

ACT 145

S.B. NO. 121

A Bill for an Act Relating to Brewpub Licenses.

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

SECTION 1. Section 281-31, Hawaii Revised Statutes, is amended by amending subsection (o) to read as follows:

“(o) Class 14. Brewpub licenses. A brewpub licensee:

- (1) Shall manufacture not more than ten thousand barrels of malt beverages on the licensee’s premises during the license year;
- (2) May sell malt beverages manufactured on the licensee’s premises for consumption on the premises;
- (3) May sell malt beverages manufactured by the licensee in brewery-sealed packages to class 3, wholesale dealer licensees pursuant to conditions imposed by county planning and public works departments;
- (4) May sell intoxicating liquor, purchased from a class 1, manufacturer licensee, or a class 3, wholesale dealer’s licensee, to consumers for consumption on the licensee’s premises; provided that the premises is

owned and operated by the licensee. The categories of establishments shall be as follows:

- (A) A standard bar; or
 - (B) Premises in which live entertainment or recorded music is provided. Facilities for dancing by the patrons may be permitted as provided by commission rules;
- (5) May sell malt beverages manufactured on the licensee's premises to consumers in brewery-sealed kegs and growlers for off-premises consumption; provided that for purposes of this [{}paragraph,{}] "growler" means a glass container, not to exceed one half-gallon, that may be securely sealed;
 - (6) May sell malt beverages manufactured on the licensee's premises to consumers, in [~~glass~~] recyclable containers that may be provided by the licensee or by the consumer, not to exceed one gallon per container, that are securely sealed on the licensee's premises, for off-premises consumption;
 - (7) Shall comply with all regulations pertaining to class 4 retail licensees when engaging in the retail sale of malt beverages;
 - (8) May sell malt beverages manufactured on the licensee's premises in brewery-sealed containers directly to class 2 restaurant licensees, class 3 wholesale dealer licensees, class 4 retail dealer licensees, class 5 dispensers' licensees, class 6 club licensees, class 7, 8, and 9 vessel licensees, transient vessel licensees, tour or cruise vessel licensees, class 10 special licensees, class 11 cabaret licensees, class 12 hotel licensees, and class 13 caterer licensees, pursuant to conditions imposed by county planning and public works departments and regulations governing class 3 wholesale dealers licensees; and
 - (9) May conduct the activities described in paragraphs (1) through (8) at one location other than the licensee's premises; provided that the manufacturing takes place in Hawaii; and provided further the other location is properly licensed by the same ownership."

SECTION 2. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

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

(Approved June 22, 2005.)