

## ACT 92

H.B. NO. 2414

A Bill for an Act Relating to Liquor Licenses.

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

SECTION 1. Section 281-32, Hawaii Revised Statutes, is amended to read as follows:

**“§281-32 Licenses, temporary. (a)** A temporary license of any class and kind specified in section 281-31 may be granted under the following conditions:

- (1) The premises shall have been operated under a license of the same class, kind, and category issued by the liquor commission at least one year immediately prior to the date of filing of the application for a temporary license, except as otherwise approved by the commission;
- (2) The license of the same class, kind, and category then in effect for the premises shall be surrendered in such manner and at such time as the commission shall direct;
- (3) The applicant for a temporary license shall have filed with the commission an application for a license of the same class, kind, and category currently or previously in effect for the premises;
- (4) The application for a temporary license shall be accompanied by a license fee in such amount as may be prescribed by the commission. If the application is denied or withdrawn, the fee which accompanied the application shall become a realization of the county;
- (5) A temporary license shall be for a period of not in excess of one hundred ~~and~~ twenty days. The license may be renewed at the discretion of the commission for not more than one additional one hundred twenty-day period upon payment of such additional fee as may be prescribed by the commission and upon compliance with all conditions required in this section and section 281-31. When a temporary license has expired and no permanent license has been issued, the sale and service of liquor shall cease until the permanent license is issued; provided that, when applicable, the license shall be properly renewed;
- (6) A temporary license shall authorize the licensee to purchase liquor only by payment in currency, check, or certified check for the liquor before or at the time of delivery of the liquor to the licensee, except as otherwise provided by commission rule; and
- (7) Sections 281-52 and 281-54 and sections 281-56 to 281-61 shall not apply to any application for a temporary license.

**(b) Notwithstanding any other law to the contrary, the commission shall reduce submission requirements, including the waiving of hearings, fees, notarization of documents, submission of floor plans, and other requirements, to provide for the issuance of temporary licenses for the sale of liquor for a period not to exceed one day for fundraising events by nonprofit organizations.**

The temporary license granted under this subsection to a nonprofit organization for a fundraising event shall enable the nonprofit organization to auction off, at a live or silent auction, liquor in sealed or covered glass, ceramic, or metal containers or services that provide liquor. No criminal history record checks under section 281-53.5 shall be required; provided that the commission may require a background check on the executive director of the nonprofit organization.

For purposes of this subsection, "nonprofit organization" means those charitable organizations recognized under state or federal law and exempt from federal taxes under section 501(c)(3) of the Internal Revenue Code.

(c) The commission may adopt rules to implement this section."

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 29, 2018.)