HOUSE BILL NO. 301

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION


Introduced: 1/24/18
Referred: Labor and Commerce, Finance

A BILL

FOR AN ACT ENTITLED

"An Act relating to the renewal and transfer of ownership of a beverage dispensary license or restaurant or eating place license."

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

* Section 1. AS 04.11.400(a) is amended to read:

(a) Except as provided in (d) - (k) and (o) of this section, a new license may not be issued and the board may prohibit relocation of an existing license

(1) outside an established village, incorporated city, unified municipality, or organized borough if, after the issuance or relocation, there would be

(A) more than one restaurant or eating place license for each 1,500 population or fraction of that population, or (B) more than one license of each other type, including licenses that have been issued under (d), [OR] (e), or (o) of this section, for each 3,000 population or fraction of that population, in a radius of five miles of the licensed premises, excluding the populations of established villages, incorporated cities, unified municipalities, and organized boroughs that are wholly or partly included within the
radius;

(2) inside an established village, incorporated city, or unified municipality if, after the issuance or relocation, there would be inside the established village, incorporated city, or unified municipality

(A) more than one restaurant or eating place license for each 1,500 population or fraction of that population; or

(B) more than one license of each other type, including licenses that have been issued under (d), [OR] (e), or (o) of this section, for each 3,000 population or fraction of that population;

(3) inside an organized borough but outside an established village or incorporated city located within the borough if, after the issuance or relocation, there would be inside the borough, but outside the established villages and incorporated cities located within the borough,

(A) more than one restaurant or eating place license for each 1,500 population or fraction of that population; or

(B) more than one license of each other type, including licenses that have been issued under (d), [OR] (e), or (o) of this section, for each 3,000 population or fraction of that population excluding the population of those established villages that have adopted a local option under AS 04.11.491(b)(1), (3), or (4), and excluding the population of incorporated cities located within the organized borough.

* Sec. 2. AS 04.11.400 is amended by adding a new subsection to read:

(o) On and after the effective date of this Act, the holder of a beverage dispensary or restaurant or eating place license issued under (g) of this section as that subsection read on June 5, 1985, who has continually held the license until the effective date of this Act, may renew or transfer ownership of the license if the holder

(1) maintains a minimum of 10 rental rooms on the licensed premises;

(2) has a dining facility on the licensed premises or kitchen facilities in the majority of its rental rooms; and

(3) otherwise complies with the requirements of this title.