
A BILL FOR AN ACT

RELATING TO LIQUOR LICENSE CLASSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The purpose of this Act is to:

2 (1) Remove the requirement that a class 14 brewpub
3 licensee manufacture not more than thirty thousand
4 barrels of malt beverages on the licensee's premises
5 during the license year;

6 (2) Establish a new class 18 liquor license class for
7 small craft producer pubs; and

8 (3) Make conforming amendments relating to liquor license
9 classes.

10 SECTION 2. Section 281-1, Hawaii Revised Statutes, is
11 amended by amending the definition of "retail licensee" to read
12 as follows:

13 "Retail licensee" means any licensee holding a class 2,
14 [~~e~~] class 4 through class 16, or class 18 license."

15 SECTION 3. Section 281-31, Hawaii Revised Statutes, is
16 amended to read as follows:

17 "**§281-31 Licenses, classes.** (a) Licenses may be granted
18 by the liquor commission as provided in this section.



1 (b) Class 1. Manufacturer license. A license for the
2 manufacture of liquor shall authorize the licensee to:

- 3 (1) Manufacture the liquor therein specified;
4 (2) Sell it in original packages to any wholesaler who
5 holds a license to resell it; and
6 (3) Sell beer, wine, or other specified liquor
7 manufactured or distilled on the licensee's premises
8 from fruits or other products grown in the State, in
9 any quantity:

10 (A) At wholesale in original packages to any person
11 who holds a license to resell it; and

12 (B) To any person for private use and consumption.

13 Under this license, no liquor shall be consumed on the
14 premises, except as authorized by the commission. Of this
15 class, there shall be the following kinds:

- 16 (1) Beer;
17 (2) Wine;
18 (3) Alcohol; and
19 (4) Other specified liquor.

20 It shall be unlawful for any holder of a manufacturer
21 license to have any interest whatsoever in the license or
22 licensed premises of any other licensee. This subsection shall



1 not prevent the holder of a manufacturer license under this
2 chapter or under the law of another jurisdiction from
3 maintaining any interest in the license or licensed premises of
4 a wholesale dealer licensee under this chapter.

5 (c) Class 2. Restaurant license.

6 (1) A license under this class shall authorize the
7 licensee to sell liquor specified in this subsection
8 for consumption on the premises; provided that a
9 restaurant licensee, with commission approval, may
10 provide off-premises catering of food and liquor;
11 provided further that the catering activity shall be
12 directly related to the licensee's operation as a
13 restaurant. A licensee under this class shall be
14 issued a license according to the category of
15 establishment the licensee owns or operates. The
16 categories of establishment shall be as follows:

17 (A) A standard bar; or

18 (B) Premises in which live entertainment or recorded
19 music is provided. Facilities for dancing by the
20 patrons may be permitted as provided by
21 commission rules.



1 (2) If a licensee under class 2 desires to change the
2 category of establishment the licensee owns or
3 operates, the licensee shall apply for a new license
4 applicable to the category of the licensee's
5 establishment.

6 (3) Of this class, there shall be the following kinds:

7 (A) General (includes all liquor except alcohol);

8 (B) Beer and wine; and

9 (C) Beer.

10 Notwithstanding section 281-57, the commission may approve at
11 one public hearing and without notice the change to a class 2
12 restaurant license of a licensee holding a class 5 dispenser
13 license who meets the requirements of a class 2 license.

14 (d) Class 3. Wholesale dealer license. A license for the
15 sale of liquor at wholesale shall authorize the licensee to
16 import and sell only to licensees or to others who are by law
17 authorized to resell the liquor specified by the license but are
18 not by law required to hold a license; provided that a class 3
19 licensee may sell samples of liquor back to the manufacturer.

20 Under a class 3 license, no liquor shall be consumed on the
21 premises except as authorized by the commission. Of this class,
22 there shall be the following kinds:



- 1 (1) General (includes all liquor except alcohol);
- 2 (2) Beer and wine; and
- 3 (3) Alcohol.

4 If any wholesale dealer solicits or takes any orders in any
5 county other than that where the dealer's place of business is
6 located, the orders may be filled only by shipment direct from
7 the county in which the wholesale dealer holds the dealer
8 license. Nothing in this subsection shall prevent a wholesaler
9 from selling liquor to post exchanges, ships' service stores,
10 army or navy officers' clubs, or similar organizations located
11 on army or navy reservations, or to any vessel other than
12 vessels performing a regular water transportation service
13 between any two or more ports in the State, or to aviation
14 companies who operate an aerial transportation enterprise
15 subject to chapter 269 and engaged in regular flight passenger
16 services between any two or more airports in the State for use
17 on aircraft, or aviation companies engaged in transpacific
18 flight operations for use on aircraft outside the jurisdiction
19 of the State.

20 (e) Class 4. Retail dealer license. A license to sell
21 liquor at retail or to class 10 licensees shall authorize the
22 licensee to sell the liquor therein specified in their original



1 packages. Under a class 4 license, no liquor shall be consumed
2 on the premises except as authorized by the commission. Of this
3 class, there shall be the following kinds:

4 (1) General (includes all liquor except alcohol);

5 (2) Beer and wine; and

6 (3) Alcohol.

7 (f) Class 5. Dispenser license.

8 (1) A license under this class shall authorize the
9 licensee to sell liquor specified in this subsection
10 for consumption on the premises. A licensee under
11 this class shall be issued a license according to the
12 category of establishment the licensee owns or
13 operates. The categories of establishments shall be
14 as follows:

15 (A) A standard bar;

16 (B) Premises in which a person performs or entertains
17 unclothed or in attire restricted to use by
18 entertainers pursuant to commission rules;

19 (C) Premises in which live entertainment or recorded
20 music is provided; provided that facilities for
21 dancing by the patrons may be permitted as
22 provided by commission rules; or



1 (D) Premises in which employees or entertainers are
2 compensated to sit with patrons, regardless of
3 whether the employees or entertainers are
4 consuming nonalcoholic beverages while in the
5 company of the patrons pursuant to commission
6 rules.

7 (2) If a licensee under class 5 desires to change the
8 category of establishment the licensee owns or
9 operates, the licensee shall apply for a new license
10 applicable to the category of the licensee's
11 establishment.

12 (3) Of this class, there shall be the following kinds:

13 (A) General (includes all liquor except alcohol);

14 (B) Beer and wine; and

15 (C) Beer.

16 (g) Class 6. Club license. A club license shall be
17 general only but shall exclude alcohol and shall authorize the
18 licensee to sell liquor to members of the club and to guests of
19 the club enjoying the privileges of membership for consumption
20 only on the premises kept and operated by the club; provided
21 that the license shall also authorize any club member to keep in
22 the member's private locker on the premises a reasonable



1 quantity of liquor owned by the member for the member's own
2 personal use and not to be sold that may be consumed only on the
3 premises. A club licensee shall be authorized to host
4 charitable functions that are open to the general public only
5 pursuant to commission rules.

6 The categories of establishment shall be as follows:

7 (1) A standard bar; or

8 (2) Premises in which live entertainment or recorded music
9 is provided. Facilities for dancing by the patrons
10 may be permitted as provided by commission rules.

11 (h) Class 8. Transient vessel license. A general license
12 may be granted to the owner of any vessel for the sale of liquor
13 other than alcohol on board the vessel while en route within the
14 jurisdictional limits of the State and within any port of the
15 State. Sales shall be made only for consumption by passengers
16 and their guests on board the vessel. The license shall be
17 issuable in each county where the sales are to be made; provided
18 that the application for the license may be made by any agent
19 representing the owner.

20 (i) Class 9. Tour or cruise vessel license. A general
21 license may be granted to the owner of any tour or cruise vessel
22 for the sale of liquor other than alcohol on board the vessel



1 while in the waters of the State; provided that sales be made
2 only for consumption by passengers on board while the vessel is
3 in operation outside the port or dock of any island of the
4 State, unless otherwise approved by the county where the license
5 has been issued. The license shall be issuable in the county
6 where the home port of the vessel is situated. If, on any
7 vessel for which no license has been obtained under this
8 chapter, any liquor is sold or served within three miles of the
9 shore of any island of the State, it shall constitute a
10 violation of this chapter.

11 The categories of establishment shall be as follows:

- 12 (1) A standard bar; or
13 (2) Premises in which live entertainment or recorded music
14 is provided. Facilities for dancing by the patrons
15 may be permitted as provided by commission rules.

16 (j) Class 10. Special license. A special license may be
17 granted for the sale of liquor for a period not to exceed three
18 days and pursuant to commission rule may be approved by the
19 administrator for fundraising events by nonprofit organizations,
20 political candidates, and political parties; provided that any
21 registered educational or charitable nonprofit organization may



1 sell liquors in their original packages for off-premises
2 consumption. Of this class, there shall be the following kinds:

3 (1) General (includes all liquor except alcohol);

4 (2) Beer and wine; and

5 (3) Beer.

6 Liquor sold under a class 10 license shall be consumed on the
7 premises.

8 (k) Class 11. Cabaret license. A cabaret license shall
9 be general only but shall exclude alcohol and shall authorize
10 the sale of liquor for consumption on the premises. This
11 license shall be issued only for premises where food is served,
12 facilities for dancing by the patrons including a dance floor
13 are provided, and live or amplified recorded music or
14 professional entertainment except professional entertainment by
15 a person who performs or entertains unclothed is provided for
16 the patrons; provided that professional entertainment by persons
17 who perform or entertain unclothed shall be authorized by:

18 (1) A cabaret license for premises where professional
19 entertainment by persons who perform or entertain
20 unclothed was presented on a regular and consistent
21 basis immediately prior to June 15, 1990; or



1 (2) A cabaret license that, pursuant to rules adopted by
2 the liquor commission, permits professional
3 entertainment by persons who perform or entertain
4 unclothed.

5 A cabaret license under paragraph (1) or (2) authorizing
6 professional entertainment by persons who perform or entertain
7 unclothed shall be transferable through June 30, 2000. A
8 cabaret license under paragraph (1) or (2) authorizing
9 professional entertainment by persons who perform or entertain
10 unclothed shall not be transferable after June 30, 2000, except
11 upon approval by the liquor commission and pursuant to rules
12 adopted by the commission. Notwithstanding any rule of the
13 liquor commission to the contrary, cabarets in resort areas may
14 be opened for the transaction of business until 4 a.m.
15 throughout the entire week.

16 (1) Class 12. Hotel license. A license to sell liquor in
17 a hotel shall authorize the licensee to provide entertainment
18 and dancing on the hotel premises and to sell all liquor except
19 alcohol for consumption on the premises; provided that a hotel
20 licensee, with commission approval, may provide off-premises
21 catering of food and liquor if the catering activity is directly
22 related to the licensee's food service.



1 Procedures such as room service, self-service no-host
2 minibars or similar service in guest rooms, and service at
3 parties in areas that are the property of and contiguous to the
4 hotel are permitted with commission approval.

5 Any licensee who would otherwise fall within the hotel
6 license class but holds a different class of license may be
7 required to apply for a hotel license.

8 If the licensee applies for a change of classification
9 prior to July 30, 1992, the licensee shall not be subject to the
10 requirements of sections 281-52, 281-54, and 281-57 through 281-
11 59.

12 Any licensee holding a class 12 license on May 1, 2007 who
13 would otherwise qualify for a class 15 license may apply to the
14 liquor commission of the county in which the licensee is seeking
15 a change in liquor license for a change to a class 15 license;
16 provided that the licensee shall not be subject to the
17 requirements of section 281-54 and sections 281-57 to 281-60.

18 If a licensee holding a class 12 license on May 1, 2007
19 applies for a change to a class 15 license, the respective
20 liquor commission shall hold a public hearing upon notice. On
21 the day of hearing or any adjournment thereof, the liquor
22 commission shall consider the application, accept all written or



1 oral testimony for or against the application, and render its
2 decision granting or refusing the application. If the
3 application is denied, the class 12 license shall continue in
4 effect in accordance with law.

5 (m) Class 13. Caterer license. A general license may be
6 granted to any applicant who serves food as part of their
7 operation for the sale of liquor other than alcohol while
8 performing food catering functions off the premises.

9 No catering service for the sale of liquor shall be
10 performed off the licensee's premises unless prior written
11 notice of the service has been delivered to the office of the
12 liquor commission of the county concerned. The notice shall
13 state the date, time, and location of the proposed event and
14 shall include a written statement signed by the owner or
15 representative of the property that the function will be subject
16 to the liquor laws and to inspection by investigators.

17 (n) Class 14. Brewpub license. A brewpub licensee:
18 ~~[(1) Shall manufacture not more than thirty thousand~~
19 ~~barrels of malt beverages on the licensee's premises~~
20 ~~during the license year;~~
21 ~~(2)]~~ (1) May sell malt beverages manufactured on the
22 licensee's premises for consumption on the premises;



- 1 [~~(3)~~] (2) May sell malt beverages manufactured by the
2 licensee in brewery-sealed packages to class 3
3 wholesale dealer licensees pursuant to conditions
4 imposed by the county by ordinance or rule;
- 5 [~~(4)~~] (3) May sell intoxicating liquor purchased from [a
6 ~~class 1 manufacturer licensee or~~] a class 3 wholesale
7 dealer licensee to consumers for consumption on the
8 licensee's premises. The categories of establishments
9 shall be as follows:
- 10 (A) A standard bar; or
- 11 (B) Premises in which live entertainment or recorded
12 music is provided. Facilities for dancing by the
13 patrons may be permitted as provided by
14 commission rules;
- 15 [~~(5)~~] (4) May sell malt beverages manufactured on the
16 licensee's premises to consumers in brewery-sealed
17 kegs and growlers for off-premises consumption;
18 provided that for purposes of this paragraph,
19 "growler" means a glass or metal container, not to
20 exceed one half-gallon, which shall be securely
21 sealed;



1 [~~(6)~~] (5) May sell malt beverages manufactured on the
2 licensee's premises in recyclable containers provided
3 by the licensee or by the consumer which do not exceed
4 one gallon per container and are securely sealed on
5 the licensee's premises to consumers for off-premises
6 consumption;

7 [~~(7)~~] (6) Shall comply with all regulations pertaining to
8 class 4 retail dealer licensees when engaging in the
9 retail sale of malt beverages;

10 [~~(8)~~] (7) May sell malt beverages manufactured on the
11 licensee's premises in brewery-sealed containers
12 directly to class 2 restaurant licensees, class 3
13 wholesale dealer licensees, class 4 retail dealer
14 licensees, class 5 dispenser licensees, class 6 club
15 licensees, class 8 transient vessel licensees, class 9
16 tour or cruise vessel licensees, class 10 special
17 licensees, class 11 cabaret licensees, class 12 hotel
18 licensees, class 13 caterer licensees, class 14
19 brewpub licensees, class 15 condominium hotel
20 licensees, class 18 small craft producer pub
21 licensees, and consumers pursuant to conditions
22 imposed by county regulations governing class 1



1 manufacturer licensees and class 3 wholesale dealer
2 licensees; and

3 ~~[(+9)]~~ (8) May conduct the activities under paragraphs (1)
4 to ~~[(+8)]~~ (7) at one location other than the licensee's
5 premises; provided that:

6 (A) The manufacturing takes place in Hawaii; and

7 (B) The other location is properly licensed under the
8 same ownership.

9 (o) Class 15. Condominium hotel license. A license to
10 sell liquor in a condominium hotel shall authorize the licensee
11 to provide entertainment and dancing on the condominium hotel
12 premises and to sell all liquor except alcohol for consumption
13 on the premises; provided that a condominium hotel licensee,
14 with commission approval, may provide off-premises catering;
15 provided further that the catering activity is directly related
16 to the licensee's operation as a condominium hotel.

17 Procedures such as room service, self-service no-host
18 minibars or similar service in apartments, and service at
19 private parties in areas that are the property of and contiguous
20 to the condominium hotel are permitted with commission approval.

21 A condominium hotel licensee shall not sell liquor in the
22 manner authorized by a class 4 retail dealer license.



1 Any licensee who would otherwise meet the criteria for the
2 condominium hotel license class but holds a different class of
3 license may be required to apply for a condominium hotel
4 license.

5 (p) Class 16. Winery license. A winery licensee:

6 (1) Shall manufacture not more than ten thousand barrels
7 of wine on the licensee's premises during the license
8 year;

9 (2) May sell wine manufactured on the licensee's premises
10 for consumption on the premises;

11 (3) May sell wine manufactured by the licensee in winery-
12 sealed packages to class 3 wholesale dealer licensees
13 pursuant to conditions imposed by the county by
14 ordinance or rule;

15 (4) May sell wine manufactured on the licensee's premises
16 in winery-sealed kegs and magnums to consumers for
17 off-premises consumption; provided that for purposes
18 of this paragraph, "magnum" means a glass container
19 not to exceed one half-gallon, which may be securely
20 sealed;

21 (5) May sell wine manufactured on the licensee's premises
22 in recyclable containers provided by the licensee or



1 by the consumer which do not exceed one gallon per
2 container and are securely sealed on the licensee's
3 premises to consumers for off-premises consumption;

4 (6) Shall comply with all rules pertaining to class 4
5 retail dealer licensees when engaging in the retail
6 sale of wine; and

7 (7) May sell wine manufactured on the licensee's premises
8 in winery-sealed containers directly to class 2
9 restaurant licensees, class 3 wholesale dealer
10 licensees, class 4 retail dealer licensees, class 5
11 dispenser licensees, class 6 club licensees, class 8
12 transient vessel licensees, class 9 tour or cruise
13 vessel licensees, class 10 special licensees, class 11
14 cabaret licensees, class 12 hotel licensees, class 13
15 caterer licensees, class 14 brewpub licensees, [and]
16 class 15 condominium hotel licensees, and class 18
17 small craft producer pub licensees pursuant to
18 conditions imposed by county planning and public works
19 departments and rules governing class 3 wholesale
20 dealer licensees.

21 (q) Class 17. Bring-your-own-beverage license. In
22 counties having a population in excess of 500,000, there is



1 established a class 17 license; provided that in a county having
2 a population of 500,000 or less, the respective commission may
3 establish a class 17 license to which this subsection shall
4 apply.

5 (1) A general license of this class shall authorize the
6 licensee to permit patrons to bring their own liquors
7 for consumption on the premises between the hours of
8 6:00 a.m. to 2:00 a.m. the following day. A licensee
9 under this class shall be issued a license according
10 to the category of establishment the licensee owns or
11 operates. The categories of establishments shall be
12 as follows:

13 (A) Premises in which recorded music and live
14 entertainment, including karaoke, are provided;
15 or

16 (B) Premises in which recorded music and live
17 entertainment, including karaoke and dancing, are
18 provided.

19 (2) If a licensee under this class desires to change the
20 category of establishment the licensee owns or
21 operates, the licensee shall apply for a new license



1 applicable to the category of the licensee's
2 establishment.

3 (3) A licensee under this class shall not be subject to
4 liquor commission rules relating to percentage fees.

5 (r) Class 18. Small craft producer pub license. A small
6 craft producer pub licensee:

7 (1) Shall manufacture not more than:

8 (A) Sixty thousand barrels of malt beverages;

9 (B) Ten thousand barrels of wine; or

10 (C) Seven thousand five hundred barrels of alcohol,
11 on the licensee's premises during the license year;
12 provided that for purposes of this paragraph, "barrel"
13 means a container not exceeding thirty-one gallons or
14 wine gallons of liquor;

15 (2) May sell malt beverages, wine, or alcohol manufactured
16 on the licensee's premises for consumption on the
17 premises;

18 (3) May sell malt beverages, wine, or alcohol manufactured
19 by the licensee in producer-sealed packages to class 3
20 wholesale dealer licensees pursuant to conditions
21 imposed by the county by ordinance or rule;



1 (4) May sell intoxicating liquor purchased from a class 3
2 wholesale dealer licensee to consumers for consumption
3 on the licensee's premises. The categories of
4 establishments shall be as follows:

5 (A) A standard bar; or

6 (B) Premises in which live entertainment or recorded
7 music is provided. Facilities for dancing by the
8 patrons may be permitted as provided by
9 commission rules;

10 (5) May sell malt beverages manufactured on the licensee's
11 premises to consumers in producer-sealed kegs and
12 growlers for off-premises consumption; provided that
13 for purposes of this paragraph, "growler" means a
14 glass or metal container, not to exceed one half-
15 gallon, which shall be securely sealed;

16 (6) May sell malt beverages, wine, or alcohol manufactured
17 on the licensee's premises in recyclable containers
18 provided by the licensee or by the consumer that do
19 not exceed:

20 (A) One gallon per container for malt beverages and
21 wine; and

22 (B) One liter for alcohol,



1 and are securely sealed on the licensee's premises to
2 consumers for off-premises consumption;

3 (7) Shall comply with all ordinances and rules pertaining
4 to class 4 retail dealer licensees when engaging in
5 the retail sale of malt beverages, wine, and alcohol;

6 (8) May sell malt beverages, wine, and alcohol
7 manufactured on the licensee's premises in producer-
8 sealed containers directly to class 2 restaurant
9 licensees, class 3 wholesale dealer licensees, class 4
10 retail dealer licensees, class 5 dispenser licensees,
11 class 6 club licensees, class 8 transient vessel
12 licensees, class 9 tour or cruise vessel licensees,
13 class 10 special licensees, class 11 cabaret
14 licensees, class 12 hotel licensees, class 13 caterer
15 licensees, class 14 brewpub licensees, class 15
16 condominium hotel licensees, class 18 small craft
17 producer pub licensees, and consumers pursuant to
18 conditions imposed by county ordinances and rules
19 governing class 1 manufacturer licensees and class 3
20 wholesale dealer licensees; and



1 (9) May conduct the activities under paragraphs (1) to (8)
2 at one location other than the licensee's premises;
3 provided that:

4 (A) The manufacturing takes place in Hawaii; and

5 (B) The other location is properly licensed under the
6 same ownership.

7 [~~r~~] (s) Restaurants, retail dealers, dispensers, clubs,
8 cabarets, hotels, caterers, brewpubs, condominium hotels, [~~and~~]
9 bring-your-own-beverage establishments, and small craft producer
10 pubs licensed under class 2, class 4, class 5, class 6, class
11 11, class 12, class 13, class 14, class 15, [~~and~~] class 17, and
12 class 18 shall maintain at all times liquor liability insurance
13 coverage in an amount not less than \$1,000,000; provided that
14 convenience minimarts holding a class 4 license shall not be
15 required to maintain liquor liability insurance coverage in that
16 amount. Proof of coverage shall be kept on the premises and
17 shall be made available for inspection by the commission at any
18 time during the licensee's regular business hours. In the event
19 of a licensee's failure to obtain or maintain the required
20 coverage, the commission shall refuse to issue or renew a
21 license or shall suspend or terminate the license as



1 appropriate. No license shall be granted, reinstated, or
2 renewed until after the required insurance coverage is obtained.

3 ~~[(s)]~~ (t) It shall be unlawful for any retail licensee
4 except a class 10 licensee to purchase or acquire liquor from
5 any person other than a wholesaler licensed pursuant to this
6 chapter, except as otherwise provided in this section.

7 ~~[(t)]~~ (u) Any provision to the contrary notwithstanding, a
8 patron may remove from any class of licensed premises any
9 portion of wine, liquor, or beer that was purchased on or
10 brought onto the premises of the licensee engaged in meal
11 service for consumption with a meal; provided that it is
12 recorked or resealed in its original container.

13 ~~[(u)]~~ (v) Sections 281-57 to 281-60 shall not apply to
14 classes 8, 9, 10, and 13."

15 SECTION 4. Section 281-33.6, Hawaii Revised Statutes, is
16 amended as follows:

17 1. By amending subsection (a) to read:

18 "(a) Any person holding:

19 (1) A general excise tax license from the department of
20 taxation; and

21 (2) Either:



1 (A) A class 1 [~~0x~~], class 16, or class 18 license to
2 manufacture wine under section 281-31; or

3 (B) A license to manufacture wine issued by another
4 state,

5 may pay any applicable fees and obtain a direct wine shipper
6 permit from the liquor commission of the county to which the
7 wine will be shipped authorizing the holder to directly ship
8 wine to persons in the county pursuant to this section."

9 2. By amending subsection (c) to read:

10 "(c) The holder of a license to manufacture wine issued by
11 another state may annually renew a direct wine shipper permit by
12 providing the liquor commission that issued the permit with a
13 copy of the license and paying all required fees. The holder of
14 a class 1 [~~0x~~], class 16, or class 18 license to manufacture
15 wine under section 281-31 may renew a direct wine shipper permit
16 concurrently with the class 1 license by complying with all
17 applicable laws and paying all required fees."

18 SECTION 5. Section 281-45, Hawaii Revised Statutes, is
19 amended to read as follows:

20 "§281-45 No license issued, when. No license shall be
21 issued under this chapter:



- 1 (1) To any minor or to any person who has been convicted
2 of a felony and not pardoned, or to any other person
3 not deemed by the commission to be a fit and proper
4 person to have a license; provided that the commission
5 may grant a license under this chapter to a
6 corporation that has been convicted of a felony where
7 the commission finds that the corporation's officers
8 and shareholders of twenty-five per cent or more of
9 outstanding stock are fit and proper persons to have a
10 license;
- 11 (2) To a corporation the officers and directors of which,
12 or any of them, would be disqualified under paragraph
13 (1) from obtaining the license individually, or a
14 stockholder of which, owning or controlling twenty-
15 five per cent or more of the outstanding capital
16 stock, or to a general partnership, limited
17 partnership, limited liability partnership, or limited
18 liability company whose partner or member holding
19 twenty-five per cent or more interest of which, or any
20 of them would be disqualified under paragraph (1) from
21 obtaining the license individually;



- 1 (3) Unless the applicant for a license or a renewal of a
2 license, or in the case of a transfer of a license,
3 both the transferor and the transferee, present to the
4 issuing agency a signed certificate from the director
5 of taxation and from the Internal Revenue Service
6 showing that the applicant or the transferor and
7 transferee do not owe the state or federal governments
8 any delinquent taxes, penalties, or interest; or that
9 the applicant, or in the case of a transfer of a
10 license, the transferor or transferee, has entered
11 into an installment plan agreement with the department
12 of taxation and the Internal Revenue Service for the
13 payment of delinquent taxes in installments and that
14 the applicant is or the transferor or transferee is,
15 in the case of a transfer of a license, complying with
16 the installment plan agreement; or
- 17 (4) To an applicant for a class 2, class 4 except for
18 convenience minimarts, class 5, class 6, class 11,
19 class 12, class 13, class 14, class 15, [~~e~~] class 17,
20 or class 18 license unless the applicant for issuance
21 of a license or renewal of a license, or in the case
22 of a transfer of a license, both the transferor and



1 the transferee, present to the issuing agency proof of
2 liquor liability insurance coverage in an amount of
3 \$1,000,000; or

4 (5) To any applicant who has had any liquor license
5 revoked less than two years previous to the date of
6 the application for any like or other license under
7 this chapter."

8 SECTION 6. Section 281-61, Hawaii Revised Statutes, is
9 amended by amending subsection (c) to read as follows:

10 "(c) The commission or board shall deny renewal of a class
11 2, class 4, class 5, class 6, class 11, class 12, class 13,
12 class 14, class 15, [~~e~~] class 17, or class 18 license if the
13 applicant for renewal fails to present proof of the liquor
14 liability insurance required by section [~~281-31(r)~~] 281-31(s)."

15 SECTION 7. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 8. This Act shall take effect on July 1, 2050.

18



Report Title:

Liquor; Liquor License Classes; Brewpubs; Small Craft Producer Pubs

Description:

Removes requirement that a class 14 brewpub licensee manufacture not more than thirty thousand barrels of malt beverages on the licensee's premises during the license year. Establishes a new class 18 liquor license class for small craft producer pubs. Makes conforming amendments relating to liquor license classes. Effective 7/01/2050. (SD2)

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

