

JAN 22 2021

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# A BILL FOR AN ACT

RELATING TO LIQUOR LICENSES.

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

1           SECTION 1. Section 281-53.5, Hawaii Revised Statutes, is  
2 amended by amending subsections (a) and (b) to read as follows:  
3           "(a) The respective county liquor commissions may request  
4 a criminal history record check covering the preceding ten-year  
5 period of an applicant for a liquor license in accordance with  
6 section 846-2.7; provided that neither a criminal history record  
7 check nor compliance with this section shall be required for the  
8 officers and directors of publicly-traded companies or entities  
9 ultimately solely owned by a publicly-traded company, who are  
10 not designated as primary decision-makers regarding the sale or  
11 purchase of liquor. The criminal history record check, at a  
12 minimum, shall require the applicant to disclose whether:  
13           (1) The applicant has been convicted in any jurisdiction  
14           at any time of a crime [~~that would tend to indicate~~  
15           ~~the applicant may be unsuited for obtaining a liquor~~  
16           ~~license~~] related to products regulated by Chapter 51



1           or 52 of the Internal Revenue Code or the Federal  
2           Alcohol Administration Act; and

3           (2) The judgment of conviction has not been vacated.

4           For the purpose of this section, the criminal history  
5 disclosure made by the applicant may be verified by the liquor  
6 commission by means of information obtained through the Hawaii  
7 criminal justice data center. The applicant shall provide the  
8 Hawaii criminal justice data center with personal identifying  
9 information which shall include but not be limited to the  
10 applicant's name, social security number, date of birth, and  
11 gender. This information shall be secured only for the purpose  
12 of conducting the criminal history record check authorized by  
13 this section.

14           (b) The applicant shall submit to the liquor commission:

15           (1) A statement signed under penalty of law as to whether  
16           the applicant has ever been convicted of a crime other  
17           than a minor traffic violation[+] within the last ten  
18           years;

19           (2) Written consent to request and obtain criminal history  
20           record information for verification; and

21           (3) Permission to be fingerprinted."

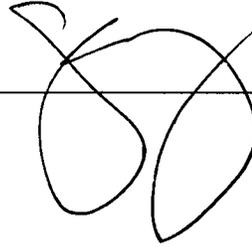


1 SECTION 2. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: \_\_\_\_\_

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# S.B. NO. 922

**Report Title:**

Liquor License; Liquor Commission; Criminal History

**Description:**

Limits the convictions that may be used by the liquor commission in review of an application from convictions in the most recent ten years. Mandates an applicant to disclose specific disqualifying convictions related to any federal or state law related to products regulated by Chapter 51 or 52 of the Internal Revenue Code or the Federal Alcohol Administration Act.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

