

CS FOR HOUSE BILL NO. 190(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 2/13/06

Referred: Finance

Sponsor(s): EPRESENTATIVES FOSTER Crawford, Lynn, Gatto, Weyhrauch

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the purchase of alcoholic beverages and to access to licensed**
2 **premises; relating to civil liability for certain persons accessing licensed premises;**
3 **requiring driver's licenses and identification cards to be marked if a person is restricted**
4 **from consuming alcoholic beverages as a result of a conviction or condition of probation**
5 **or parole."**

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

7 *** Section 1.** AS 04.16 is amended by adding a new section to read:

8 **Sec. 04.16.047. Access of persons with restricted privileges.** (a) A person
9 who is not privileged to purchase alcohol under AS 04.16.160 may not knowingly
10 enter or remain in premises licensed under this title to obtain alcohol for personal
11 consumption.

12 (b) A licensee may bring a civil action against a person who violates this
13 section if the violation occurs on the premises of that licensee. If judgment is entered

1 in favor of the licensee, the court shall award civil damages in the amount of \$1,000
 2 and award reasonable costs and reasonable attorney fees allowed under the Alaska
 3 Rules of Civil Procedure.

4 * **Sec. 2.** AS 04.16 is amended by adding a new section to read:

5 **Sec. 04.16.160. Privilege to purchase alcoholic beverages.** A person who is
 6 21 years of age or older has a privilege to purchase alcoholic beverages, unless the
 7 person has been ordered to refrain from consuming alcoholic beverages as part of a
 8 sentence for conviction of a crime under AS 28.35.030 or as a condition of probation
 9 or parole. A person whose privilege to purchase alcohol has been restricted shall be
 10 required to pay an enhanced fee to have a driver's license issued with the information
 11 required under AS 28.15.111(a)(6).

12 * **Sec. 3.** AS 04.21.050(b) is amended to read:

13 (b) **Except as provided in AS 04.16.160, a** [A] valid driver's license or a
 14 valid identification card is acceptable as proof of age when used for identification in
 15 the purchase of alcoholic beverages and for securing entry to and remaining on
 16 premises where alcoholic beverages are sold if the license or identification card is
 17 made of or encased in plastic and contains a photograph of the **licensee** [LICENSE] or
 18 card holder and a statement of age or date of birth.

19 * **Sec. 4.** AS 28.15.111(a) is amended to read:

20 (a) Upon successful completion of the application and all required
 21 examinations, and upon payment of the required fee, the department shall issue to
 22 every qualified applicant a driver's license indicating the type or general class of
 23 vehicles that the licensee may drive. The license must [DISPLAY] (1) **display** a
 24 distinguishing number assigned to the license; (2) **display** the licensee's full name,
 25 address, date of birth, brief physical description, and color photograph; (3) **display**
 26 either a facsimile of the signature of the licensee or a space upon which the licensee
 27 must write the licensee's usual signature with pen and ink; (4) **display** a holographic
 28 symbol intended to prevent illegal alteration or duplication; [AND] (5) **display**, for a
 29 qualified applicant who is under [AGE] 21 **years of age**, the words "UNDER 21"; **and**
 30 **(6) be designed to allow the electronic reading and electronic display of the**
 31 **information described under (2) of this subsection and the electronic reading and**

1 **display and a physical display on the license of a statement of whether the**
2 **person's privilege to purchase alcohol has been restricted under AS 04.16.160.** A
3 license may not display the licensee's social security number and is not valid until
4 signed by the licensee. If facilities are not available for the taking of the photograph
5 required under this section, the department shall endorse on the license, the words
6 "valid without photograph."