

ALASKA STATE LEGISLATURE



SENATOR PETER MICCICHE
SENATE DISTRICT O

CSSB (FIN) 16 Sectional Analysis Version 31-LS0283\G

An Act relating to certain alcoholic beverage licenses and permits; and relating to the bond requirement for certain alcoholic beverage license holders.

Section 1: Amends AS 04.11.080 Types of Licenses and Permits – to add performing arts theater license, fair license, concert permit, and music festival permit. (Page 1, Line 5 – Page 2, line19)

Section 2: Adds a new section (AS 04.11.205) Performing arts theater license. This section defines this type of license, the biennial fee for the license, and the circumstances for issuance and compliance. (Page 2, line 20 – Page 3, line 19)

Section 3: Amends AS 04.11.210(a) to use the word “activities” rather than “events” as being allowed under a recreational site license. (Page 3, lines 20-23)

Section 4: Amends AS 04.11.210(c) to list sporting activities such as skiing and snowboarding as allowable activities under a recreational site license. (Page 3, lines 24-28)

Section 5: Adds a new section to AS 04.11.210(d) to grandfather-in previously licensed entities under the recreation site license if they were valid on December 31, 2018. This applies to businesses that were operating in accordance to the terms of their license but were determined by the ABC board to not meet the statutory definition of “recreational site license.” (Page 3, line 29 – Page 4, line 6)

Section 6: Adds a new section (AS 04.11.215) Fair license. This section defines this type of license, the biennial fee for the license, and the circumstances for issuance and compliance. (Page 4, lines 7-17)

Section 7: Adds a new section (AS 04.11.235(a-c)) Concert permit. This section allows the holder of a recreational site license to obtain a concert permit, disallows transfer or renewal, and sets the fee at \$50. (Page 4, lines 18-26)

Section 8: Amends AS 04.11.240(c) to remove obsolete language per department request and increase the number of special events permits that can be granted to a nonprofit fraternal, civic or patriotic organization to 12 per calendar year (from 5). (Page 4, line 27 – Page 5, line 4)

Section 9: Adds a new section (AS 04.11.245) Music festival permit. This section defines this type of permit and terms for issuance and compliance. (Page 5, line 5 – Page 5, line 20)

Section 10: Amends AS 04.11.260(c) to add a reference to the applicant for a music festival permit as being required to provide evidence of approval by public authorities prior to the event and removes obsolete reference. (Page 5, lines 21-28)

Section 11: Amends AS 04.11.330(d) to allow a performing arts theater license renewal, notwithstanding other requirements, if the license was exercised at least once during each of the previous two calendar years. (Page 5, line 29 – Page 6, line 2)

Section 12: Amends AS 04.21.065(a) to add the new licenses/permits to the list of those required post notice on the designated premise. (Page 6, lines 3-28)

Sections 13-15: Amends AS 43.60.040 Administration and Enforcement of Tax, to provide an incentive for filing timely monthly tax returns and paying taxes on time over the most recent three years. Specifically, it removes the \$25,000 surety bond requirement if all other requirements of compliance are met. (Page 6, line 29, - Page 7, line 29)

Sections 16: Transition language regarding the renewal of a recreational site license that was considered in compliance as of December 31, 2018 but was denied between that time and the effective date of this Act. (Page 7, line 30 – Page 8, line 7)

Section 17: Technical change to clean up the statute at the request of the department. Repeals the caterer's permit 48-hour surrender requirement, as it is not currently being done. (Page 8, line 8)

Sections 18-19: Effective date sections, including retroactivity to accommodate the transition language in section 16. (Page 8, lines 9-12)