THE SENATE THIRTY-SECOND LEGISLATURE, 2023 STATE OF HAWAII

S.B. NO. 480

JAN 20 2023

A BILL FOR AN ACT

RELATING TO ALCOHOL.

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

1	SECTION 1. Section 281-1, Hawaii Revised Statutes, is
2	amended by amending the definition of "beer" to read as follows:
3	""Beer" means any <u>alcoholic</u> beverage <u>containing no less</u>
4	than 0.5 per cent alcohol by volume obtained by the [alcoholic]
5	fermentation of any infusion or decoction of [barley or other
6	grain,] malt, [and hops in water.] wholly or in part, or any
7	substitute, including grain of any kind, bran, glucose, sugar,
8	or molasses. "Beer" includes ale, porter, brown, stout, lager
9	beer, small beer, strong beer, and alcoholic seltzer beverages.
10	"Beer" does not include sake, also known as Japanese rice wine;
11	cooler beverage; or any products of distillation, by whatever
12	name known, that contain distilled spirits, alcoholic spirits,
13	or spirits."
14	SECTION 2. Section 281-31, Hawaii Revised Statutes, is
15	amended by amending subsection (n) to read as follows:
16	"(n) Class 14. Brewpub license. A brewpub licensee:

2023-0221 SB HMSO

1

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



2

1 from a class 1 manufacturer licensee, a class 3 2 wholesale dealer licensee, a class 14 brewpub licensee, or a class 18 small craft producer pub 3 licensee to consumers in growlers for off-premises 4 5 consumption; provided that for purposes of this 6 paragraph, "growler" means a recyclable or reusable 7 container that does not exceed one gallon and is securely sealed on the licensee's premises; 8 9 (5) Shall comply with all requirements pertaining to class 10 4 retail dealer licensees when engaging in the retail 11 sale of malt beverages[+] and beer; 12 (6) May, subject to federal labeling and bottling 13 requirements, sell malt beverages and beer 14 manufactured on the licensee's premises in brewery-15 sealed containers directly to class 2 restaurant 16 licensees, class 3 wholesale dealer licensees, class 4 retail dealer licensees, class 5 dispenser licensees, 17 class 6 club licensees, class 8 transient vessel 18 19 licensees, class 9 tour or cruise vessel licensees, 20 class 10 special licensees, class 11 cabaret 21 licensees, class 12 hotel licensees, class 13 caterer



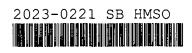
3

1		licensees, class 14 brewpub licensees, class 15
2		condominium hotel licensees, class 18 small craft
3		producer pub licensees, and consumers pursuant to
4		conditions imposed by county ordinances or rules
5		governing class 1 manufacturer licensees and class 3
6		wholesale dealer licensees;
7	(7)	May conduct the activities under paragraphs (1) to (6)
8		at locations other than the licensee's primary
9		manufacturing premises; provided that:
10		(A) The manufacturing takes place in Hawaii;
11		(B) Each of the other locations:
12		(i) Operates within the State under the same
13		trade name for the premises; and
14		(ii) Is properly licensed within the county of
15		its operation as a class 1 manufacturer
16		licensee, class 2 restaurant licensee, class
17		4 retail dealer licensee, class 5 dispenser
18		licensee, class 12 hotel licensee, class 14
19		brewpub licensee, or class 18 small craft
20		producer pub licensee;



Page 4

1	(C)	The county liquor commission of the county in
2		which the licensee satellite is located shall
3		have jurisdiction of the satellite; and
4	(D)	All requirements of the license class of the
5		location shall be in effect as required by the
6		county liquor commission for the satellite
7		licensed premises; and
8	(8) May	allow minors, who are accompanied by a parent or
9	lega	l guardian of legal drinking age, on the
10	lice	nsee's premises."
11	SECTION 3	. Statutory material to be repealed is bracketed
12	and stricken.	New statutory material is underscored.
13	SECTION 4	. This Act shall take effect on January 1, 2024.
14		INTRODUCED BY:



Page 5

Report Title:

Alcohol; Beer; Liquor Law; Brewpubs

Description:

Expands the definition of "beer" under the liquor regulatory 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 1/1/2024.

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

