

Section 99: Furnishing or delivery of alcoholic beverages to persons under the age of 21. Repeals and reenacts AS 04.16.051(d) to define existing offense of furnishing or delivering alcohol to a minor. (Page 92)

Section 100: Furnishing or delivery of alcoholic beverages to persons under the age of 21. Adds a new subsection to AS 04.16.051 (e) to relocate the existing C felony penalty for furnishing or delivering to a minor by a person, for situations involving serious harm, repeat offenses, and if the violation occurs in a local option area. (Page 92)

Section 101: Furnishing of alcoholic beverages to person under the age of 21 by licensees. Amends AS 04.16.052 to change the penalties for furnishing or delivering alcohol to a minor by a licensee or employee, adds administrative penalty to licensee if an employee is convicted of a violation of this section and shifts misdemeanor penalty in AS 04.16.150 to the licensee who knowingly allows employees to violate this section. (Pages 92-93)

Section 102: Room rental for purposes of consuming alcoholic beverages. Amends AS 04.16.055 to maintain the current penalty of class A misdemeanor for renting a room for the purpose of providing alcoholic beverages to a person under 21 years of age. (Page 93)

Section 103: Permitting minor to illegally possess liquor in a dwelling. Amends AS 04.16.057(b) to maintain current penalty as a violation and adds \$500 fine. (Page 93)

Section 104: Purchase by or delivery to persons under the age of 21. Amends AS 04.16.060(e) to reference existing requirement that a person under the age of 21 years of age may not misrepresent their age or having parental consent in order to enter and remain in a licensed premises under AS 04.16.049(a)(2). (Page 93)

Section 105: Purchase by or delivery to persons under the age of 21. Amends AS 04.16.060 to add penalties for violating this section. For adults (at least 21 years of age) penalty cannot be reduced. For minors (under 21 years of age) penalty can be reduced if youth completes an alcohol safety action program or a community diversion panel. Applies the same penalty changes as previously enacted in 2016 for AS 04.16.049 and 04.16.050 for minors. (Pages 93-94)

Section 106: Consumption at school events. Amends AS 04.16.080 to edit the title for the section and prohibits alcohol sales at a school event if it is expected to attract attendees under 21 years of age. (Page 94)

Section 107: Consumption at school events. Amends AS 04.16.080 by adding two new subsections (b) and (c) to define the penalty for violating this section. (Page 94)

Section 108: Prohibition of bottle clubs. Amends AS 04.16.090(c) clarifies the definition of “consideration” in relation to bottle clubs. (Pages 94-95)

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Section 109: Prohibition of bottle clubs. Adds new subsections to AS 04.16.090 (d-e) to define the crime of maintaining a bottle club, relocates and maintains current penalty. (Page 95)

Section 110: Sale of certain alcoholic beverages prohibited. Amends AS 04.16.110 to define sale of a prohibited alcoholic beverage, relocates and maintains current penalty. (Page 95)

Section 111: Removal or introduction of alcoholic beverages. Amends AS 04.16.120 to define removal or introduction of alcoholic beverages, sets penalty and exemptions. (Page 95-96)

Sections 112-114: Alcoholic beverages transported by common carrier. Repeals and reenacts AS 04.16.125(a) to allow for delivery to a person over the age of 21 and adds clarifying language to how the delivery must be labeled. Maintains penalty for unauthorized transportation of alcoholic beverages by common carrier into a local option area and makes noncompliance a violation. (Page 96)

Section 115: Stock confined to licensed premises. Adds a new subsection to AS 04.16.130 (c) to set the penalty for unauthorized storage of alcoholic beverages as a violation. (Pages 96-97)

Section 116: Sale or consumption of alcoholic beverages in a warehouse. Amends AS 04.16.140 to add sections (b-c) to set the penalty for consuming alcoholic beverages in a warehouse as a violation. (Page 97)

Section 117: Licensee responsible for violations. Amends AS 04.16.150 to set the penalty for failure to ensure compliance as a violation. (Page 97)

Section 118: Restriction on purchasing alcoholic beverages. Amends AS 04.16.160 to add new sections (c-d) to maintain existing penalty for noncompliance on a restriction for purchasing alcohol. (Page 97)

Section 119: Source of alcoholic beverages. Amends AS 04.16.170 to exempt winery direct shipment license, maintains penalties for sale of alcoholic beverages from or to an unlicensed person. (Page 97)

Section 120: Source of alcoholic beverages. Amends AS 04.16.170 to add new subsections (c-d) to maintain the existing penalty for violating this section as class A misdemeanor. (Page 97)

Section 121: Restrictions on purchase and sale of alcoholic beverages. Amends AS 04.16.172 to renumber and a statutory references to the new license types and maintains current misdemeanor A penalty for licensee obtaining alcoholic beverages from an unlicensed seller. (Pages 97-98)

Section 122: Restrictions on purchase and sale of alcoholic beverages. Amends AS 04.16.172 to add new subsections (b-c) to maintain the existing misdemeanor A penalty for violating this section. (Page 98)

Section 123: Furnishing alcoholic beverages in aid of gambling enterprise. Amends AS 04.16.175 to add new subsections that maintain the existing misdemeanor A penalty for the crime of furnishing an alcoholic beverage in aid of a gambling enterprise. (Page 98)

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Section 124: Penalties for violation. Amends AS 04.16.180(b) to add statutory references to prohibited conduct related to drunken persons and furnishing alcoholic beverages to persons under the age of 21 by licensees. (Pages 98-99)

Section 125: Penalties for violation. Amends AS 04.16.180(b) to add definition for “conviction.” (Page 99)

Section 126: Penalties for violation. Amends AS 04.16.180 to add new subsections (f-g), 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. (Pages 126-100)

Section 127-130: Forfeiture and seizures. Amends AS 04.16.220 to renumber and cross-reference the new license types. (Pages 100-102)

Chapter 21: General Provisions

Section 131: Keg registration. Adds a new section 04.21.012 establishing a keg registration process including proof of age, registration form requirements, identification tags, and establishes the penalties for possession and sale of alcoholic beverages in an unregistered keg. (Pages 102-103)

Section 132-133: Civil liability of persons providing alcoholic beverages. Amends AS 04.21.020 to renumber and cross-reference license types. (Page 103)

Section 134: Alcohol server education course. Repeals and reenacts AS 04.21.025(a), which requires a license holder and their employees to check ID’s, including a conditional contractor permit. (Pages 103-104)

Section 135: Alcohol server education course. Amends section AS 04.21.025(b) to require permittees (along with licensees, agents, and employees) to keep the alcohol server education card on the licensed premise during working hours. (Page 104)

Section 136: Alcohol server education course. Amends section AS 04.21.025(c) to require permittees (along with licensees, agents, and employees) to take and pass an alcohol server education course within 30 days after being licensed, permitted, or employed. Additionally, a person may not sell or serve alcoholic beverages, or check the ID of a patron at a permitted event unless that person possesses a valid alcohol server card. (Page 104)

Section 137: Alcohol server education course. Amends AS 04.21.025 to add new subsections (f-h), which exempts manufacturer license holders from the server alcohol education course requirement unless they also hold a sampling endorsement, defines failure to comply and sets the penalty as a violation. (Pages 104-105)

Section 138: Proof of age and of not being restricted from purchasing alcoholic beverages. Amends AS 04.21.050 to renumber references to license types. (Pages 105-106)

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Section 139: Warehousing of alcoholic beverages. Amends AS 04.21.060 to add a new subsection (b), which define the penalty of storing alcoholic beverages and sets it at a violation. (Page 106)

Section 140: Posting of warning signs. Repeals and reenacts AS 04.21.065(a) to update the license and permit types required to post warning signs, and adds statutory references. (Pages 106-107)

Section 141: Fines and other criminal penalties. Adds a new sections AS 04.21.072, 04.21.074, and 04.21.076 to set penalties for other violations, misdemeanors or felonies, unless otherwise specified. Directs the supreme court to establish a bail schedule and places requirements on the courts for suspending fines or imposition/execution of sentence. (Page 107)

Section 142: Court records for persons under 21 years of age. Amends AS 04.21.078 to add statutory reference to violations of AS 04.16.060, Purchase by or delivery to persons under the age of 21, requiring that charges under this section for an underage person is not published on Court View, consistent with changes passed in 2016 related to minors charged under AS 04.16.049 and AS 04.16.050. (Pages 107-108)

Section 143: Definitions. Amends AS 04.21.080(b)(6) to add permit holders and license holders. (Page 108)

Section 144: Definitions. Amends AS 04.21.080(b)(15) to add endorsement to a licensed premises. (Page 108)

Section 145: Definitions. Amends AS 04.21.080(b) with definitions: bona fide restaurant, brewed beverage, calendar year, cider, distilled spirit, golf course, kombucha, mead, sake, and wine. (Pages 108-109)

Changes to Other Titles

Section 146: Definitions. Amends AS 05.15.690(48) to renumber statutory reference for a vendor to include an establishment that holds a beverage dispensary license. (Page 109)

Section 147-155: Amendments to various other titles. Amends references to Title 4 and license types in new Chapter 04.09 in Titles 9, 11, 12 and 18. (Pages 108-115)

Section 156: Winery direct shipment tax; statement; audit. Adds a new section AS 43.60.060 to establish tax collection on direct wine shipments from out of state business holding this license and outlines requirements for the Department of Revenue. (Page 115)

Section 157: Exemptions. Amends statutory reference to Title 4 for new Chapter 04.09. (Page 115)

Section 158: Definitions. Amends statutory reference in the definition of "business proprietor." (Page 116)

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Transition and Effective Dates

Section 159: Adds a new section to the uncodified law of the State of Alaska, adding a Direct Court Rule Amendment, amending Rule 17(h) Alaska Rules of Minor Offense Procedure, to add AS 04.16.060(g) to joinder limits, similar to changes passed in 2016 for AS 04.16.049 and AS 04.16.050. (Page 116)

Section 160-161: Repeals various sections of AS 04.11 amended by the sections of this bill. (Pages 116)

Section 162: Repeals the AS 04.09.270(f) to sunset licenses issued as recreational site licenses before the effective date of the legislation. The repeal is effective 1/1/2029. (Page 116)

Section 163: Repeals the transition sections (165 & 166) of this legislation on 1/1/2021. (Page 116)

Section 164: Applicability section for offenses committed on or after the effective date of certain sections. (Pages 116-117)

Section 165: Adds a new section to uncodified law regarding transition. The ABC board may begin to immediately implement certain sections that are effective 1/1/2021 through applications under the new licensing structure and collecting fees at the newly established amounts. [Effective 9/1/2020] (Page 117)

Section 166: Adds a new section to uncodified law to provide transition language for the ABC board to convert certain licenses under this Act within 90 days of the effective date of this section. (Pages 117-119)

Section 167: Adds a new section to uncodified law to provide transition language for the ABC board to issue a seasonal restaurant or eating place tourism license before new section AS 04.09.350, seasonal restaurant or eating place tourism license, takes effect. (Pages 119-121)

Section 168: Adds transition language for the department to promulgate regulations. (Page 121)

Section 169: Effective dates for sections to be implemented immediately. (Page 121)

Section 170: Effective dates for board to initiate application process and collect new fees for licenses beginning 1/1/2021. (Page 121)

Section 171: Except as provided elsewhere, effective date of this Act is 1/1/2021. (Page 121)

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