



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

June 7, 2018

GOV. MSG. NO. 1125

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Twenty-Ninth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Twenty-Ninth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June 7, 2018, the following bill was signed into law:

SB2945 HD1 CD1

RELATING TO LIQUOR
ACT 025 (18)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

A BILL FOR AN ACT

RELATING TO LIQUOR.

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

1 SECTION 1. Section 281-45, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§281-45 No license issued, when. No license shall be
4 issued under this chapter:

5 (1) To any minor or to any person who has been convicted
6 of a felony and not pardoned, or to any other person
7 not deemed by the commission to be a fit and proper
8 person to have a license; provided that the commission
9 may grant a license under this chapter to a
10 corporation that has been convicted of a felony where
11 the commission finds that the corporation's officers
12 and shareholders of twenty-five per cent or more of
13 outstanding stock are fit and proper persons to have a
14 license;

15 (2) To a corporation the officers and directors of which,
16 or any of them, would be disqualified under paragraph
17 (1) from obtaining the license individually, or a
18 stockholder of which, owning or controlling twenty-



1 five per cent or more of the outstanding capital
2 stock, or to a general partnership, limited
3 partnership, limited liability partnership, or limited
4 liability company whose partner or member holding
5 twenty-five per cent or more interest of which, or any
6 of them would be disqualified under paragraph (1) from
7 obtaining the license individually; provided that for
8 publicly-traded companies or entities ultimately
9 solely owned by a publicly-traded company, only the
10 officers and directors designated as primary decision-
11 makers shall be considered to determine
12 disqualification under paragraph (1);

13 (3) Unless the applicant for a license or a renewal of a
14 license, or in the case of a transfer of a license,
15 both the transferor and the transferee, present to the
16 issuing agency a tax clearance certificate from the
17 department of taxation [~~and from the Internal Revenue~~
18 ~~Service~~] showing that the applicant or the transferor
19 and transferee do not owe the state [~~or federal~~
20 ~~governments~~] government any delinquent taxes,
21 penalties, or interest; or that the applicant, or in



1 the case of a transfer of a license, the transferor or
2 transferee, has entered into an installment plan
3 agreement with the department of taxation [~~and the~~
4 ~~Internal Revenue Service~~] for the payment of
5 delinquent taxes in installments and that the
6 applicant is or the transferor or transferee is, in
7 the case of a transfer of a license, complying with
8 the installment plan agreement; provided that when the
9 applicant or the transferor or transferee, in the case
10 of a transfer of a license, is validly challenging a
11 tax assessment, penalty, or other proceeding that
12 prevents the issuance of a signed certificate from the
13 appropriate federal or state tax agency, the
14 commission shall issue a license that is valid for the
15 period of time necessary to resolve the challenge;

16 (4) To an applicant for a class 2, class 4 except for
17 convenience minimarts, class 5, class 6, class 11,
18 class 12, class 13, class 14, class 15, class 17, or
19 class 18 license unless the applicant for issuance of
20 a license or renewal of a license, or in the case of a
21 transfer of a license, both the transferor and the



1 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 2. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

10 SECTION 3. This Act shall take effect on July 1, 2018.

APPROVED this 07 day of JUN, 2018

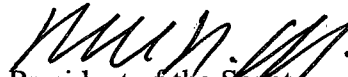


GOVERNOR OF THE STATE OF HAWAII


THE SENATE OF THE STATE OF HAWAI‘I

Date: May 1, 2018
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the
Senate of the Twenty-ninth Legislature of the State of Hawai‘i, Regular Session of 2018.



President of the Senate



Clerk of the Senate

SB No. 2945, HD 1, CD 1


THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 1, 2018
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2018.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives