

JAN 19 2024

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 part III to be appropriately
3 designated and to read as follows:

4 "§281- Direct shipment of beer and distilled spirits by
5 manufacturers. (a) Any person holding:

6 (1) A general excise tax license from the department of
7 taxation; and

8 (2) Either:

9 (A) A class 1, class 14, or class 18 license to
10 manufacture beer or distilled spirits under
11 section 281-31; or

12 (B) A license to manufacture beer or distilled
13 spirits issued by another state,

14 may pay any applicable fees and obtain a direct beer and
15 distilled spirits shipper permit from the liquor commission of
16 the county in which the beer or distilled spirits is
17 manufactured that authorizes the holder to directly ship beer



1 and distilled spirits to persons in any county of the State;
2 provided that any person who holds a license to manufacture beer
3 or distilled spirits pursuant to paragraph (2)(B) may obtain a
4 direct beer and distilled spirits shipper permit from the liquor
5 commission of the county to which the person will be shipping
6 beer or distilled spirits.

7 (b) The holder of the direct beer and distilled spirits
8 shipper permit may sell and ship beer and distilled spirits to
9 any person twenty-one years of age or older in any county of the
10 State for personal use only and not for resale, and shall:

11 (1) Ship beer and distilled spirits directly to the person
12 only in containers that are conspicuously labeled with
13 the words:

14 "CONTAINS ALCOHOL: SIGNATURE OF PERSON AGE 21 YEARS
15 OR OLDER REQUIRED FOR DELIVERY.";

16 (2) Require that the carrier of the shipment obtain the
17 signature of any person twenty-one years of age or
18 older before delivering the shipment;

19 (3) Report no later than January 31 of each year, to the
20 liquor commission in each county in which a direct
21 beer and distilled spirits shipment was made, the



1 total amount of beer and distilled spirits shipped to
2 persons in that county during the preceding calendar
3 year;

4 (4) Pay all applicable general excise and gallonage taxes.
5 For gallonage tax purposes, all beer and distilled
6 spirits sold under a direct beer and distilled spirits
7 shipper permit shall be deemed to be beer and
8 distilled spirits sold in the State; and

9 (5) Be subject to audit by the liquor commission of each
10 county in which a direct beer and distilled spirits
11 shipment has been made.

12 (c) The holder of a license to manufacture beer or
13 distilled spirits issued by another state may annually renew a
14 direct beer and distilled spirits shipper permit by providing to
15 the liquor commission that issued the permit a copy of the
16 license and paying all required fees. The holder of a class 1,
17 class 14, or class 18 license to manufacture beer or distilled
18 spirits under section 281-31 may renew a direct beer and
19 distilled spirits shipper permit concurrently with the
20 applicable license by complying with all applicable laws and
21 paying all required fees.



1 (d) The sale and shipment of beer and distilled spirits
 2 directly to a person in the State by a person that does not
 3 possess a valid direct beer and distilled spirits shipper permit
 4 is prohibited. Knowingly violating this section is a
 5 misdemeanor.

6 (e) The liquor commission in each county shall adopt rules
 7 necessary to carry out the intent and purpose of this section;
 8 provided that the liquor commission in each county shall ensure
 9 that each liquor commission's respective rulemaking actions do
 10 not interfere with, or unduly delay, the implementation of this
 11 section.

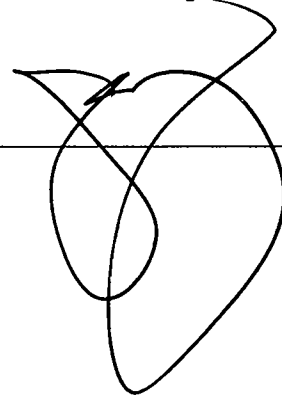
12 (f) For the purposes of this section, "distilled spirits"
 13 and "beer" shall have the same meanings as defined in section
 14 244D-1."

15 SECTION 2. New statutory material is underscored.

16 SECTION 3. This Act shall take effect on July 1, 2024.

17

INTRODUCED BY: _____




S.B. NO. 2848

Report Title:

Beer; Distilled Spirits; Direct Shipping; Manufacturers

Description:

Allows direct shipment of beer and distilled spirits by certain licensees. Requires the Liquor Commission of each county to adopt rules and regulations.

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

