

Honolulu, Hawaii

FEB 28 2013

RE: S.B. No. 442

S.D. 1

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Seventh State Legislature  
Regular Session of 2013  
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred  
S.B. No. 442, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Amend the misdemeanor offense of promoting intoxicating liquor to a person under twenty-one years of age to apply to person who recklessly, rather than knowingly, commits the offense; and
- (2) Apply the offense to liquor licensees who provide liquor to any minor or allow a minor to consume liquor.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney, County of Maui; Police Department, County of Maui; Department of the Prosecuting Attorney, City and County of Honolulu; Office of the Prosecuting Attorney, County of Kaua'i; Liquor Commission, City and County of Honolulu; and Police Department, City and County of Honolulu. Testimony in opposition to this measure was submitted by the Office of the Public Defender.

Your Committee finds that this measure will change the level of intent to satisfy the elements of this law from knowingly to recklessly. Your Committee believes that this measure will help increase compliance with the law by necessitating identification



checks, at minimum, for those that hold liquor licenses as well as hold accountable those persons who allow or influence the sale, possession, or consumption of alcohol to a person under the age of twenty-one.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 442, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary and  
Labor,



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CLAYTON HEE, Chair



