

# Title 4 Review: Senate Bill 52

## 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). The Alcoholic Beverage Control Board, Alcohol and Marijuana Control Office, law enforcement, and communities across the state enforce these laws.

## WHY REVIEW TITLE 4?

Much of the chapter has not been updated since 1980. Over time, incremental updates to the statutes, inconsistent interpretations of the law, 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 the organizations, municipalities and individuals whose work, community or business is affected by alcohol laws and regulations.

## GOALS OF TITLE 4 REVIEW

Stakeholders engaged in this review process shared goals as the foundation for developing recommendations:

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

1. Create rational regulation for all tiers of the state's alcohol industry.
2. Limit youth access to alcohol.
3. Promote responsible alcohol use and reduce the harms of overconsumption.
4. Implement change without negatively impacting existing businesses and responsible operators.

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

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

## SUCCESS IN 2016: SB 165

Four years ago, Senator Micciche sponsored and the Legislature passed the first set of Title 4 Review recommendations. SB 165 was enacted in July 2016:

1. Restored Minor Consuming Alcohol (MCA) as a true violation and promotes alcohol education.
2. Changed ABC Board composition, designating one seat for a public safety representative.

## 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 13,000 hours to craft recommendations to improve Title 4. This group, led by the Title 4 Review Steering Committee, has continued to refine the package of recommendations and addressed several other emerging issues raised in the last two years.



## 2019 PRIORITY: SENATE BILL 52

Working closely with Title 4 Review stakeholders, Senator Micciche introduced **SB 52**, a new comprehensive bill to enact many of the stakeholders' recommendations. It builds on the solid groundwork we've laid in previous years and provides a framework for future changes to Title 4.

Title 4's statutes are closely inter-related. Changes to the laws have impacts on communities and alcohol businesses statewide. A comprehensive bill ensures the proposed changes are coordinated and can be implemented smoothly.

Recommendations are organized in five categories, first developed by five Title 4 Review subcommittees:

1. Alcohol Licenses, Permits and Trade Practices
2. Underage Drinking and Youth Access to Alcohol
3. Regulation of Internet Sales of Alcohol
4. Local Option Communities
5. Role and Functions of the ABC Board and Staff

## TITLE 4 REVIEW WORK CONTINUES

Updating Title 4 is a complex, long term project! Implementing the proposed changes in SB 52 will take time, and many details are left to the ABC Board to determine.

There are many important issues identified by the group that are not addressed in this bill, such as working with rural communities to improve local option laws. The stakeholder group will continue this important work in a future phase.

### About Senate Bill 52:

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### About Title 4, the ABC Board and AMCO:

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