

HOUSE BILL NO. 281

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES MEYER, Dyson

Introduced: 1/14/02

Referred: Labor and Commerce, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to civil liability for providing alcoholic beverages to a person under 21**
2 **years of age; and providing for an effective date."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 04.21.020(b) is amended to read:

5 (b) Notwithstanding (a) of this section, **(1)** a person who sells or barter an
6 alcoholic beverage to another person in violation of AS 04.11.010 **or who, not being**
7 **licensed under AS 04.11.080 - 04.11.220 or an agent or employee of a licensed**
8 **person, knowingly furnishes or delivers an alcoholic beverage to a person under**
9 **21 years of age in violation of AS 04.16.051** is strictly liable [(1)] to the recipient or
10 another person for civil damages if, while under the influence of the alcoholic
11 beverage, the person receiving the alcoholic beverage engages in conduct that results
12 in civil damages and the recipient's being under the influence of the alcoholic
13 beverage substantially contributes to the civil damages; and (2) **a person who sells or**
14 **barter an alcoholic beverage to another person in violation of 04.11.010 is**

1 **strictly liable** for the cost to the state or a political subdivision of the state to
2 criminally prosecute a person who receives an alcoholic beverage from a person who
3 violates AS 04.11.010 if the prosecution results from the violation of AS 04.11.010
4 described in this subsection. In this subsection, "civil damages" includes damages for
5 personal injury, death, or injury to property of a person, including the state or a
6 political subdivision of the state.

7 * **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to
8 read:

9 **APPLICABILITY.** This Act applies to a civil action that accrues on or after the
10 effective date of this Act.

11 * **Sec. 3.** This Act takes effect July 1, 2002.