

JAN 17 2018

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- Sale to minors prohibited; identification
5 required. (a) No licensee shall serve or sell intoxicating
6 liquor to a minor. For purposes of this subsection, prior to
7 serving liquor to a customer, a licensee shall confirm the age
8 of the customer by requiring the customer to present personal
9 identification as provided in subsection (b).

10 (b) Any person consuming alcohol on any licensed premises
11 or on property under the control of or operated in conjunction
12 with the licensed premises shall, upon request of the licensee,
13 present personal identification to confirm the person is twenty-
14 one years of age or older.

15 (c) For purposes of this section, "personal
16 identification" refers to identification that contains the birth
17 date and a photograph of the customer, including a state



1 driver's license, military identification card, other official
2 government identification, or other form of identification
3 approved by the commission."

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

6 **§281-71 Posting of license.** (a) Every license issued and
7 in effect under this chapter shall at all times be
8 [conspicuously]:

9 (1) Conspicuously posted and exposed to view, convenient
10 for inspection, on the licensed premises[-]; and
11 (2) Posted in the parking lot immediately adjacent to the
12 licensed premises and in any other parking lot under
13 the control of or operated in conjunction with the
14 licensed premises; provided that posting of a copy of
15 the license shall suffice for this paragraph; provided
16 further that the posting shall include a notice of the
17 prohibition under section 281-78(a)(5).

18 (b) [For failure thereof the license may be suspended or
19 revoked] Violation of this section by the licensee shall subject
20 the licensee to suspension or revocation of the license by the
21 liquor commission or liquor control adjudication board."



S.B. NO. 2012

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 posted premises of any licensee after the hours of operation of the licensed premises, without the express written permission of the licensee; provided that notwithstanding section 281-102, a person who violates this paragraph shall be subject to imprisonment not to



1 exceed one year or a fine not to exceed \$2,000, or
2 both.

3 For purposes of this subsection:

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

10 "Posted premises" means the licensed premises, any parking
11 immediately adjacent to the licensed premises, and any parking
12 lot under the control of or operated in conjunction with the
13 licensed premises.

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

17 SECTION 4. This Act does not affect rights and duties that
18 matured, penalties that were incurred, and proceedings that were
19 begun before its effective date.

20 SECTION 5. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



S.B. NO. 2012

1 SECTION 6. This Act shall take effect upon its approval.

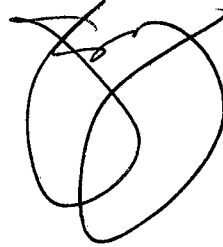
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INTRODUCED BY:

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S.B. NO. 2012

Report Title:

Intoxicating Liquor; Identification Required; Liquor Establishments

Description:

Requires any person consuming alcohol to confirm age by carrying personal identification on any licensed premises or on property under the control of or operated in conjunction with the licensed premises. Requires liquor license to be conspicuously posted in certain parking lots in addition to on licensed premises. Prohibits consumption of any liquor while on or remaining in the posted premises of any licensee after the hours of operation of the licensed premises without written permission of the licensee and provides penalties. Defines posted premises.

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