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# 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 under state law,  
2 direct business-to-consumer shipping of alcoholic beverages is  
3 limited to wineries shipping wine. Thus, non-winery  
4 manufacturers are prohibited from directly shipping alcoholic  
5 beverages, including beer and distilled spirits, to consumers.  
6 Direct business-to-consumer shipping will allow these  
7 manufacturers to serve existing customers while also pursuing  
8 additional markets and new customer bases. Direct business-to-  
9 consumer shipping will also assist smaller manufacturers that  
10 are struggling to find wholesalers willing to sell and represent  
11 the manufacturer's small brands by giving those manufacturers  
12 direct access to customers. In an effort to encourage commerce,  
13 the legislature has determined that the State must allow  
14 manufacturers to ship their goods to, from, and within the  
15 State.

16           Accordingly, the purpose of this Act is to allow the direct  
17 shipment of beer and distilled spirits by certain licensees.



1 SECTION 2. 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 commission of the  
16 county in which the beer or distilled spirits is manufactured  
17 that authorizes the holder to directly ship beer and distilled  
18 spirits to persons in any county of this State; provided that no  
19 permit shall be issued pursuant to paragraph (2) (B) unless the  
20 person holds a license in a jurisdiction that affords licensees  
21 in this State shipping privileges for the shipment of beer and



1 distilled spirits direct to consumers in that jurisdiction;  
2 provided further that permits pursuant to paragraph (2) (B) shall  
3 be obtained from the commission of the county of this State to  
4 which the person will be shipping the beer or distilled spirits.

5 (b) Beginning July 1, 2025, the holder of the direct beer  
6 and distilled spirits shipper permit may sell and ship beer and  
7 distilled spirits to any person twenty-one years of age or older  
8 in any county of this State for personal use only and not for  
9 resale, and shall:

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

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

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

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



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

3 (4) Pay all applicable general excise and gallonage taxes.

4 For gallonage tax purposes, all beer and distilled  
5 spirits sold under a direct beer and distilled spirits  
6 shipper permit shall be deemed to be beer and  
7 distilled spirits sold in the State; and

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

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

20 (d) The sale and shipment of beer and distilled spirits  
21 directly to a person in the State by a person that does not



1 possess a valid direct beer and distilled spirits shipper permit  
2 is prohibited. Any person who knowingly violates this section  
3 shall be guilty of a misdemeanor.

4 (e) The commission in each county shall adopt rules  
5 necessary to carry out the intent and purpose of this section;  
6 provided that each commission shall ensure that that its  
7 respective rulemaking actions do not interfere with, or unduly  
8 delay, the date prescribed in subsection (b).

9 (f) For the purposes of this section, "distilled spirits"  
10 has the same meaning as in section 244D-1."

11 SECTION 3. New statutory material is underscored.

12 SECTION 4. This Act shall take effect on July 1, 3000.



**Report Title:**

Beer; Distilled Spirits; Direct Shipping; Manufacturers

**Description:**

Allows direct shipment of beer and distilled spirits by certain licensees. Requires the liquor commissions to adopt rules and regulations. Effective 7/1/3000. (HD1)

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

