



THE STATE
of **ALASKA**
STATE LEGISLATURE

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House District 24

Bayshore - Klatt Road – Oceanview – Southport

HB 356 **Sectional Analysis**

Section 1 – Authority of the director

AS 04.06.080 provides that the director of the ABC Board shall prepare the budgets for admin, enforcement, education, training, and prevention activities under Title 4.

Section 2 – Delegation of authority

AS 04.06.080 adds endorsements to delegated powers, also edits cross reference.

Section 3 – Powers and duties

AS 04.06.090(b) relocation of language from existing AS 04.11.070 and addition of endorsements.

Section 4

AS 04.06.090(e) adds endorsements.

Section 5

AS 04.06.090 adds new subsection that directs the board to prepare Title 4 education plan for public safety, industry, youth, municipalities, and the public with annual revision.

Adds new subsections which direct the board to review fees every 10 years, allow opinions on legislation amending this title, requires the board to provide notice of violations to licensees and to post FASD information online for package store and winery licensees to include with shipped orders.

Section 6 – Statewide database

AS 04.06.095 allows for certain information from the statewide database to be retained up to 10 years, only identifying information will be purged annually. Adds reference to endorsement.

Section 7

AS 04.06.095(c) adds new subsection which directs the board to produce a report of aggregate regional sales of alcohol in local option areas.

Section 8 – Regulations

AS 04.06.100(b) adds endorsements, removes the power to create licenses and permits from regulation, and adds the power to restrict manufacturing, packaging, sale, and distribution of products containing alcohol for consumption.

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Section 9 – Proposed new chapter AS 04.09.

Chapter 09. Licenses, Endorsements, and Permits.

Article 1. License Types.

AS 04.09.010. Types of licenses. Gives the definition of license, three tiers, and limits license types to those listed in this chapter.

Article 2. Manufacturer Licenses.

- AS 04.09.020. Brewery manufacturer license. Relocates the brewery manufacturer's license from 04.11, set the biennial fee at \$1,500 and requires that at least 80% of the final product of brewed beverages sold be manufactured on licensed premises in Alaska.
- AS 04.09.030. Winery manufacturer license. Relocates the winery manufacturer's license from 04.11, sets the biennial fee at \$1,500 and requires that at least 80% of the final product of wine sold be manufactured on licensed premises in Alaska.
- AS 04.09.040. Distillery manufacturer license. Relocates the distillery manufacturer's license from 04.11, sets the biennial fee at \$1,500 and requires that at least 80% of the final product of distilled spirits sold be manufactured on licensed premises in Alaska.
- AS 04.09.050. Authorized sales. Allows smaller manufacturers to self-distribute to retail, wholesale, permitted and out of state or country licensees. Requires large manufacturers to go through wholesale distributors.
- AS 04.09.060. Unlicensed manufacturing. Relocates the penalty for unlicensed manufacture.
- AS 04.09.070. Unlicensed manufacturing in a local option area. Relocates the penalty for unlicensed manufacture in a local option area.
- AS 04.09.080. Unlicensed manufacturer sale. Defines unlicensed manufacturer sale as violating 04.09.050 and sets the penalty.
- AS 04.09.090. Definition. Defines “packaging” which is the process of containing alcoholic beverages in bottles or other containers for sale.
- AS 04.09.100. General wholesale license. Relocates the general wholesale license from 04.11, maintains \$2,000 biennial fee and reduces annual transaction fees for smaller businesses. Maintains \$10,000 maximum fee.
- AS 04.09.110. Limited wholesale brewed beverage and wine license. Relocates limited wholesale license from AS 04.11.160(b) in a separate section, maintains \$400 biennial fee, and reduces annual transaction fees for smaller businesses. Maintains \$10,000 maximum fee.
- AS 04.09.120. Annual fee and affidavit. Relocates existing affidavit requirement from previous wholesale licenses section (AS 04.11.160). Requires a wholesale licensee to submit an affidavit to the board stating total value of annual sales, including excise tax.
- AS 04.09.130. Wholesaler supplier declaration. Relocates the wholesale supplier declaration from previous wholesale licenses section in 04.11, simplifies the required form and maintains current fees.
- AS 04.09.140. Unlicensed wholesale. Relocates unlicensed wholesale provision and maintains penalty.
- AS 04.09.145. Unlicensed wholesale in a local option area. Relocates penalty from 04.11.
- AS 04.09.150. Failure to pay annual fee or file affidavit. States that failure to pay an annual wholesale fee or file an affidavit is a violation and sets the penalty.
- AS 04.09.160. Failure to pay biennial fee or file declaration. Relocates existing penalty.
- Article 4. Retail Licenses.
- AS 04.09.200. Beverage dispensary license. Relocates and simplifies the BDL license language, maintains the \$2,500 biennial fee, references the multiple fixed counter

endorsement, and sets the penalty for unauthorized beverage dispensary activity. Sections in current AS 04.11.090 for bowling alley and hotel licensees relocated to become separate endorsements.

- AS 04.09.210. Restaurant and eating place license. Relocates license from 04.11, sets biennial fee at \$1250, maintains 1:1 food to alcohol ratio, strikes 1996 exemption, limits the number of annual entertainment events to six, and sets penalty for failure to comply with license terms.
- AS 04.09.220. Club license. Relocates license from 04.11, sets biennial fee at \$2,500, and sets the penalty for failure to comply with license terms.
- AS 04.09.230. Package store license. Relocates license from 04.11, maintains biennial fee of \$1,500, and sets penalty for failure to comply with licenses terms. Sections in current AS 04.11.150 for delivery, shipping and other activities relocated to become separate endorsements.
- AS 04.09.240. Pub license. Relocates license from 04.11, sets biennial fee at \$1,250, and sets penalty for failure to comply with license terms. Adds provision allowing designation of alternating premises, must be operated during mutually exclusive hours and at a second location on university campus.
- AS 04.09.250. Theatre license. Relocates license from regulation, sets biennial fee at \$1,250, and sets the penalty for failure to comply with license terms.
- AS 04.09.260. Common carrier dispensary license. Relocates license from 04.11, maintains current fee schedule, removes “vehicle” as a qualifying premise, and sets penalties for unauthorized common carrier dispensary activity and common carrier dispensary noncompliance.
- AS 04.09.270. Sporting event license. Relocates and renames recreational site license, sets biennial fee at \$1,250, sets a penalty for unauthorized sporting event activity, and establishes 8-year sunset dates for licenses issued under former AS 04.11.210.
- AS 04.09.280. Outdoor recreation lodge license. Relocates license from 04.11, sets biennial fee at \$2,500, and sets penalty for unauthorized outdoor recreation lodge activity.
- AS 04.09.290. Golf course license. Relocates license from 04.11, sets biennial fee at \$1,250, and sets penalty for failure to comply with license terms.
- AS 04.09.300. Destination resort license. Relocates license from 04.11, sets biennial fee at \$2,500, and sets penalty for failure to comply with license terms.
- AS 04.09.310. Brewery retail license. Creates new license type based on existing language in AS 04.11.130 for brewery retail activities, sets biennial fee at \$1,250, and sets penalty for failure to comply with license terms. Requires new licensees to limit retail sales to 20% after 8 years or seek waiver from the board; exempts currently operating Brewery licensees with retail operations from this requirement.
- AS 04.09.320. Winery retail license. Creates new license type based on existing language in AS 04.11.140 for winery retail activities, sets biennial fee at \$1,250, and sets penalty for failure to comply with license terms. Requires new licensees to limit retail sales to 20% after 8 years or seek waiver from the board; exempts currently operating Winery licensees with retail operations from this requirement.
- AS 04.09.330. Distillery retail license. Creates new license type based on existing language in AS 04.11.170 for distillery retail activities, sets biennial fee at \$1,250, and sets penalty for failure to comply with license terms. Requires new licensees to limit retail sales to 20% after 8 years or seek waiver from the board; exempts currently operating Distillery licensees with retail operations from this requirement.

- AS 04.09.340. Beverage dispensary tourism license. Relocates license from AS 04.11.400(d), maintains biennial fee at \$2,500, and sets penalty for unauthorized beverage dispensary activity. Other language in AS 04.11.400(d) relocated to Hotel or Motel Endorsement.
- AS 04.09.350. Seasonal restaurant or eating place license. Creates new license type, sets biennial license fee at \$1,250, defines which communities can qualify for having this license type, sets out formula for determining number of allowed licenses per community, and sets penalty for failure to comply with license terms.
- AS 04.09.360. Winery direct shipment license. Creates new license type, sets biennial license fee at \$200, directs the board to develop an application form specifically for this license, and sets penalty for failure to comply with license terms.
- AS 04.09.370. Unlicensed retail sale. Defines unlicensed retail sale and sets penalty.
- AS 04.09.380. Unlicensed retail sale in a local option area. Defines unlicensed retail sale in a local option area and sets penalty.
- Article 5. Endorsements.
- AS 04.09.400. Types of endorsements. Defines endorsements, clarifies that endorsements must be exercised with a license.
- AS 04.09.410. Manufacturer sampling endorsement. Creates new endorsement for onsite sampling, defines per person per day volume limits by product type, sets biennial fee at \$200, sets penalties for unendorsed sampling and endorsement noncompliance.
- AS 04.09.420. Multiple fixed counter endorsement. Creates new endorsement for multiple fixed counters, sets biennial fee at \$200, sets initial application fee per counter, sets penalties for endorsement noncompliance and unendorsed service. Language relocated from duplicate license section in AS 04.11.090.
- AS 04.09.430. Hotel or motel endorsement. Creates new endorsement, sets biennial fee at \$200, sets penalties for unendorsed hotel or motel service and endorsement noncompliance. Some language relocated from AS 04.11.090.
- AS 04.09.440. Large resort endorsement. Creates new endorsement, sets biennial fee at \$200, sets penalties for unendorsed large resort service and endorsement noncompliance. Some language relocated from AS 04.11.090.
- AS 04.09.450. Restaurant endorsement. Creates new endorsement, sets biennial fee at \$200, sets penalties for unendorsed restaurant service and endorsement noncompliance. Relocates language from Restaurant Designation Permit in regulation.
- AS 04.09.460. Package store shipping endorsement. Creates new endorsement, sets biennial fee at \$200, sets penalties for unendorsed package store shipping and endorsement noncompliance. Relocates language from AS 04.11.150.
- AS 04.09.470. Package store delivery endorsement. Creates new endorsement, sets biennial fee at \$200, sets penalties for unendorsed package store delivery and endorsement noncompliance. Relocates language from AS 04.11.150.
- AS 04.09.480. Package store repackaging endorsement. Creates new endorsement, sets biennial fee at \$200, sets penalties for unendorsed package store repackaging and endorsement noncompliance. Relocates language from regulation.
- AS 04.09.490. Package store sampling endorsement. Creates new endorsement, defines per person per day volume limits by product type, sets biennial fee at \$200, sets penalties for unendorsed package store sampling and endorsement noncompliance.

- AS 04.09.500. Bowling alley endorsement. Creates new endorsement, sets biennial fee at \$200, sets penalties for unendorsed bowling alley service and endorsement noncompliance. Relocates language from AS 04.11.090.
- AS 04.09.510. Golf course endorsement. Creates new endorsement, sets biennial fee at \$200, sets penalties for unendorsed golf course service and endorsement noncompliance.
- AS 04.09.520. Brewery repackaging endorsement. Creates new endorsement, sets biennial fee at \$200, sets penalties for unendorsed brewery repackaging and endorsement noncompliance. Relocates language from regulation.
- Article 6. Permits.
- AS 04.09.600. Types of permits. Defines permits, establishes application process and sets daily fee for all permit types at least \$50 per event day.
- AS 04.09.610. Beverage dispensary caterer's permit. Relocates permit from 04.11.
- AS 04.09.620. Restaurant caterer's dining permit. Relocates permit from regulations.
- AS 04.09.630. Club caterer's permit. Relocates permit from regulations.
- AS 04.09.640. Art exhibit permit. Relocates permit from regulations.
- AS 04.09.650. Nonprofit organization event permit. Relocates permit from 04.11 and renames.
- AS 04.09.660. Alcoholic beverage auction permit. Relocates wine auction permit from regulations, renames and expands definition.
- AS 04.09.670. Tasting event permit. Creates new permit.
- AS 04.09.680. Inventory resale permit. Relocates retail stock sale license from 04.11 and renames.
- AS 04.09.690. Conditional contractors permit. Relocates permit from 04.11.
- AS 04.09.700. Failure to comply with a permit requirement. Sets the penalties for failure to comply with permit requirements.

Section 10 – License or permit required; presumption concerning possession for sale

AS 04.11.010(a) removes penalties for unlicensed manufacture, sale and offering for sale. Unlicensed sale is addressed in new sections in proposed AS 04.09.

Section 11

AS 04.11.010(b) adds reference to the package store shipping license.

Section 12

AS 04.11.010(c) adds references to unlicensed sale, corrects term “half-keg” and adds barter to local option violation.

Section 13 – Purchase from non-licensee prohibited

AS 04.11.015 prohibits barter for alcoholic beverages.

Section 14 – Board approval of transfer

AS 04.11.040 adds penalty for unauthorized transfer of an alcoholic beverage license or permit. Section 15 – Reports required of limited liability organizations

AS 04.11.045 adds penalty for failure to report a change in member interest or manager.

Section 16 – Reports required of corporations

AS 04.11.050 adds penalty for failure to report a stock transfer or change of officers or board members.

Section 17 – Reports required of partnerships

AS 04.11.055 adds penalty for failure to report a transfer of partnership interest or change of general partner.

Section 18 – Nonresident distiller, brewer, winery, or wholesaler

AS 04.11.060 amends reference to general wholesale license.

Section 19

AS 04.11.060 adds penalty for violating the section.

Section 20 – Application for new license, endorsement, or permit

AS 04.11.260 adds endorsement, requires phone number and e-mail of applicant, requires annotated premises drawing and adds license references with individual application requirements.

Section 21

AS 04.11.260 exempts winery direct shipment license from application process for other license types.

Section 22 – Application for renewal of license or permit

AS 04.11.270 adds endorsements, adds conditional contractor's permit, edits reference, and allows renewal applications to be sent via electronic mail.

Section 23

AS 04.11.270 exempts winery direct shipment license.

Section 24 – Application for transfer of a license to another person

AS 04.11.280 adds endorsements as transferrable with a license.

Section 25 – Criminal justice information and records

AS 04.11.295(a) adds issuance and renewal for conditional contractor's permit.

Section 26

AS 04.11.295(b)(1) adds reference to conditional contractor's permit.

Section 27 – Notice of application

AS 04.11.310 exempts winery direct shipment license.

Section 28 – False statement on application.

AS 04.11.315 relocates AS 04.16.210 and defines crime of making false statements on an application to article 3.

Section 29 – Denial of new licenses and permits

AS 04.11.320(a) adds references to endorsements.

Section 30 – Denial of license or permit renewal

AS 04.11.330(a) changes 30 eight-hour day requirement to 240 hours and removes reference to public convenience license. [effective immediately]

Section 31

AS 04.11.330(a) duplicate section adds endorsement, adds reference to beverage dispensary tourism license, and adds reference to seasonal restaurant or eating place tourism license. [effective with other licensing changes]

Section 32

AS 04.11.330(d) exempts common carrier dispensary licenses and renames reference to recreational site license.

Section 33

AS 04.11.330 exempts winery direct shipment license.

Section 34 – Denial of request for relocation

AS 04.11.340 removes reference to public convenience license. [effective immediately]

Section 35

AS 04.11.340 duplicate section, adds reference to 04.11.400(k) and removes reference to 04.11.400(d). [effective with other licensing changes]

Section 36 – Denial of transfer of a license to another person

AS 04.11.360 removes public convenience license reference. [effective immediately]

Section 37

AS 04.11.360 duplicate section removes reference to brewpub license. [effective with other licensing changes]

Section 38 – Licensed premises in multi-unit residential housing developments owned or financed by the Alaska Housing Finance Corporation

AS 04.11.365 adds reference to restaurant endorsement.

Section 39 – Suspension and revocation of licenses and permits

AS 04.11.370 adds endorsements.

Section 40 – Board imposed conditions or restrictions

AS 04.11.395 section title change and adds reference to endorsements.

Section 41

AS 04.11.395 allows the director to impose conditions or restrictions on any permit other than a conditional contractor's permit.

Section 42 – Population limitations

AS 04.11.400(a) adds reference to 04.11.405. [effective immediately]

Section 43

AS 04.11.400(a) duplicate section, edits subsection reference, defines five-mile radius outside cities, adds population limits for retail licenses, adds licenses exempt from population limits and exempts local option populations from calculations. [effective with other licensing changes]

Section 44

AS 04.11.400(i) lists licenses exempt from population limits.

Section 45

AS 04.11.400(k) edits reference to beverage dispensary license, allows relocation of a package store, lowers borough threshold population, restricts number of licenses eligible for transfer to those exceeding population limits and defines number of allowed transfers by city, not borough.

Section 46 – Petition for additional restaurant or eating place licenses for certain local governing bodies

AS 04.11.405 adds new section that gives certain local governing bodies the ability to petition the board for additional restaurant or eating place licenses allocated to their jurisdiction. [effective immediately]

Section 47 – 48

AS 04.11.405(a)-(b) duplicate sections amending cross-references to restaurant and eating place license. [effective with other licensing changes]

Section 49 – Person and location

AS 04.11.430 updates definition of corporation to match Title 10 and requires additional information from licensees.

Section 50 – Prohibited financial interest

AS 04.11.450(b) retains restrictions wholesale licensees from owning a manufacturing tier license or retail tier license, removes restriction on small manufacturers owning retail licenses.

Section 51

AS 04.11.450(e) restricts wholesale licensees from acting as an employee or agent of a manufacturer tier license or retail tier license.

Section 52

AS 04.11.450 restricts manufacturers above certain annual production from owning a wholesale tier license or retail tier license.

Section 53 – Prior public approval

AS 04.11.460 exempts winery direct shipment license.

Section 54 – 56

AS 04.11.470 – AS 04.11.480 adds endorsements to allowable objections and protest.

Section 58 - 60 – Local options

AS 04.11.491 renumbers statutory references to license types.

Section 61

AS 04.11.491(g) edits reference to package store license and removes step down penalty for furnishing or delivery of alcoholic beverages to persons under the age of 21; Section 92 of bill removes existing Felony C penalty for violation in a local option area, eliminating need for community's option to reduce this penalty.

Section 62 – Notice to local governing body

AS 04.11.520 clarifies language for notice process and adds endorsements.

Section 63 – Suspension and revocation based on acts of employees

AS 04.11.535(a) adds endorsements, reference to permittee as applicable and clarifying language.

Section 64 - 67

AS 04.11.537 – AS 04.11.570 adds endorsements or conditional contractors permit to application, renewal and expiration, appeals, refunds and forfeiture of fees procedures.

Section 68 – Surrender or destruction of a license

AS 04.11.580(b) changes language to “not later than”.

Section 69 – Disposition of money

AS 04.11.590(a) adds reference to endorsements and permits.

Section 70 – Refund to municipalities

AS 04.11.610 changes refund to allocation throughout and specifies content of reporting by municipalities for how license fee funds were used for alcohol-related education and enforcement.

Section 71 – Accessibility of license and licensed premises to inspection

AS 04.11.630(b) adds endorsements, permits and includes premises during a permitted event.

Section 72 – Duration of licenses and permits

AS 04.11.680 adds endorsements, conditional contractors permit and states that permits must be issued for a specified time.

Section 73 – Hours of sale and presence on licensed premises (standard closing hours)

AS 04.16.010(c) allows a person to be on the licensed premises outside of the hours of sale to conduct business with the licensee, maintenance or improvements, common carrier licensees and adds restaurant endorsement reference.

Section 74

AS 04.16.010 adds penalty for violating the section.

Section 75 – Pricing and marketing of alcoholic beverages

AS 04.16.015(a) exempts sampling endorsements and defines week as seven days.

Section 76

AS 04.16.015 adds penalty for violating the section.

Section 77 – Trade practices

AS 04.16.017 new section specifying illegal practices by manufacturers and directs the board to adopt administrative penalties for violations.

Section 78 – Solicitation of alcoholic beverages; purchase on behalf of another

AS 04.16.020 sets penalty for unauthorized solicitation or purchase of alcoholic beverages.

Section 79 – Online sale and purchase of alcoholic beverages

AS 04.16.022 new section prohibiting online sale and purchase of beer and spirits. Requires winery direct shipment license for online sales.

Section 80 – Illegal presence on premises involving alcoholic beverages

AS 04.16.025(a) adds statutory references to all penalties involving sale without a license.

Section 81 – Prohibited conduct relating to drunken persons

AS 04.16.030 sets penalties for prohibited conduct relating to a drunken person. Adds administrative penalty to licensee if employee is convicted of a violation of this section. Adds misdemeanor penalty for licensee who knowingly allows employees to violate this section.

Section 82 – Possession of ingredients for homebrew in certain areas

AS 04.16.035 changes statutory reference to all local option areas.

Section 83

AS 04.16.035 sets penalty for possession of ingredients for homebrew.

Section 84 – Access of drunken persons to licensed premises

AS 04.16.040 rewords licensed premises language.

Section 85

AS 04.16.040 sets penalty for prohibited access by a drunken person.

Section 86 – Obligation to enforce restrictions in licensed premises

AS 04.16.045 sets penalty for permitting consumption not authorized under a license.

Section 87 – Access of persons with restriction on purchasing alcohol

AS 04.16.047 sets penalty for entering and remaining on licensed premises.

Section 88 – Access to persons under the age of 21 to licensed premises

AS 04.16.049(a) amends reference to restaurant endorsement and club license.

Section 89

AS 04.16.049(c) adds some license types allowed to have underage persons on premises as employees, ages 16 and 17.

Section 90

AS 04.16.049(d) adds some license types allowed to have underage persons on premises as employees, ages 18-20.

Section 91

AS 04.16.049 adds some license types allowed to have underage persons on premises if traveling.

Section 92 – Furnishing or delivery of alcoholic beverages to persons under the age of 21

AS 04.16.051(d) defines offense of furnishing or delivering to a minor.

Section 93

AS 04.16.051 sets penalties for furnishing or delivering to a minor. Removes Felony C penalty for offense in a Local Option area.

Section 94 – Furnishing of alcoholic beverages to person under the age of 21 by licensees

AS 04.16.052 sets penalties for furnishing or delivering to a minor by a licensee or employee. Adds administrative penalty to licensee if employee is convicted of a violation of this section. Adds misdemeanor penalty for licensee who knowingly allows employees to violate this section.

Section 95 – Room rental for purposes of consuming alcoholic beverages

AS 04.16.055 sets penalty for renting a room for the purpose of providing alcoholic beverages to a person under 21 years of age.

Section 96 – Permitting minor to illegally possess liquor in a dwelling

AS 04.16.057(b) sets penalty for violating the section.

Section 97 – Purchase by or delivery to persons under the age of 21

AS 04.16.060(e) removes requirement for persons under the age of 16 to be accompanied by a person 21 year of age and have parental consent to remain in a restaurant that serves alcohol. Language relocated to proposed AS 04.09.450 Restaurant Endorsement.

Section 98

AS 04.16.060 defines penalties for purchase by a person under 21 years of age and delivery to a person under 21 years of age. For persons under 21, adds similar penalty structure as those in AS 04.16.049 and AS 04.16.050, \$500 fine for violation with option to reduce fine to \$50 if youth completes treatment or community diversion panel.

Section 99 – Sales or consumption at school events

AS 04.16.080 edits title for the section.

Section 100

AS 04.16.080 sets penalty for consuming at a school event.

Section 101 – Prohibition of bottle clubs

AS 04.16.090(c) makes list exclusive and adds cover charge and other services or products provided on the premises.

Section 102

AS 04.16.090 defines the crime of maintaining a bottle club and sets penalty.

Section 103 – Sale of certain alcoholic beverages prohibited

AS 04.16.110 defines sale of a prohibited alcoholic beverage and sets penalty.

Section 104 – Removal or introduction of alcoholic beverages

AS 04.16.120 defines removal or introduction of alcoholic beverages, sets penalty and exemptions.

Section 105 – Alcoholic beverages transported by common carrier

AS 04.16.125 repeals and reenacts the section. Allows for delivery to a person over the age of 21 with signature from an order filled by a package store or winery direct shipment licensee, requires board to publish list of approved carriers, removes restrictive language for delivery to a local option area and sets penalty.

Section 106 – Stock confined to licensed premises

AS 04.16.130 sets penalty for unauthorized storage of alcoholic beverages.

Section 107 - Sale or consumption of alcoholic beverages in a warehouse

AS 04.16.140 sets penalty for consumption or sale of alcoholic beverages in a warehouse.

Section 108 – Licensee responsible for violations

AS 04.16.150 sets penalty for failure to ensure compliance.

Section 109 – Restriction on purchasing alcoholic beverages

AS 04.16.160 sets penalty for failure to comply with a restriction on purchasing alcoholic beverages.

Section 110 - 111 – Source of alcoholic beverages

AS 04.16.170 exempts winery direct shipment license and sets penalty for sale of alcoholic beverages from or to an unlicensed person.

Section 112 - 113 – Restrictions on purchase and sale of alcoholic beverages

AS 04.16.172 renames cross-references to license types and sets penalty for licensee obtaining alcoholic beverages from an unlicensed seller.

Section 114 – Furnishing alcoholic beverages in aid of gambling enterprise

AS 04.16.175 sets penalty for the crime of furnishing an alcoholic beverage in aid of a gambling enterprise.

Section 115 – Penalties for violation

AS 04.16.180(b) adds statutory references to prohibited conduct related to drunken persons and furnishing alcoholic beverages to persons under the age of 21 by licensees.

Section 116

AS 04.16.080(e) adds definition for “conviction”.

Section 117

AS 04.16.180 adds clarification that licensees are subject to administrative penalties imposed by the board for violations of AS 04.16.030 and AS 04.16.052 and adds mitigating circumstances for licensees.

Section 118 - 121 – Forfeitures and seizures

AS 04.16.220(a) renumbers cross-references.

Section 122 – Keg registration

AS 04.21.012 adds new section establishing a keg registration process.

Section 123 - 124 – Civil liability of persons providing alcoholic beverages

AS 04.21.020(a) renumbers cross-references.

Section 125 – Alcohol server education course

AS 04.21.025(a) repeal and reenact section to list license types that do not require server education training.

Section 126

AS 04.21.025(b) adds reference to permit holders and individuals listed on an application as servers for a permitted event.

Section 127

AS 04.21.025(c) adds reference to permit holders and requires servers listed on the permit to have a current alcohol servers card.

Section 128

AS 04.21.025 defines the offense of failure to comply with alcohol server education requirements and sets penalty.

Section 129 – Proof of age and of not being restricted from purchasing alcoholic beverages

AS 04.21.050(a) renumbers cross-reference.

Section 130 – Warehousing of alcoholic beverages

AS 04.21.060 defines the offense of unauthorized warehousing.

Section 131 – Posting of warning signs

AS 04.21.065(a) updates list of license types that require warning signs.

Section 132

AS 04.21.072. Fines and other criminal penalties. New section, sets penalties for other violations, misdemeanors, or felonies unless otherwise specified.
AS 04.21.074. Bail forfeiture schedule. Directs the supreme court to set a bail schedule for Title 4 violations.
AS 04.21.076. Suspension of fine or sentence. Prevents the court from suspending fines or sentences for minor offenses.

Section 133 – Court records of persons under 21 years of age

AS 04.21.078 adds additional statutory reference to violations of AS 04.16.060.

Section 134 – Definitions

AS 04.21.080(b)(6) adds reference to permit holders and license holders.

Section 135

AS 04.21.080(b)(15) adds endorsements.

Section 136

AS 04.21.080(b) adds definitions.

Section 137 – Definitions

AS 05.15.690(48) renumber beverage dispensary license reference and update “bar” definition.

Section 138 – 143

Amends references to Title 4 in Titles 9, 11, 12 and 18.

Section 144 - Unlawful practices in places of public accommodation

AS 18.80.230(b) amends reference to chapter 04.11.

Section 145 – Definitions

AS 39.50.200(b) add the marijuana control board to list of state commissions or boards.

Section 146 – Winery direct shipment tax; statement; audit

AS 43.60.060 establishes tax collection on direct wine shipments from out of state businesses holding this license and outlines requirements for the Department of Revenue.

Section 147 - 148

AS 43.70.105(a) amends references to chapter 04.11 in Titles 43 and 45.

Section 149 – Uncodified law

Amends court rule 17 by adding statutory reference.

Section 150

Repealing section with effective date of January 1, 2020.

Section 151

Immediate repeal section.

Section 152

Repealing section with effective date of January 1, 2028.

Section 153

Repealing section with effective date of January 1, 2020.

Section 154 – Uncodified law

Applicability. States that changes apply to offenses committed on, or after the effective date.

Section 155 – Transition

Conversion of applications and licenses. Provides that the board shall convert all necessary licenses and applications within 90 days.

Section 156 – Transition

Seasonal restaurant or eating place license. Converts applications for restaurant or eating place licenses to seasonal restaurant or eating place license application if the establishment serves beer and wine for a period not exceeding six months.

Section 157 – Transition

Regulations. Directs the Department and the Board to adopt necessary regulations.

Section 158

Immediate effective date clause.

Section 159

January 1, 2020 effective date for the remainder of the act.

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