

Title 4 Review: 2016 Update

WHAT IS TITLE 4?

Alaska's Title 4 statutes regulate "the manufacture, barter, possession, and sale of alcoholic beverages in the state" [AS 04.06.090(a)]. The Alcoholic Beverage Control Board, staff and state and local officials enforce these laws.

WHY REVIEW TITLE 4?

Much of the chapter has not been updated since 1980. Over time, incremental updates and changing industry trends have reduced the effectiveness of Title 4. A systematic review of the statutes helps the Board carry out its mission and will benefit organizations and individuals whose work, community or business is affected by alcohol laws and regulations.

GOALS OF TITLE 4 REVIEW

Stakeholders established shared goals as the foundation for developing recommendations:

Promote a fair business climate and protect public health and safety.

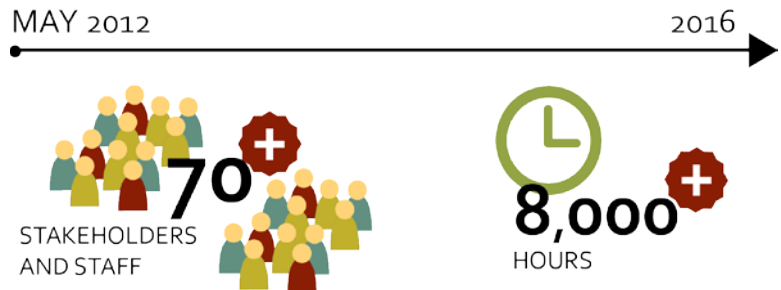
- Create rational regulation for all tiers of the state's alcohol industry.
- Limit youth access to alcohol.
- Promote responsible alcohol use and reduce the harms of overconsumption.

Make Title 4 a clear and consistent legal framework for the ABC Board, licensees and law enforcement.

- Increase swiftness, proportionality and consistency of penalties.
- Increase local Title 4 law enforcement.
- Increase licensee accountability before the ABC Board for Title 4 violations.

STAKEHOLDER-DRIVEN PROCESS

Since 2012, stakeholders representing the alcohol industry, public health, local government, law enforcement, public safety, education, and community advocacy sectors have dedicated over 8,000 hours to craft recommendations to improve Title 4. This group, working with the Title 4 Review Steering Committee, helped to identify which recommendations may merit further refinement, and which are ready to move forward.



2016 PRIORITY: INTRODUCE SELECT RECOMMENDATIONS IN SB 165

The stakeholder group has identified high-priority recommendations that can have immediate impacts this year:

Composition of the ABC Board [04.06.020]

- Designate ABC Board seats to ensure consistent representation of important sectors.
- Five-member board: 2 industry, 1 public health, 1 public safety, 1 rural public member.

Minor on Licensed Premises [04.16.049] and Minor Consuming Alcohol, MCA [04.16.050]

- Reform underage drinking sanctions so that minors do not become criminals for underage drinking.
- Restored to true violations, with no graduating penalties for subsequent convictions; if convicted, better youth access to education or treatment.
- Violations of 04.16.049 and 04.16.050 would never appear on CourtView and treated separately from other charges.
- Prior conviction of MCA would not prevent youth from obtaining or renewing a driver's license.

NEXT STEPS AND PLAN FOR ACTION

2016: High-priority recommendations in SB 165 and a House companion bill are brought to the Alaska Legislature for consideration to adopt into law. Positive criminal justice reforms could begin benefitting young Alaskans this year.

2016 - 2017: Stakeholders continue to refine the full package of proposed Title 4 revisions. The remaining elements of the comprehensive package could be introduced to the Legislature for consideration in 2017.