

---

---

# 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 businesses,  
10 residents, transportation services, and law enforcement officers  
11 in the area. The legislature further finds that the service and  
12 consumption of liquor at events permitted to be held in public  
13 spaces must be confined to a demarcated area off the public  
14 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4           application is denied or withdrawn, the fee which  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  
4 281-61 shall not apply to any application for a  
5 temporary 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 on July 1, 2050.



**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. Effective 7/1/2050. (SD1)

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

