



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

June 21, 2019

GOV. MSG. NO. 1217

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

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirtieth 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 21, 2019, the following bill was signed into law:

HB546 HD2 SD1 CD1

RELATING TO INTOXICATING LIQUOR.
ACT 115 (19)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

A BILL FOR AN ACT

RELATING TO INTOXICATING LIQUOR.

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

1 SECTION 1. The legislature finds that Hawaii's liquor laws
2 contain inconsistencies regarding liquor manufacturing and
3 sales.

4 Accordingly, the purpose of this Act is to:

- 5 (1) Allow a class 18 small craft producer pub licensee to
6 manufacture not more than seventy thousand barrels of
7 malt beverages on the licensee's premises during the
8 license year;
- 9 (2) Clarify that a class 14 brewpub licensee or class 18
10 small craft producer pub licensee may conduct certain
11 activities at satellite locations other than the
12 licensee's primary manufacturing premises under
13 certain conditions; and
- 14 (3) Clarify the definition of "growler".

15 SECTION 2. Section 281-31, Hawaii Revised Statutes, is
16 amended as follows:



- 1 1. By amending subsection (n) to read:
- 2 "(n) Class 14. Brewpub license. A brewpub licensee:
- 3 (1) May sell malt beverages manufactured on the licensee's
- 4 premises for consumption on the premises;
- 5 (2) May sell malt beverages manufactured by the licensee
- 6 in brewery-sealed packages to class 3 wholesale dealer
- 7 licensees pursuant to conditions imposed by the county
- 8 by ordinance or rule;
- 9 (3) May sell intoxicating liquor purchased from a class 3
- 10 wholesale dealer licensee to consumers for consumption
- 11 on the licensee's premises. The categories of
- 12 establishments shall be as follows:
- 13 (A) A standard bar; or
- 14 (B) Premises in which live entertainment or recorded
- 15 music is provided. Facilities for dancing by the
- 16 patrons may be permitted as provided by
- 17 commission rules;
- 18 (4) May, subject to federal labeling and bottling
- 19 requirements, sell malt beverages manufactured on the
- 20 licensee's premises to consumers in brewery-sealed
- 21 kegs and recyclable or reusable containers and sell



1 malt beverages manufactured on the licensee's premises
2 or purchased from a class 1 manufacturer licensee, a
3 class 3 wholesale dealer licensee, a class 14 brewpub
4 licensee, or a class 18 small craft producer pub
5 licensee to consumers in growlers for off-premises
6 consumption; provided that for purposes of this
7 paragraph, "growler" means a [~~glass, ceramic, or~~
8 ~~metal~~] recyclable or reusable container[~~7~~] that does
9 not [~~to~~] exceed one [~~half-gallon, which shall be~~
10 ~~securely sealed,~~

11 ~~(5) May, subject to federal labeling and bottling~~
12 ~~requirements, sell malt beverages manufactured on the~~
13 ~~licensee's premises in recyclable containers provided~~
14 ~~by the licensee or by the consumer which do not exceed~~
15 ~~one] gallon [per container] and [are] is securely~~
16 ~~sealed on the licensee's premises [to consumers for~~
17 ~~off-premises consumption];~~

18 [~~6~~] (5) Shall comply with all [~~regulations~~] requirements
19 pertaining to class 4 retail dealer licensees when
20 engaging in the retail sale of malt beverages;



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

17 [~~8~~] (7) May conduct the activities under paragraphs (1)
18 to [~~7~~] (6) at [~~one location~~] locations other than
19 the licensee's primary manufacturing premises;
20 provided that:

21 (A) The manufacturing takes place in Hawaii; [~~and~~]



- 1 (B) [The] Each of the other [location-is] locations:
- 2 (i) Operates within the State under the same
- 3 trade name for the premises; and
- 4 (ii) Is properly licensed [under the same
- 5 ownership,] within the county of its
- 6 operation as a class 1 manufacturer
- 7 licensee, class 2 restaurant licensee, class
- 8 4 retail dealer licensee, class 5 dispenser
- 9 licensee, class 12 hotel licensee, class 14
- 10 brewpub licensee, or class 18 small craft
- 11 producer pub licensee;
- 12 (C) The county liquor commission of the county in
- 13 which the licensee satellite is located shall
- 14 have jurisdiction of the satellite; and
- 15 (D) All requirements of the license class of the
- 16 location shall be in effect as required by the
- 17 county liquor commission for the satellite
- 18 licensed premises; and
- 19 ~~(7)~~ (8) May allow minors, who are accompanied by a parent
- 20 or legal guardian of legal drinking age, on the
- 21 licensee's premises."



1 2. By amending subsection (r) to read:

2 "(r) Class 18. Small craft producer pub license. A small
3 craft producer pub licensee:

4 (1) Shall manufacture not more than:

5 (A) [~~Sixty~~] Seventy thousand barrels of malt
6 beverages;

7 (B) Twenty thousand barrels of wine; or

8 (C) Seven thousand five hundred barrels of alcohol on
9 the licensee's premises during the license year;

10 provided that for purposes of this paragraph, "barrel"
11 means a container not exceeding thirty-one gallons or
12 wine gallons of liquor;

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

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

20 (4) May sell intoxicating liquor purchased from a class 3
21 wholesale dealer licensee to consumers for consumption



1 on the licensee's premises. The categories of
2 establishments shall be as follows:

3 (A) A standard bar; or

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

8 (5) May, subject to federal labeling and bottling
9 requirements, sell malt beverages manufactured on the
10 licensee's premises to consumers in producer-sealed
11 kegs and recyclable or reusable containers and sell
12 malt beverages manufactured on the licensee's premises
13 or purchased from a class 1 manufacturer licensee, a
14 class 3 wholesale dealer licensee, a class 14 brewpub
15 licensee, or a class 18 small craft producer pub
16 licensee to consumers in growlers for off-premises
17 consumption; provided that for purposes of this
18 paragraph, "growler" means a [~~glass, ceramic, or~~
19 ~~metal~~] recyclable or reusable container[~~7~~] that does
20 not [~~to~~] exceed one [~~half-gallon,~~] gallon, which shall
21 be securely sealed;



- 1 (6) May, subject to federal labeling and bottling
2 requirements, sell [~~malt beverages~~] wine~~[7]~~ or
3 alcohol manufactured on the licensee's premises in
4 recyclable containers provided by the licensee or by
5 the consumer which do not exceed:
- 6 (A) One gallon per container for [~~malt beverages and~~
7 wine; and
- 8 (B) One liter for alcohol; and
9 are securely sealed on the licensee's premises to
10 consumers for off-premises consumption;
- 11 (7) Shall comply with all [~~regulations~~] requirements
12 pertaining to class 4 retail dealer licensees when
13 engaging in the retail sale of malt beverages, wine,
14 and alcohol;
- 15 (8) May, subject to federal labeling and bottling
16 requirements, sell malt beverages, wine, and alcohol
17 manufactured on the licensee's premises in producer-
18 sealed containers directly to class 2 restaurant
19 licensees, class 3 wholesale dealer licensees, class 4
20 retail dealer licensees, class 5 dispenser licensees,
21 class 6 club licensees, class 8 transient vessel



1 licensees, class 9 tour or cruise vessel licensees,
2 class 10 special licensees, class 11 cabaret
3 licensees, class 12 hotel licensees, class 13 caterer
4 licensees, class 14 brewpub licensees, class 15
5 condominium hotel licensees, class 18 small craft
6 producer pub licensees, and consumers pursuant to
7 conditions imposed by county [~~regulations~~] ordinances
8 or rules governing class 1 manufacturer licensees and
9 class 3 wholesale dealer licensees;

10 (9) May conduct the activities under paragraphs (1) to (8)
11 at [~~one location~~] locations other than the licensee's
12 premises; provided that:

13 (A) The manufacturing takes place in Hawaii; [~~and~~]

14 (B) [~~The~~] Each of the other [~~location is~~] locations:

15 (i) Operates within the State under the same
16 trade name for the premises; and

17 (ii) Is properly licensed [~~under the same~~
18 ownership,] within the county of its

19 operation as a class 1 manufacturer

20 licensee, class 2 restaurant licensee, class

21 4 retail dealer licensee, class 5 dispenser



1 licensee, class 12 hotel licensee, class 14
2 brewpub licensee, or class 18 small craft
3 producer pub licensee;

4 (C) The county liquor commission of the county in
5 which the licensee satellite is located shall
6 have jurisdiction of the satellite; and

7 (D) All requirements of the license class of the
8 location shall be in effect as required by the
9 county liquor commission for the satellite
10 licensed premises; and

11 (10) May allow minors, who are accompanied by a parent or
12 legal guardian of legal drinking age, on the
13 licensee's premises."

14 SECTION 3. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 4. This Act shall take effect on July 1, 2019.

APPROVED this 21 day of JUN, 2019



GOVERNOR OF THE STATE OF HAWAII



HB No. 546, HD 2, SD 1, CD 1

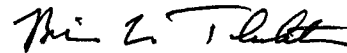
THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 1, 2019
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2019.



Scott K. Saiki
Speaker
House of Representatives




Brian L. Takeshita
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAI'I

Date: April 30, 2019
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the
Senate of the Thirtieth Legislature of the State of Hawai'i, Regular Session of 2019.


President of the Senate


Clerk of the Senate