
A BILL FOR AN ACT

RELATING TO INTOXICATING LIQUOR.

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

1 SECTION 1. Section 281-31, Hawaii Revised Statutes, is
2 amended as follows:

3 1. By amending subsection (c) to read:
4 "(c) Class 2. Restaurant license.

5 (1) A license under this class shall authorize the
6 licensee to sell liquor specified in this subsection
7 for consumption on the premises; provided that a
8 restaurant licensee, with commission approval, may
9 provide off-premises catering of food and liquor;
10 provided further that the catering activity shall be
11 directly related to the licensee's operation as a
12 restaurant. A license under this class shall also
13 authorize the licensee to sell beer, malt beverages,
14 or cider for off-premises consumption; provided that
15 the licensee has the appropriate kind of license
16 pursuant to paragraph (3); and provided further that
17 the beer, malt beverage, or cider is sold in a



1 securely sealed or covered glass, ceramic, or metal
2 container that is sold to or provided by the patron,
3 and each sealed or covered glass, ceramic, or metal
4 container does not exceed a maximum capacity of one-
5 half gallon. A licensee under this class shall be
6 issued a license according to the category of
7 establishment the licensee owns or operates. The
8 categories of establishment shall be as follows:

9 (A) A standard bar; or

10 (B) Premises in which live entertainment or recorded
11 music is provided. Facilities for dancing by the
12 patrons may be permitted as provided by
13 commission rules.

14 (2) If a licensee under class 2 desires to change the
15 category of establishment the licensee owns or
16 operates, the licensee shall apply for a new license
17 applicable to the category of the licensee's
18 establishment.

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

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

21 (B) Beer and wine; and



1 (C) Beer.

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

6 2. By amending subsection (e) to read:

7 "(e) Class 4. Retail dealer license. A license to sell
8 liquor at retail or to class 10 licensees shall authorize the
9 licensee to sell the liquor therein specified in their original
10 packages. A license under this class shall also authorize the
11 licensee to sell beer, malt beverages, or cider in non-original
12 packages; provided that the beer, malt beverage, or cider is
13 sold in a securely sealed or covered glass, ceramic, or metal
14 container that is sold to or provided by the patron, and each
15 sealed or covered glass, ceramic, or metal container does not
16 exceed a maximum capacity of one half-gallon. Under a class 4
17 license, no liquor shall be consumed on the premises except as
18 authorized by the commission. Of this class, there shall be the
19 following kinds:

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

21 (2) Beer and wine; and



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



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

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

17 (6) Shall comply with all regulations pertaining to class
18 4 retail dealer licensees when engaging in the retail
19 sale of malt beverages;

20 (7) May, subject to federal labeling and bottling
21 requirements, sell malt beverages manufactured on the



1 licensee's premises in brewery-sealed containers
 2 directly to class 2 restaurant licensees, class 3
 3 wholesale dealer licensees, class 4 retail dealer
 4 licensees, class 5 dispenser licensees, class 6 club
 5 licensees, class 8 transient vessel licensees, class 9
 6 tour or cruise vessel licensees, class 10 special
 7 licensees, class 11 cabaret licensees, class 12 hotel
 8 licensees, class 13 caterer licensees, class 14
 9 brewpub licensees, class 15 condominium hotel
 10 licensees, class 18 small craft producer pub
 11 licensees, and consumers pursuant to conditions
 12 imposed by county regulations governing class 1
 13 manufacturer licensees and class 3 wholesale dealer
 14 licensees; and

15 (8) May conduct the activities under paragraphs (1) to (7)
 16 at one location other than the licensee's premises;
 17 provided that:

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

19 (B) The other location is properly licensed under the
 20 same ownership."

21 4. By amending subsection (r) to read:



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

3 (1) Shall manufacture not more than:

4 (A) Sixty thousand barrels of malt beverages;

5 (B) Twenty thousand barrels of wine; or

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

8 provided that for purposes of this paragraph, "barrel"

9 means a container not exceeding thirty-one gallons or

10 wine gallons of liquor;

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

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

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



- 1 (A) A standard bar; or
- 2 (B) Premises in which live entertainment or recorded
- 3 music is provided. Facilities for dancing by the
- 4 patrons may be permitted as provided by
- 5 commission rules;
- 6 (5) May, subject to federal labeling and bottling
- 7 requirements, sell malt beverages manufactured on the
- 8 licensee's premises to consumers in producer-sealed
- 9 kegs and sell malt beverages manufactured on the
- 10 licensee's premises or purchased from a class 1
- 11 manufacturer licensee, a class 3 wholesale dealer
- 12 licensee, a class 14 brewpub licensee, or a class 18
- 13 small craft producer pub licensee to consumers in
- 14 growlers for off-premises consumption; provided that
- 15 for purposes of this paragraph, "growler" means a
- 16 glass, ceramic, or metal container, not to exceed one
- 17 half-gallon, which shall be securely sealed;
- 18 (6) May, subject to federal labeling and bottling
- 19 requirements, sell malt beverages, wine, or alcohol
- 20 manufactured on the licensee's premises in recyclable

1 containers provided by the licensee or by the consumer
2 which do not exceed:

3 (A) One gallon per container for malt beverages and
4 wine; and

5 (B) One liter for alcohol; and

6 are securely sealed on the licensee's premises to
7 consumers for off-premises consumption;

8 (7) Shall comply with all regulations pertaining to class
9 4 retail dealer licensees when engaging in the retail
10 sale of malt beverages, wine, and alcohol;

11 (8) May, subject to federal labeling and bottling
12 requirements, sell malt beverages, wine, and alcohol
13 manufactured on the licensee's premises in producer-
14 sealed containers directly to class 2 restaurant
15 licensees, class 3 wholesale dealer licensees, class 4
16 retail dealer licensees, class 5 dispenser licensees,
17 class 6 club licensees, class 8 transient vessel
18 licensees, class 9 tour or cruise vessel licensees,
19 class 10 special licensees, class 11 cabaret
20 licensees, class 12 hotel licensees, class 13 caterer
21 licensees, class 14 brewpub licensees, class 15



1 condominium hotel licensees, class 18 small craft
2 producer pub licensees, and consumers pursuant to
3 conditions imposed by county regulations governing
4 class 1 manufacturer licensees and class 3 wholesale
5 dealer licensees; and

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

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

10 (B) The other location is properly licensed under the
11 same ownership."

12 SECTION 2. This Act does not affect rights and duties that
13 matured, penalties that were incurred, and proceedings that were
14 begun before its effective date.

15 SECTION 3. New statutory material is underscored.

16 SECTION 4. This Act shall take effect on July 1, 2112.



Report Title:

Liquor Licenses; Restaurant; Retail Dealer; Brewpub; Small Craft
Producer Pub

Description:

Authorizes restaurants and retail dealers with a liquor license to sell beer, malt beverages, or cider for off-premises consumption, under certain conditions. Authorizes brewpubs and small craft producer pubs with a liquor license to sell for off-premises consumption malt beverages purchased from another liquor licensee. (HB770 HD1)

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

