

JAN 15 2025

A BILL FOR AN ACT

RELATING TO INTOXICATING LIQUOR.

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

1 SECTION 1. Section 281-53.5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§281-53.5 County liquor commissions; criminal history
4 record check. (a) The respective county liquor commissions may
5 request a criminal history record check of an applicant for a
6 liquor license in accordance with section 846-2.7; provided that
7 neither a criminal history record check nor compliance with this
8 section shall be required for the officers and directors of
9 publicly-traded companies or entities ultimately solely owned by
10 a publicly-traded company, or officers, directors, or board
11 members of nonprofit organizations who are not designated as
12 primary decision-makers regarding the sale or purchase of
13 liquor. The criminal history record check, at a minimum, shall
14 require the applicant to disclose whether:

15 (1) The applicant has been convicted in any jurisdiction
16 of a crime that would tend to indicate the applicant
17 may be unsuited for obtaining a liquor license; and



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

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

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

13 (1) A statement signed under penalty of law as to whether
14 the applicant has ever been convicted of a crime other
15 than a minor traffic violation;

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

18 (3) Permission to be fingerprinted.

19 (c) The liquor commission shall obtain criminal history
20 record information through the Hawaii criminal justice data
21 center on the applicant. The information obtained shall be used



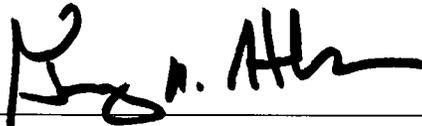
1 exclusively for the stated purpose for which it was obtained and
2 shall be subject to applicable federal laws and regulations
3 currently or hereafter in effect."

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

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

7

INTRODUCED BY:





S.B. NO. 100

Report Title:

Intoxicating Liquor; Licenses; Criminal History Record Check;
Nonprofit Organizations; Exempt

Description:

Provides that leaders of nonprofit organizations shall be exempt from county liquor commission criminal history check requirements for license applicants.

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

