

**HOUSE BILL NO. 94**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVE FOSTER**

**Introduced: 2/18/21**

**Referred: State Affairs, Labor and Commerce**

**A BILL**

**FOR AN ACT ENTITLED**

1   **"An Act prohibiting the use of certain restrictive provisions in leases of space for**  
2   **business use in certain federally established zones; and adding an unlawful act to the**  
3   **Alaska Unfair Trade Practices and Consumer Protection Act."**

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

5    \* **Section 1.** AS 45.50.471(b) is amended by adding a new paragraph to read:

6                               (58) violating AS 45.50.476 (prohibited lease provision).

7    \* **Sec. 2.** AS 45.50 is amended by adding a new section to read:

8                       **Sec. 45.50.476. Prohibited lease provision.** A lease of space for business use  
9       located in a historically underutilized business zone established by the United States  
10      Small Business Administration under 15 U.S.C. 657a (HUBZone Act of 1997) may  
11      not include a provision that prohibits or otherwise prevents a party to the lease from  
12                               (1) selling or leasing that party's real property, including an interest in  
13      real property, to a person who is not a party to the lease and who intends to use the  
14      real property or interest for the operation of a business that is the same as or similar to

1 a business, or part of a business, owned or engaged in by another party to the lease;

2 (2) assisting or facilitating a person who is not a party to the lease to  
3 operate a business that is the same as or similar to a business, or part of a business,  
4 owned or engaged in by another party to the lease; or

5 (3) engaging, directly or indirectly, by itself or with another person, in  
6 a business that is the same as or similar to a business, or part of a business, owned or  
7 engaged in by another party to the lease.

8 \* **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to  
9 read:

10 APPLICABILITY. This Act applies to leases entered into on or after the effective date  
11 of this Act.