

JAN 19 2018

A BILL FOR AN ACT

RELATING TO INTOXICATING LIQUOR.

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

1 SECTION 1. The legislature finds that state law does not
2 fully encompass the needs of the craft brewing industry.
3 Similar to wineries, craft breweries allow guests to visit the
4 production location and satellite tasting rooms for tours and
5 educational opportunities. These locations provide sample
6 tastings and information on the beverages being served while
7 also educating visitors on the local nature of the company.

8 Although state laws do not restrict minors from being
9 present in the tasting rooms for brewpub and small craft
10 producer pub licensees, some counties prohibit minors from being
11 present unless the minor is ordering or consuming food from a
12 licensed kitchen on the premises.

13 Considering that the majority of brewing jobs in the State
14 are filled with applicants from the continental United States
15 and abroad, the legislature finds that allowing minors on craft
16 brewery premises, particularly in tasting rooms, provides an



1 opportunity for potential applicants to learn and gain interest
2 in Hawaii's prevalent service industry.

3 The purpose of this Act is to permit brewpub and small
4 craft producer pub licensees to allow minors on the licensee's
5 premises under certain circumstances.

6 SECTION 2. Section 281-31, Hawaii Revised Statutes, is
7 amended as follows:

8 1. By amending subsection (n) to read:

9 "(n) Class 14. Brewpub license. A brewpub licensee:

10 (1) May sell malt beverages manufactured on the licensee's
11 premises for consumption on the premises;

12 (2) May sell malt beverages manufactured by the licensee
13 in brewery-sealed packages to class 3 wholesale dealer
14 licensees pursuant to conditions imposed by the county
15 by ordinance or rule;

16 (3) May sell intoxicating liquor purchased from a class 3
17 wholesale dealer licensee to consumers for consumption
18 on the licensee's premises. The categories of
19 establishments shall be as follows:

20 (A) A standard bar; or



1 (B) Premises in which live entertainment or recorded
2 music is provided. Facilities for dancing by the
3 patrons may be permitted as provided by
4 commission rules;

5 (4) May, subject to federal labeling and bottling
6 requirements, sell malt beverages manufactured on the
7 licensee's premises to consumers in brewery-sealed
8 kegs and sell malt beverages manufactured on the
9 licensee's premises or purchased from a class 1
10 manufacturer licensee, a class 3 wholesale dealer
11 licensee, a class 14 brewpub licensee, or a class 18
12 small craft producer pub licensee to consumers in
13 growlers for off-premises consumption; provided that
14 for purposes of this paragraph, "growler" means a
15 glass, ceramic, or metal container, not to exceed one
16 half-gallon, which shall be securely sealed;

17 (5) May, subject to federal labeling and bottling
18 requirements, sell malt beverages manufactured on the
19 licensee's premises in recyclable containers provided
20 by the licensee or by the consumer which do not exceed
21 one gallon per container and are securely sealed on



1 the licensee's premises to consumers for off-premises
2 consumption;

3 (6) Shall comply with all regulations pertaining to class
4 4 retail dealer licensees when engaging in the retail
5 sale of malt beverages;

6 (7) May, subject to federal labeling and bottling
7 requirements, sell malt beverages manufactured on the
8 licensee's premises in brewery-sealed containers
9 directly to class 2 restaurant licensees, class 3
10 wholesale dealer licensees, class 4 retail dealer
11 licensees, class 5 dispenser licensees, class 6 club
12 licensees, class 8 transient vessel licensees, class 9
13 tour or cruise vessel licensees, class 10 special
14 licensees, class 11 cabaret licensees, class 12 hotel
15 licensees, class 13 caterer licensees, class 14
16 brewpub licensees, class 15 condominium hotel
17 licensees, class 18 small craft producer pub
18 licensees, and consumers pursuant to conditions
19 imposed by county regulations governing class 1
20 manufacturer licensees and class 3 wholesale dealer
21 licensees; [and]



1 (8) May conduct the activities under paragraphs (1) to (7)
2 at one location other than the licensee's premises;
3 provided that:

4 (A) The manufacturing takes place in Hawaii; and

5 (B) The other location is properly licensed under the
6 same ownership[-]; and

7 (9) May allow minors, who are accompanied by a parent or
8 legal guardian of legal drinking age, on the
9 licensee's premises."

10 2. By amending subsection (r) to read:

11 "(r) Class 18. Small craft producer pub license. A small
12 craft producer pub licensee:

13 (1) Shall manufacture not more than:

14 (A) Sixty thousand barrels of malt beverages;

15 (B) Twenty thousand barrels of wine; or

16 (C) Seven thousand five hundred barrels of alcohol on
17 the licensee's premises during the license year;

18 provided that for purposes of this paragraph, "barrel"

19 means a container not exceeding thirty-one gallons or

20 wine gallons of liquor;



- 1 (2) May sell malt beverages, wine, or alcohol manufactured
2 on the licensee's premises for consumption on the
3 premises;
- 4 (3) May sell malt beverages, wine, or alcohol manufactured
5 by the licensee in producer-sealed packages to class 3
6 wholesale dealer licensees pursuant to conditions
7 imposed by the county by ordinance or rule;
- 8 (4) May sell intoxicating liquor purchased from a class 3
9 wholesale dealer licensee to consumers for consumption
10 on the licensee's premises. The categories of
11 establishments shall be as follows:
- 12 (A) A standard bar; or
- 13 (B) Premises in which live entertainment or recorded
14 music is provided. Facilities for dancing by the
15 patrons may be permitted as provided by
16 commission rules;
- 17 (5) May, subject to federal labeling and bottling
18 requirements, sell malt beverages manufactured on the
19 licensee's premises to consumers in producer-sealed
20 kegs and sell malt beverages manufactured on the
21 licensee's premises or purchased from a class 1



1 manufacturer licensee, a class 3 wholesale dealer
2 licensee, a class 14 brewpub licensee, or a class 18
3 small craft producer pub licensee to consumers in
4 growlers for off-premises consumption; provided that
5 for purposes of this paragraph, "growler" means a
6 glass, ceramic, or metal container, not to exceed one
7 half-gallon, which shall be securely sealed;

8 (6) May, subject to federal labeling and bottling
9 requirements, sell malt beverages, wine, or alcohol
10 manufactured on the licensee's premises in recyclable
11 containers provided by the licensee or by the consumer
12 which do not exceed:

13 (A) One gallon per container for malt beverages and
14 wine; and

15 (B) One liter for alcohol; and
16 are securely sealed on the licensee's premises to
17 consumers for off-premises consumption;

18 (7) Shall comply with all regulations pertaining to class
19 4 retail dealer licensees when engaging in the retail
20 sale of malt beverages, wine, and alcohol;



- 1 (8) May, subject to federal labeling and bottling
2 requirements, sell malt beverages, wine, and alcohol
3 manufactured on the licensee's premises in producer-
4 sealed containers directly to class 2 restaurant
5 licensees, class 3 wholesale dealer licensees, class 4
6 retail dealer licensees, class 5 dispenser licensees,
7 class 6 club licensees, class 8 transient vessel
8 licensees, class 9 tour or cruise vessel licensees,
9 class 10 special licensees, class 11 cabaret
10 licensees, class 12 hotel licensees, class 13 caterer
11 licensees, class 14 brewpub licensees, class 15
12 condominium hotel licensees, class 18 small craft
13 producer pub licensees, and consumers pursuant to
14 conditions imposed by county regulations governing
15 class 1 manufacturer licensees and class 3 wholesale
16 dealer licensees; ~~and~~
17 (9) May conduct the activities under paragraphs (1) to (8)
18 at one location other than the licensee's premises;
19 provided that:
20 (A) The manufacturing takes place in Hawaii; and



1 (B) The other location is properly licensed under the
2 same ownership[-]; and

3 (10) May allow minors, who are accompanied by a parent or
4 legal guardian of legal drinking age, on the
5 licensee's premises."

6 SECTION 3. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 4. This Act shall take effect on July 1, 2018.

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INTRODUCED BY: _____

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S.B. NO. 2710

Report Title:

Brewpub License; Small Craft Producer Pub License; Minors

Description:

Permits brewpub and small craft producer pub licensees to allow minors, who are accompanied by a parent or legal guardian of legal drinking age, on the licensee's premises.

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