

Transfer of Stock CHECKLIST

SUBMIT YOUR APPLICATION PACKET IN THE FOLLOWING ORDER:	Form Number	HLC Initial
<input type="checkbox"/> Notification of Authorized Agent (if applicable)	LIQ-LIC-106	
<input type="checkbox"/> Transfer of Stock Application and Stock Advisory Form (pg. 2 of form)	LIQ-LIC-114	
<input type="checkbox"/> Personal History & Affidavit Required for all New Officers, New Directors, 25%+ Stockholders	LIQ-LIC-129	
<input type="checkbox"/> Criminal History Record Clearance (Fingerprinting) Required for all New Officers, New Directors, 25%+ Stockholders Review instructions for submitting fingerprints through Fieldprint fingerprinting services.	LIQ-LIC-132 Fingerprinting Services	
<input type="checkbox"/> Stock Purchase Agreement Provide proof of the stock transfer/purchase. Must be signed by the seller/transferor and the buyer/transferee.		
<input type="checkbox"/> Certificate of Good Standing (not over 60 days old) Request online using the following DCCA website: http://cca.hawaii.gov/breg/		

Note: Any application that is inaccurate or incomplete will be returned.

No fee incurred for Transfer of Stock.

For questions about forms, please email: liq-licensing@honolulu.gov

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
 711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
 PHONE (808) 768-7300 • EMAIL liq-licensing@honolulu.gov
 INTERNET ADDRESS: www.honolulu.gov/liq

TRANSFER OF STOCK APPLICATION

Pursuant to Section §281-41, H.R.S., the following Corporate Licensee,

License #: _____ Licensee Name: _____

Trade Name/DBA: _____

Premises Address: _____

Requests Liquor Commission approval to transfer capital stock to the following named as follows:

SELLERS:

<u>Name</u>	<u>Title</u>	TO BE TRANSFERRED	
		<u>No. of Shares</u>	<u>Percentage%</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Attach additional sheets as necessary

BUYERS:

<u>Name</u>	<u>Title</u>	TO BE ACQUIRED	
		<u>No. of Shares</u>	<u>Percentage%</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Attach additional sheets as necessary

The following will be officers, directors & stockholders of the subject corporation upon approval of this stock transfer.

<u>Name</u>	<u>Title</u>	<u>No. of Shares</u>	<u>Percentage%</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Attach additional sheets as necessary

As required by §3-82-41.2 of the Rules of the Liquor Commission, attach the following:

- The stock purchase offer or similar document and the effective date of the transfer of stock; applicant's Certificate of Good Standing from the State Dept. of Commerce & Consumer Affairs (DCCA). Must be within 60 days of filing.
- Information regarding consideration involved in the transfer of stock.
- Personal History and Affidavit form(s), FBI fingerprint card(s), and "Criminal History Record Clearance" form(s) of the proposed new officer(s), director(s) or person(s) desiring to acquire the 25%+ interest of the Corporate Licensee named above (if applicable).

SELLER SIGNATURE _____ DATE _____ BUYER SIGNATURE _____ DATE _____

SELLER PRINT Name and Title _____ BUYER PRINT Name and Title _____

LICENSEE SIGNATURE _____ DATE _____ LICENSEE PRINT Name and Title _____

For HLC Office Use Only

LCIS ENTRY DATE: _____ HLC STAFF INITIAL: _____ STOCK TRANSFER APP #: _____

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STOCK TRANSFER ADVISORY

Licensee Name and Trade Name (DBA)

With the filing of this stock transfer application, applicant acknowledges the following:

- (1) It is the applicant's responsibility to receive and maintain all accounting records of the acquired corporation for the preceding four-year period. Such accounting records include, but are not limited to, daily sales records, employee time sheets, and invoices of the licensed premises.
- (2) In the event of an audit by the Liquor Commission, the applicant is aware that it is the applicant's responsibility to provide the auditors with complete accounting records, including those records which may have preceded the applicant's stockholding in the corporation.
- (3) If, as a result of such an audit there is a deficiency in the liquor license fee assessment, the applicant understands that the licensee corporation will be held liable to make such payments to the Liquor Commission.
- (4) Any assessments by the Liquor Commission to the licensee corporation, existing or potential, will be the applicant's responsibility. Failure of the transferor to disclose to the transferee such contingent liabilities does not eliminate the licensee corporation's responsibility to satisfy such liabilities.
- (5) The applicant understands that, as the transferee of the stock of the licensee corporation, the applicant may, under certain circumstances, be held personally accountable for the obligations and responsibilities of the licensee corporation.

At the time the stock transfer is effected, it is important that the buyer receive all records from the seller supporting gross liquor sales information. This will assist the buyer in documenting the information included in the "Declaration of Gross Liquor Sales".

ACKNOWLEDGE RECEIPT AND UNDERSTANDING:

APPLICANT SIGNATURE

PRINT APPLICANT NAME

DATE

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FINGERPRINTING SERVICES FOR THE HONOLULU LIQUOR COMMISSION



Beginning November 1, 2020, all applicants who are required to submit fingerprints must utilize **Fieldprint**, the nation's largest electronic fingerprinting network within the United States and its territories.

- Oahu applicants may schedule at any one of the four local **Fieldprint** locations.
- Out-of-state applicants may go to any of the 1,300+ Livescan sites operated by **Fieldprint** across the United States and its territories.
- Out-of-country applicants who are unable to utilize **Fieldprint's** service must contact the Supervising Liquor Control Investigator at (808) 768-7340 for further instructions.

If you are unsure as to whether or not you are required to submit fingerprints as part of the liquor license application process, please contact your assigned Licensing Investigator.

Instructions to schedule a fingerprint appointment:

1. Visit <http://fieldprinthawaii.com>
2. Click on the "Schedule an Appointment" button.
3. Enter an email address under "New Users/Sign Up" and click the "Sign Up" button. Follow the instructions for creating a Password and Security Question, then click "Sign Up and Continue."
4. Enter the Fieldprint Code: **FPHonoluluLiquorCommission**
5. Enter the contact and demographic information required by the FBI and schedule a fingerprint appointment at the location of your choosing.
6. At the end of the process, print the Confirmation Page. Take the Confirmation Page with you to your fingerprint appointment, along with two forms of identification.
7. If you have any technical questions or problems, you may contact **Fieldprint's** customer service team at 877-614-4364 or customerservice@fieldprint.com.
8. You will be responsible for submitting payment directly to **Fieldprint**.
9. You will be notified by your assigned Licensing Investigator once your background report is received.

C O N F I D E N T I A L

REQUEST FOR A CRIMINAL HISTORY RECORD CLEARANCE FOR LIQUOR LICENSE

(Please **PRINT** in black ink or type all requested information in Part I and Part II, sign, and **return to Honolulu Liquor Commission**)

PART I – APPLICANT DATA:

Last Name: _____ First Name: _____ Middle Name: _____

Alias(es) / Former Name(s) / Maiden Name: _____

Social Security No.: _____ Date of Birth: _____ Sex: M F

Race: _____ Height: _____ Weight: _____ Color of Eyes: _____ Color Hair: _____

Business Name: _____ Trade Name/DBA: _____

Place of Birth: _____ Citizenship: _____

PART II – DISCLOSURE OF CRIMINAL HISTORY:

Have you ever been convicted of any violation of law (felony/misdemeanor) other than a minor Traffic violation? Yes No

If yes, please explain what you were convicted of, when you were convicted, and the sentence/penalty. Also explain the circumstances of the offense.

I certify under the penalty of perjury that the above statements are true, complete and correct to the best of my knowledge and belief. I authorize the Honolulu Liquor Commission to submit a set of my fingerprints to the Hawaii Criminal Justice Data Center (HCJDC) and the Federal Bureau of Investigation (FBI) for the purpose of accessing and reviewing the state and national criminal history records that may pertain to me, and I waive the right to hold those agencies liable in determining my qualifications for a liquor license. I understand that my fingerprints will be retained by the HCJDC and the FBI for all purposes and uses authorized for fingerprint submissions, which may include participation in the state and national rap back program.

I understand that I have the right to challenge the accuracy and completeness of the results of my fingerprint-based criminal history record check. Should the Honolulu Liquor Commission policy not allow a copy of the results to be given to me, I may obtain a copy of my criminal history record by submitting fingerprints and fees directly to the HCJDC and/or FBI. I understand that the procedures for obtaining a change, correction, or updating of my criminal history record are set forth in Title 28, Code of Federal Regulations, Section 16.34.

I acknowledge that I have read, understand, and agree to the FBI Privacy Act Statement.

Applicant's Signature: _____ Date: _____

PART III – FILE SEARCH DATA – TO BE COMPLETED BY DATA CENTER:

HCJDC Administrator: _____ Date: _____

FBI PRIVACY ACT STATEMENT

Authority: The FBI's acquisition, preservation, and exchange of fingerprints and associated information is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include Federal statutes, State statutes pursuant to Pub. L. 92-544, Presidential Executive Orders, and federal. Providing your fingerprints and associated information is voluntary; however, failure to do so may affect completion or approval of your application.

Social Security Account Number (SSAN). Your SSAN is needed to keep records accurate because other people may have the same name and birth date. Pursuant to the Federal Privacy Act of 1974 (5 USC 552a), the requesting agency is responsible for informing you whether disclosure is mandatory or voluntary, by what statutory or other authority your SSAN is solicited, and what uses will be made of it. Executive Order 9397 also asks Federal agencies to use this number to help identify individuals in agency records.

Principal Purpose: Certain determinations, such as employment, licensing, and security clearances, may be predicated on fingerprint-based background checks. Your fingerprints and associated information/biometrics may be provided to the employing, investigating, or otherwise responsible agency, and/or the FBI for the purpose of comparing your fingerprints to other fingerprints in the FBI's Next Generation Identification (NGI) system or its successor systems (including civil, criminal, and latent fingerprint repositories) or other available records of the employing, investigating, or otherwise responsible agency. The FBI may retain your fingerprints and associated information/biometrics in NGI after the completion of this application and, while retained, your fingerprints may continue to be compared against other fingerprints submitted to or retained by NGI.

Routine Uses: During the processing of this application and for as long thereafter as your fingerprints and associated information/biometrics are retained in NGI, your information may be disclosed pursuant to your consent, and may be disclosed without your consent as permitted by the Privacy Act of 1974 and all applicable Routine Uses as may be published at any time in the Federal Register, including the Routine Uses for the NGI system and the FBI's Blanket Routine Uses. Routine uses include, but are not limited to, disclosures to: employing, governmental or authorized non-governmental agencies responsible for employment, contracting licensing, security clearances, and other suitability determinations; local, state, tribal, or federal law enforcement agencies; criminal justice agencies; and agencies responsible for national security or public safety.

Additional Information: The requesting agency and/or the agency conducting the application-investigation will provide you additional information pertinent to the specific circumstances of this application, which may include identification of other authorities, purposes, uses, and consequences of not providing requested information. In addition, any such agency in the Federal Executive Branch has also published notice in the Federal Register describing any systems(s) of records in which that agency may also maintain your records, including the authorities, purposes, and routine uses for the system(s).