

JAN 25 2012

S.B. NO. 2945

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# A BILL FOR AN ACT

RELATING TO LIQUOR LICENSES.

**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 be appropriately designated  
3 and to read as follows:  
4           "§281-     Liquor license; revocation or suspension for  
5 continuing pattern of noise, disturbance, misconduct, or  
6 disorder. (a) In any county with a population of five hundred  
7 thousand or more, any liquor license issued pursuant to this  
8 chapter may be revoked or suspended by the commission or board  
9 upon finding that a sustained and continuing pattern of noise,  
10 disturbance, misconduct, or disorder exists on or about the  
11 licensed premises, related to the operation of the premises or  
12 the conduct of its patrons, which adversely affects the health,  
13 welfare, or safety of the inhabitants of the area where licensed  
14 premises are located.

15           The existence of a sustained and continuing pattern of  
16 noise, disturbance, misconduct, or disorder on or about the  
17 licensed premises, related to the operation of the premises or  
18 the conduct of its patrons, will be presumed upon the fourth



1 substantiated complaint to the commission or board by county  
 2 police of noise or disturbance or misconduct or disorder on or  
 3 about the licensed premises or related to the operation of the  
 4 premises or the conduct of its patrons, in any sixty-day period,  
 5 absent clear and convincing evidence of either fraudulent intent  
 6 on the part of any complainant or a factual error with respect  
 7 to the content of any report concerning the complaint relied  
 8 upon by the commission or board.

9 In every case where the commission or board proposes to  
 10 revoke or suspend the exercise of any liquor license for a  
 11 continuing pattern of noise, disturbance, misconduct, or  
 12 disorder, section 281-91 shall apply.

13 Any licensee aggrieved by an order revoking or suspending a  
 14 liquor license under this section may appeal therefrom as  
 15 provided in section 281-92."

16 SECTION 2. New statutory material is underscored.

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

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INTRODUCED BY: Carol J. McManis

Rosdy H. Beck

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# S.B. NO. 2945

**Report Title:**

Liquor License; Revocation; Suspension; Liquor Commission

**Description:**

Authorizes the revocation or suspension of a liquor license for a continuing pattern of noise, disturbance, misconduct, or disorder.

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

