

ACT 150

S.B. NO. 88

A Bill for an Act Relating to Intoxicating Liquors in Public Housing.

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) No person shall ~~[consume any liquor on any]~~:

- (1) ~~[Public] Consume any liquor on any public~~ highway, except as permitted in section 291-3.4;
- (2) ~~[Public] Consume any liquor on any public~~ sidewalk, including any sidewalk within a public housing project ~~[as defined in section 356D-1 or 356D-91; or]~~;
- (3) ~~[Common] Consume any liquor on any common~~ area of a public housing project ~~[as defined in section 356D-1 or 356D-91. For purposes of this paragraph, “common area” means roofs, halls, corridors, lobbies, stairs, stairways, fire escapes, entrances and [exits] of the building or buildings, basements, yards, gardens, recreational facilities, parking areas, storage spaces, and other parts of the project normally in common use or other areas designated by the Hawaii public housing authority.]; or~~
- (4) Possess or keep, while on any sidewalk or common area within a public housing project, any bottle, can, or other receptacle containing any intoxicating liquor that has been opened, that has a broken seal, or the contents of which have been partially removed.

For purposes of this subsection:

“Common area” means roofs, halls, corridors, lobbies, stairs, stairways, fire escapes, entrances and exits of the building or buildings, basements, yards, gardens, recreational facilities, parking areas, storage spaces, and other parts of the project normally in common use or other areas designated by the Hawaii public housing authority.

“Public housing project” means any state or federal public housing project as defined in section 356D-1 or 356D-91 or a state low-income housing project as defined in section 356D-51.”

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 Statutory material to be repealed is bracketed and stricken.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 21, 2013.)