

ACT 304

H.B. NO. 2589-80

A Bill for an Act Relating to Intoxicating Liquor.

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

SECTION 1. The purpose of this Act is to clarify the justification and powers given to the various liquor commissions under chapter 281 of the Hawaii Revised Statutes and to clarify the proper practice and procedure relating to the promulgation and implementation of liquor license fee assessments.

SECTION 2. Chapter 281, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read:

**“Sec. 281- Fees; justified, method of change.** (a) Any liquor license fee created by any liquor commission or any increase in an existing liquor license fee

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sought to be implemented by any commission shall have, as its justification, a direct and proportionate relationship to an increase in costs and expenses of the commission in its control, supervision, or regulation of the manufacture, importation, and sale of liquors, or otherwise directly relate to actual costs and expenses of administration of the commission as is set forth in this chapter.

(b) Any such liquor license fees collected or received by any liquor commission under this chapter may only be used for costs and expenses directly relating to operational and administrative costs actually incurred by the liquor commission collecting or receiving such liquor license fees. Such fees shall not be used for any costs or expenses other than those directly relating to its operation and administration.

(c) Any change in liquor license fee structure shall only be initiated by the liquor commission seeking the change with the approval of the county's legislative body and mayor.

(d) Any liquor commission seeking a change in liquor license fee structure shall notify all licensees under this chapter affected by the change of the proposed change and shall notify each such licensee of the outcome and resolution of the change."

SECTION 3. New statutory material is underscored.\*

SECTION 4. This Act shall take effect upon its approval.

(Approved June 18, 1980.)

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