

ACT 39

S.B. NO. 2230-76

A Bill for an Act Relating to the Liquor Tax Law.

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

SECTION 1. Section 244-4, Hawaii Revised Statutes, is amended to read as follows:

“Sec. 244-4 Tax; limitations. Every person who sells or uses any liquor not taxable under this chapter in respect of the transaction by which such person or his vendor acquired such liquor, shall pay an excise tax which is hereby imposed, equal to twenty per cent of the wholesale price of the liquor so sold or used; provided, that the tax shall be paid only once upon the same liquor; provided, further, that the tax shall not apply to:

- (1) Liquor held for sale by a permittee but not yet sold;
- (2) Liquor sold by one permittee to another permittee;
- (3) Liquor which is neither delivered in the State nor to be used in the State, or which under the Constitution and laws of the United States cannot be legally subjected to the tax imposed by this chapter so long as and to the extent to which the State is without power to impose the tax;
- (4) Liquor sold for sacramental purposes or the use of liquor for sacramental purposes, or any liquor imported pursuant to section 281-33;

- (5) Alcohol sold pursuant to section 281-37 to a person holding a purchase permit or prescription therefor, or any sale or use of alcohol, so purchased, for other than beverage purposes;
- (6) Okolehao manufactured in the State for the period May 17, 1971 to June 30, 1981; or
- (7) Any fruit wine manufactured in the State from products grown in the State for the period May 17, 1976 to June 30, 1981.”

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 Statutory material to be repealed is bracketed.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, upon its approval, shall take effect on May 17, 1976.

(Approved May 3, 1976.)

*Edited accordingly.