

A Bill for an Act Relating to Intoxicating Liquor.

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

SECTION 1. The legislature finds that the intoxication of drivers leaving a liquor establishment can adversely affect pedestrians, motorists, as well as the users of nearby public facilities. To promote an environment in which alcohol-imbibing patrons do not interfere with minors or other citizens, it is the intent of the legislature to discourage the establishment of new liquor establishments near schools or playgrounds utilized extensively by minors.

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

“§281- Liquor license prohibited; where. (a) The liquor commission or agency of each county may deny or restrict the issuance of a liquor license for on-site sale and consumption by the drink to any applicant whose establishment is or would be located within five hundred feet of a public or private elementary, intermediate, or high school, or public playground utilized extensively by minors, as determined by the liquor commission of each county. The distance of five hundred feet shall be measured from the boundary of the school or public playground to the boundary of the applicant’s establishment. Public or private beaches, and public or private day care centers located in or adjacent to commercial areas shall not be deemed schools or public playgrounds for purposes of this section. The provisions of this section shall not apply to establishments located within areas designated by the appropriate counties for resort purposes, or to hotel liquor license applicants.

(b) This section shall apply only to the issuance of new liquor licenses for on-site sale and consumption by the drink and not to any renewal of such licenses.”

SECTION 3. Section 281-32.5, Hawaii Revised Statutes, is amended to read as follows:

“§281-32.5 Permits for trade shows or other exhibitions. Notwithstanding any other provision to the contrary, any trade exhibitor, trade organization or other exhibitor [may] shall apply to the liquor commission or agency administrator [and be issued] for the issuance of a permit, without hearings, fees, notarizing of documents, submission of floor plans, and other requirements, to receive liquor from within or outside the State for display and sampling on a not-for-sale basis at trade exhibitions, shows or other exhibitions, subject to such terms and conditions as may be set by the commission.”

SECTION 4. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun, before its effective date.

SECTION 5. Statutory material to be repealed is bracketed. New statutory material is underscored.¹

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

(Approved June 12, 1991.)

Note

1. Edited pursuant to HRS §23G-16.5.