

CS FOR SENATE BILL NO. 194(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 1/29/10

Referred: Judiciary

Sponsor(s): SENATOR MEYER

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to penalties and civil damages for certain alcohol violations."**

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

3 *** Section 1.** AS 04.16.049(e) is amended to read:

4 (e) A licensee may bring a civil action against a person who violates this
5 section if the violation occurs on the premises of that licensee. If judgment is entered
6 in favor of the licensee, the court shall award civil damages in the amount of **\$1,500**
7 **[\$1,000]** and award reasonable costs and reasonable attorney fees allowed under the
8 Alaska Rules of Civil Procedure.

9 *** Sec. 2.** AS 04.16.065(a) is amended to read:

10 (a) A person who has attained 18 years of age, or an emancipated minor, who
11 violates AS 04.16.060 is, in addition to any criminal penalty provided by law, liable in
12 a civil action to the licensee for a penalty of **\$1,500** **[\$1,000]** plus costs and reasonable
13 attorney fees.

14 *** Sec. 3.** AS 04.16.180 is amended by adding a new subsection to read:

15 (e) In addition to other penalties provided in this chapter, the court may

1 require a person convicted of an offense under this chapter who was less than 21 years
2 of age at the time the person committed the offense to pay for and enroll in a juvenile
3 alcohol safety action program if one is available.

4 * **Sec. 4.** AS 04.21.080 is amended by adding a new paragraph to read:

5 (18) "juvenile alcohol safety action program" means

6 (A) a juvenile alcohol safety action program developed and
7 implemented or approved by the Department of Health and Social Services
8 under AS 47.37;

9 (B) any other alcohol education or treatment program approved
10 by the Department of Health and Social Services under AS 47.37 if a program
11 described in (A) of this paragraph is not available in the community in which
12 the person resides; or

13 (C) a program or counseling approved by the court if a program
14 or treatment described in (A) of this paragraph is not available in the
15 community where the person resides.

16 * **Sec. 5.** AS 04.16.050(l)(2) is repealed.