off the
14 public street or sidewalk.

15 Accordingly, the purpose of this Act is to restrict the
16 sale and consumption of liquor pursuant to a temporary liquor



1 license to be confined to an area that is not located on any
2 public road or sidewalk.

3 SECTION 2. Section 281-32, Hawaii Revised Statutes, is
4 amended by amending subsections (a) and (b) to read as follows:

5 "(a) A temporary license of any class and kind specified
6 in section 281-31 may be granted under the following conditions:

7 (1) The premises shall have been operated under a license
8 of the same class, kind, and category issued by the
9 liquor commission at least one year immediately prior
10 to the date of filing of the application for a
11 temporary license, except as otherwise approved by the
12 commission;

13 (2) The license of the same class, kind, and category then
14 in effect for the premises shall be surrendered in
15 [~~such~~] a manner and at [~~such~~] a time as the commission
16 shall direct;

17 (3) The applicant for a temporary license shall have filed
18 with the commission an application for a license of
19 the same class, kind, and category currently or
20 previously in effect for the premises;



- 1 (4) The application for a temporary license shall be
2 accompanied by a license fee in [~~such~~] an amount as
3 may be prescribed by the commission. If the
4 application is denied or withdrawn, the fee which
5 accompanied the application shall become a realization
6 of the county;
- 7 (5) A temporary license shall be for a period of not in
8 excess of one hundred twenty days. The license may be
9 renewed at the discretion of the commission for not
10 more than one additional one hundred twenty-day period
11 upon payment of [~~such~~] an additional fee as may be
12 prescribed by the commission and upon compliance with
13 all conditions required in this section and section
14 281-31. When a temporary license has expired and no
15 permanent license has been issued, the sale and
16 service of liquor shall cease until the permanent
17 license is issued; provided that, when applicable, the
18 license shall be properly renewed;
- 19 (6) A temporary license shall authorize the licensee to
20 purchase liquor only by payment in currency, check, or
21 certified check for the liquor before or at the time



1 of delivery of the liquor to the licensee, except as
2 otherwise provided by commission rule; [and]

3 (7) Sections 281-52 and 281-54 and sections 281-56 to 281-
4 61 shall not apply to any application for a temporary
5 license[-]; and

6 (8) A temporary licensee shall restrict the sale and
7 consumption of liquor to confined and demarcated areas
8 that shall not be located on any public road, street,
9 sidewalk, or pedestrian walkway.

10 (b) Notwithstanding any other law to the contrary, the
11 commission shall reduce submission requirements, including the
12 waiving of hearings, fees, notarization of documents, submission
13 of floor plans, and other requirements, to provide for the
14 issuance of temporary licenses for the sale of liquor for a
15 period not to exceed one day for fundraising events by nonprofit
16 organizations. A nonprofit organization granted a temporary
17 license shall restrict the sale and consumption of liquor to
18 confined and demarcated areas that shall not be located on any
19 public road, street, sidewalk, or pedestrian walkway. The
20 temporary license granted under this subsection to a nonprofit
21 organization for a fundraising event shall enable the nonprofit



1 organization to auction off, at a live or silent auction, liquor
2 in sealed or covered glass, ceramic, or metal containers or
3 services that provide liquor. No criminal history record checks
4 under section 281-53.5 shall be required; provided that the
5 commission may require a background check on the executive
6 director of the nonprofit organization.

7 For purposes of this subsection, "nonprofit organization"
8 means those charitable organizations recognized under state or
9 federal law and exempt from federal taxes under section
10 501(c)(3) of the Internal Revenue Code."

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 upon its approval.

14 INTRODUCED BY: Karl Alford



S.B. NO. 910

Report Title:

Temporary Liquor Licenses; Liquor Sales; Liquor Consumption;
Nonprofit Organizations; Public Access Areas; Restrictions

Description:

Restricts the sale of liquor under temporary liquor licenses to confined and demarcated spaces not located on public streets, roads, sidewalks, or pedestrian walkways. Applies restrictions to temporary liquor licenses granted to nonprofit organizations.

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

