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# A BILL FOR AN ACT

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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 or  
16 liquor control adjudication board of the county in which the  
17 beer or distilled spirits is manufactured that authorizes the



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

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

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

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

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

20 (3) Report no later than January 31 of each year, to the  
21 liquor commission or liquor control adjudication board



1 in each county in which a direct beer and distilled  
2 spirits shipment was made, the total amount of beer  
3 and distilled spirits shipped to persons in that  
4 county during the preceding calendar year;

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

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

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

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



1 concurrently with the applicable license by complying with all  
2 applicable laws and paying all required fees.

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

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

16 (f) For the purposes of this section, "beer" and  
17 "distilled spirits" have the same meanings as defined in section  
18 244D-1."

19 SECTION 2. New statutory material is underscored.

20 SECTION 3. This Act shall take effect on July 1, 2050.



# S.B. NO. 976 S.D. 1

**Report Title:**

Beer; Distilled Spirits; Direct Shipping; Manufacturers

**Description:**

Allows direct shipment of beer and distilled spirits by certain licensees. Requires the Liquor Commission or Liquor Control Adjudication Board of each county to adopt rules and regulations. Effective 7/1/2050. (SD1)

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

