
A BILL FOR AN ACT

RELATING TO INTOXICATING LIQUOR.

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

1 SECTION 1. Section 281-20, Hawaii Revised Statutes, is
2 amended to read as follows:
3 "**§281-20 General right of inspection[-]; unannounced**
4 **visits.** Any investigator may, at all times, without notice and
5 without any search warrant or other legal process, visit and
6 have immediate access to every part of the premises of every
7 licensee for the purpose of making any examination or inspection
8 thereof or inquiry into the books and records therein, to
9 ascertain whether all of the conditions of the license and all
10 provisions of this chapter are being complied with by the
11 licensee. Inspections shall be conducted on an annual basis and
12 at such intervals as determined by the board to ensure the
13 health, safety, and welfare of the public. Unannounced visits
14 may be conducted during regular business hours. All inspections
15 relating to follow-up visits, visits to confirm correction of
16 deficiencies, or visits to investigate complaints shall be
17 conducted unannounced."



1 SECTION 2. Section 281-31, Hawaii Revised Statutes, is
2 amended as follows:

3 1. By amending subsection (f) to read:

4 "(f) Class 5. Dispenser license.

5 (1) A license under this class shall authorize the
6 licensee to sell liquor specified in this subsection
7 for consumption on the premises. A licensee under
8 this class shall be issued a license according to the
9 category of establishment the licensee owns or
10 operates. The categories of establishments shall be
11 as follows:

12 (A) A standard bar;

13 (B) Premises in which a person performs or entertains
14 unclothed or in attire restricted to use by
15 entertainers pursuant to commission rules; or

16 (C) Premises in which live entertainment or recorded
17 music is provided; provided that facilities for
18 dancing by the patrons may be permitted as
19 provided by commission rules [~~†~~ ~~or~~

20 ~~(D) Premises in which employees or entertainers are~~
21 ~~compensated to sit with patrons, regardless of~~



1 ~~whether the employees or entertainers are~~
2 ~~consuming nonalcoholic beverages while in the~~
3 ~~company of the patrons pursuant to commission~~
4 ~~rules].~~

5 (2) If a licensee under class 5 desires to change the
6 category of establishment the licensee owns or
7 operates, the licensee shall apply for a new license
8 applicable to the category of the licensee's
9 establishment.

10 (3) Of this class, there shall be the following kinds:

- 11 (A) General (includes all liquor except alcohol);
12 (B) Beer and wine; and
13 (C) Beer."

14 2. By amending subsection (k) to read:

15 "(k) Class 11. Cabaret license. A cabaret license shall
16 be general only but shall exclude alcohol and shall authorize
17 the sale of liquor for consumption on the premises. A cabaret
18 license shall be issued only for premises where [~~food is~~
19 ~~served~~7] facilities for dancing by the patrons including a dance
20 floor are provided[7] and live or amplified recorded music or
21 professional entertainment, except professional entertainment by



1 a person who performs or entertains unclothed, is provided for
2 the patrons; provided that professional entertainment by persons
3 who perform or entertain unclothed shall be authorized by:

4 (1) A cabaret license for premises where professional
5 entertainment by persons who perform or entertain
6 unclothed was presented on a regular and consistent
7 basis immediately prior to June 15, 1990; or

8 (2) A cabaret license that, pursuant to rules adopted by
9 the liquor commission, permits professional
10 entertainment by persons who perform or entertain
11 unclothed.

12 A cabaret license under paragraph (1) or (2) authorizing
13 professional entertainment by persons who perform or entertain
14 unclothed shall be transferable through June 30, 2000. A
15 cabaret license under paragraph (1) or (2) authorizing
16 professional entertainment by persons who perform or entertain
17 unclothed shall not be transferable after June 30, 2000, except
18 upon approval by the liquor commission and pursuant to rules
19 adopted by the commission. Notwithstanding any rule of the
20 liquor commission to the contrary, cabarets in resort areas may
21 be opened for the transaction of business until 4 a.m.



1 throughout the entire week. A cabaret license shall not be
2 issued for any premises located within an apartment mixed use
3 subprecinct within a special improvement or special district in
4 which the economy is primarily based on tourism."

5 SECTION 3. Section 281-79, Hawaii Revised Statutes, is
6 amended to read as follows:

7 **"§281-79 Entry for examination; obstructing liquor**
8 **commission operations; penalty.** Every investigator shall, and
9 any police officer [~~having police power~~] may, at all reasonable
10 times, and at any time whatsoever if there is any reasonable
11 ground for suspicion that the conditions of any license are
12 being violated, without warrant enter into and upon any licensed
13 premises and inspect the same and every part thereof, and any
14 books or records therein, to ascertain whether or not all
15 conditions of the license and all provisions of this chapter are
16 being complied with by the licensee.

17 If any investigator or officer, or any person called by the
18 investigator or officer to the investigator's or officer's aid,
19 is threatened with the use of violence, force, or physical
20 interference or obstacle, or is hindered, obstructed, or
21 prevented by any licensee, the licensee's employees, or any



1 other person from entering into the premises, or whenever any
2 investigator or officer is by any licensee, the licensee's
3 employees, or any other person opposed, obstructed, or molested
4 in the performance of the officer's duty in any respect, the
5 licensee, the licensee's employee, or any other person shall be
6 fined not more than \$2,000 or imprisoned not more than one year,
7 or both.

8 Whenever any investigator or police officer, having
9 demanded admittance into any licensed premises and declared the
10 investigator's or police officer's name and office, is not
11 admitted by the licensee or the person in charge of the
12 premises, it shall be lawful for the investigator or police
13 officer to [~~forcibly and in any manner to break into and~~] use
14 reasonable force to enter the premises."

15 SECTION 4. This Act does not affect rights and duties that
16 matured, penalties that were incurred, and proceedings that were
17 begun before its effective date.

18 SECTION 5. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 6. This Act shall take effect on July 1, 2025.

21



H.B. NO. 208

INTRODUCED BY:

 (B/R)

JAN 15 2025



H.B. NO. 208

Report Title:

Intoxicating Liquor; Inspection; Licensees; Standard Bar;
Obstruction

Description:

Establishes when unannounced visits and inspections may be conducted. Repeals a category for dispenser licenses in which employees sit with patrons. Clarifies the investigator's and police officer's authority to enter a liquor premises if they are denied admittance.

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

