
A BILL FOR AN ACT

RELATING TO ALCOHOL.

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

1 SECTION 1. Section 244D-1, Hawaii Revised Statutes, is
2 amended by amending the definition of "beer" to read as follows:
3 "Beer" means any alcoholic beverage containing no less
4 than 0.5 per cent alcohol by volume obtained by the fermentation
5 or any infusion or decoction of [~~barley,~~] malt, [~~hops, or any~~
6 ~~other similar product, or any combination thereof in water, and~~]
7 wholly or in part, or any substitute, including grain of any
8 kind, bran, glucose, sugar, or molasses. "Beer" includes ale,
9 porter, brown, stout, lager beer, small beer, [~~and~~] strong beer
10 [~~but~~], and alcoholic seltzer beverages. "Beer" does not include
11 sake, also known as Japanese rice wine[~~, or~~]; cooler
12 beverage[~~-~~]; or any products of distillation, by whatever name
13 known, that contain distilled spirits, alcoholic spirits, or
14 spirits."

15 SECTION 2. Section 281-1, Hawaii Revised Statutes, is
16 amended by amending the definition of "beer" to read as follows:



1 "Beer" means any alcoholic beverage containing no less
2 than 0.5 per cent alcohol by volume obtained by the [~~alcoholic~~]
3 fermentation of any infusion or decoction of [~~barley or other~~
4 ~~grain,~~ malt, [~~and hops in water.~~] wholly or in part, or any
5 substitute, including grain of any kind, bran, glucose, sugar,
6 or molasses. "Beer" includes ale, porter, brown, stout, lager
7 beer, small beer, strong beer, and alcoholic seltzer beverages.
8 "Beer" does not include sake, also known as Japanese rice wine;
9 cooler beverage; or any products of distillation, by whatever
10 name known, that contain distilled spirits, alcoholic spirits,
11 or spirits."

12 SECTION 3. Section 281-31, Hawaii Revised Statutes, is
13 amended by amending subsection (n) to read as follows:

14 "(n) Class 14. Brewpub license. A brewpub licensee:
15 (1) May sell malt beverages and beer manufactured on the
16 licensee's premises for consumption on the premises;
17 (2) May sell malt beverages and beer manufactured by the
18 licensee in brewery-sealed packages to class 3
19 wholesale dealer licensees pursuant to conditions
20 imposed by the county by ordinance or rule;



1 (3) May sell intoxicating liquor purchased from a class 3
2 wholesale dealer licensee to consumers for consumption
3 on the licensee's premises. The categories of
4 establishments shall be as follows:
5 (A) A standard bar; or
6 (B) Premises in which live entertainment or recorded
7 music is provided. Facilities for dancing by the
8 patrons may be permitted as provided by
9 commission rules;

10 (4) May, subject to federal labeling and bottling
11 requirements, sell malt beverages and beer
12 manufactured on the licensee's premises to consumers
13 in brewery-sealed kegs and recyclable or reusable
14 containers and sell malt beverages and beer
15 manufactured on the licensee's premises or purchased
16 from a class 1 manufacturer licensee, a class 3
17 wholesale dealer licensee, a class 14 brewpub
18 licensee, or a class 18 small craft producer pub
19 licensee to consumers in growlers for off-premises
20 consumption; provided that for purposes of this
21 paragraph, "growler" means a recyclable or reusable



1 container that does not exceed one gallon and is
2 securely sealed on the licensee's premises;
3 (5) Shall comply with all requirements pertaining to class
4 4 retail dealer licensees when engaging in the retail
5 sale of malt beverages[+] and beer;
6 (6) May, subject to federal labeling and bottling
7 requirements, sell malt beverages and beer
8 manufactured on the licensee's premises in brewery-
9 sealed containers directly to class 2 restaurant
10 licensees, class 3 wholesale dealer licensees, class 4
11 retail dealer licensees, class 5 dispenser licensees,
12 class 6 club licensees, class 8 transient vessel
13 licensees, class 9 tour or cruise vessel licensees,
14 class 10 special licensees, class 11 cabaret
15 licensees, class 12 hotel licensees, class 13 caterer
16 licensees, class 14 brewpub licensees, class 15
17 condominium hotel licensees, class 18 small craft
18 producer pub licensees, and consumers pursuant to
19 conditions imposed by county ordinances or rules
20 governing class 1 manufacturer licensees and class 3
21 wholesale dealer licensees;



- 1 (7) May conduct the activities under paragraphs (1) to (6)
2 at locations other than the licensee's primary
3 manufacturing premises; provided that:
- 4 (A) The manufacturing takes place in [~~Hawaii,~~] the
5 State;
- 6 (B) Each of the other locations:
- 7 (i) Operates within the State under the same
8 trade name for the premises; and
- 9 (ii) Is properly licensed within the county of
10 its operation as a class 1 manufacturer
11 licensee, class 2 restaurant licensee, class
12 4 retail dealer licensee, class 5 dispenser
13 licensee, class 12 hotel licensee, class 14
14 brewpub licensee, or class 18 small craft
15 producer pub licensee;
- 16 (C) The county liquor commission of the county in
17 which the licensee satellite is located shall
18 have jurisdiction of the satellite; and
- 19 (D) All requirements of the license class of the
20 location shall be in effect as required by the



1 county liquor commission for the satellite
2 licensed premises; and
3 (8) 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 4. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 5. This Act shall take effect on June 30, 3000.



Report Title:

Alcohol; Beer; Liquor Tax Law; Liquor Law; Brewpubs

Description:

Expands the definition of "beer" under the liquor tax laws and liquor laws to mean any alcoholic beverage containing no less than 0.5 per cent alcohol by volume obtained by fermentation of any infusion or decoction of malt or any substitute, including alcohol seltzer beverages and excluding sake, cooler beverages, and other distilled products. Authorizes brewpubs to sell beer they manufacture, or beer manufactured on their premises, subject to certain conditions. Effective 6/30/3000. (HD1)

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

