



## **Representatives Kurt Olson and Lindsey Holmes**

### **House Bill 87 Sponsor Statement**

#### **"An Act relating to penalties for antitrust violations."**

House Bill 87 updates the criminal penalties for the state's anti-trust laws, and adds a civil penalty provision. Under current law, an antitrust violation under AS 45.50.562 or 45.50.564 is a misdemeanor that is punishable by a fine of up to \$20,000 for natural persons or \$50,000 for organizations. These penalties do not serve as a significant deterrent to individuals and companies engaging in antitrust violations.

HB 87 increases criminal fines to \$1 million for an individual and \$50 million for an organization, and make such a violation a class "C" felony. Under analogous Federal antitrust law, violations are a felony and criminal fines are set at \$1 million for individuals, and \$100 million for a corporation (15 U.S.C.A. § 3).

Additionally, HB 87 adds a new provision to the antitrust law that will allow the Department of Law to pursue a civil action for antitrust violations, with the same maximum penalties of \$1 million for a natural person and \$50 million for an organization. The antitrust laws in most other states already contain civil penalty provisions, with fines of varying amounts.

This update to our antitrust statutes will give the Department of Law the necessary teeth for dealing with any antitrust violations in our state. Please join us in supporting HB 87