

ACT 44

H.B. NO. 1819

A Bill for an Act Relating to Chapter 281, Hawaii Revised Statutes.

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

SECTION 1. Section 281-35, Hawaii Revised Statutes, is amended to read as follows:

“§281-35 Special conditions, club licenses. No liquor shall be sold under a club license to any person not a member of the club nor a guest thereof enjoying the privilege of membership, but a member or a guest enjoying the privileges of membership may purchase liquor for consumption on the premises by the person’s own guests. ~~[No guest of a member or of a guest enjoying the privileges of membership shall purchase or be permitted to purchase liquor on the premises.]~~

The liquor commission may by regulations require the keeping and posting of lists of the members of a club, and the keeping and production of records as to membership and the registration of guests enjoying the privileges of membership.

No liquor shall be sold or kept for sale at any club except by the club itself pursuant to its license. If any liquor is sold or kept on the club premises for sale or barter by any member, employee, or person other than the club itself, the club shall be deemed to be selling without a license whether it holds its own license or not.”

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SECTION 2. Section 281-41, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) A county may increase the requirements for transfers of class 5, category [(2)] (B) and [(4),] (D), and class 11 licenses by ordinance designating one or more areas within the county as special liquor districts and specifying the requirements applicable to transfers of any of these licenses within each district.”

SECTION 3. Section 281-94, Hawaii Revised Statutes, is amended to read as follows:

“**§281-94 Forfeiture of fee paid.** If any license is revoked [~~and~~] or canceled by the liquor commission or liquor control adjudication board, the fee paid for the license or any unexpended portion thereof shall be forfeited to the county [~~as respects the unexpired portion of the fee paid for the license~~].”

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

(Approved April 27, 2006.)