

**ACT 192**

**H.B. NO. 173**

**A Bill for an Act Relating to Intoxicating Liquor.**

*Be It Enacted by the Legislature of the State of Hawaii:*

**SECTION 1.** Section 281-18, Hawaii Revised Statutes, is repealed.

**SECTION 2.** Section 281-43, Hawaii Revised Statutes, is amended to read as follows:

**“Sec. 281-43 Price posting.** (a) Liquor price posting. A written schedule of prices shall be filed with the liquor commission, in such form as the commission may prescribe, such schedule to include a written schedule of selling prices charged and discounts offered for liquor sold, or distributed, to licensees within the State.

Amendments to the price schedules shall be filed by the licensee on or before the fifteenth day of the month prior to which they are to go into effect and shall become effective on the first day of the calendar month following the filing thereof. Any licensee can meet competitive prices or discounts, on similar liquor, by amending his effective price schedule to lower his price or prices, or to increase his discounts, to not less than the price filed in any price schedule filed or in effect for such similar items, and such amended competitive prices shall become effective the same time the competitive prices for similar items shall become effective, or immediately, if such competitive price schedule is already in effect.

(b) The schedule shall be filed by:

- (1) The manufacture or wholesaler who owns the brand, if licensed by the commission, or
- (2) A wholesaler, selling the brand, who is appointed as exclusive agent, in writing, by the brand owner for the purpose of filing the schedule, if the brand owner is not licensed by the commission, or
- (3) Any wholesaler, with the approval of the commission, in the event that the owner of the brand does not file or is unable to file a schedule or designate an agent for such purpose.

(c) Selling at other than posted price. No licensee shall advertise, offer for sale, or sell liquor at a price other than the price filed in any price schedule in effect.”

SECTION 3. Section 281-43 is hereby repealed effective July 1, 1980.

SECTION 4. Statutory material to be repealed is bracketed. New material is underscored.\*

SECTION 5. This Act shall take effect upon its approval.

(Approved June 6, 1979.)

\*The text has been edited pursuant to HRS §23G-16.5, authorizing omission of the brackets, bracketed material, and underscoring.