
A BILL FOR AN ACT

RELATING TO INTOXICATING LIQUOR.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 281, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:
4 "§281- Identification required. (a) Any person
5 consuming liquor on any licensed premises or on property under
6 the control of the licensee and operated in conjunction with the
7 establishment shall carry personal identification.
8 (b) Subsection (a) shall not apply to a person who is
9 under the age of twenty-one and, with parental authorization, is
10 participating in a controlled purchase as part of a law
11 enforcement activity or a government authorized statistical
12 study under the direct supervision of law enforcement to
13 determine the levels of incidence of the sale or furnishing of
14 liquor to persons under the age of twenty-one.
15 (c) Licensees shall be responsible for the proper checking
16 of the personal identification of any person wishing to purchase



1 liquor, prior to the selling or serving of liquor to that
2 person.

3 (d) As used in this section, "personal identification"
4 means an official state driver's license, military
5 identification card, official government identification
6 containing a photograph, or an identification document approved
7 by the liquor commission of the respective county."

8 SECTION 2. Section 281-71, Hawaii Revised Statutes, is
9 amended to read as follows:

10 **"§281-71 Posting of license.** Every license issued and in
11 effect under this chapter shall at all times be conspicuously
12 posted and exposed to view, convenient for inspection, on the
13 licensed premises. The licensee shall also post a copy of the
14 license where it shall be clearly visible to persons in any
15 parking lot immediately adjacent to the licensed premises. The
16 licensee shall post, adjacent to the posted copy of the license
17 and in any other parking lot under the control of or operated in
18 conjunction with the licensed establishment, a notice that the
19 provisions of section 281-78(a)(5) shall be applicable. For
20 failure thereof the license may be suspended or revoked by the
21 liquor commission or liquor control adjudication board."



SECTION 3. Section 281-78, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) No person shall:

(1) Consume any liquor on any public highway, except as permitted in section 291-3.4;

(2) Consume any liquor on any public sidewalk, including any sidewalk within a public housing project;

(3) Consume any liquor on any common area of a public housing project; ~~[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~~[-]~~; or

(5) Consume any liquor while on or remaining in the licensed premises and any parking lot under the control of or operated in conjunction with the establishment after the hours of operation of the licensee, without the express written permission of the licensee. Any person violating this paragraph shall be guilty of a misdemeanor.



1 For purposes of this subsection:

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

8 "Public housing project" means any state or federal public
9 housing project as defined in section 356D-1 or 356D-91 or a
10 state low-income housing project as defined in section 356D-51."

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

13 SECTION 5. This Act shall take effect on July 1, 2050.



Report Title:

Intoxicating Liquor; Identification Requirements; Parking Lot Areas; Posting Requirements; Misdemeanor

Description:

Specifies ID requirements for any person consuming alcohol on licensed premises or property under the control of a licensee. Specifies licensee posting requirements. Prohibits any person from consuming liquor while on or in the licensed premises after the hours of operation unless permitted by licensee and imposes a criminal penalty. (HB2229 HD1)

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