

## ACT 3

H.B. NO. 1086

A Bill for an Act Relating to the Sale of Liquor on Election Days.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 281-78, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

- (a) At no time under any circumstances shall any liquor:
  - (1) Be consumed on any public highway or any public sidewalk;
  - (2) Be sold or furnished by any licensee to:
    - (A) Any minor,
    - (B) Any person at the time under the influence of liquor,
    - (C) Any person known to the licensee to be addicted to the excessive use of intoxicating liquor, or
    - (D) Any person for consumption in any vehicle on the licensed premises;

Provided, that the sale of liquor to a minor shall not be deemed to be a violation of this subsection if, in making the sale the licensee was misled by the appearance of the minor and the attending circumstances into honestly believing that such minor was of legal age and the licensee acted in good faith, and it shall be incumbent upon the licensee to prove that he so acted in good faith;

- (3) Be consumed on the premises of a licensee or on any premises connected therewith, whether there purchased or not, except as permitted by the terms of the license;
- (4) Be sold or served by any minor upon any licensed premises except in such individually specified licensed establishments found to be otherwise suitable by the liquor commission in which an approved program of job training and employment for dining room waiters and

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waitresses is being conducted in cooperation with the University of Hawaii, or the state community college system, or a federally sponsored manpower development and training program, under arrangements which ensure proper control and supervision of employees.

SECTION 2. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.\*

SECTION 3. This Act shall take effect upon its approval.

(Approved March 31, 1976.)

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\*Edited accordingly.