

**HOUSE CS FOR CS FOR SENATE BILL NO. 194(JUD)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

**BY THE HOUSE JUDICIARY COMMITTEE**

**Offered: 3/25/10**

**Referred: Rules**

**Sponsor(s): SENATOR MEYER**

**REPRESENTATIVE Ramras**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to penalties and civil damages for certain alcohol violations relating to**  
2 **minors and persons under 21 years of age."**

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

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

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

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

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

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

2 (e) In addition to other penalties provided in this chapter, the court may  
3 require a person convicted of an offense under this chapter who was less than 21 years  
4 of age at the time the person committed the offense to pay for and enroll in a juvenile  
5 alcohol safety action program if one is available.

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

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

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

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

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

18 \* **Sec. 5.** AS 28.15.183(g) is amended to read:

19 (g) Except as provided under (h) of this section, the department may not issue  
20 a new license or reissue a license to a person whose driver's license, permit, or  
21 privilege to drive has been revoked under this section unless the person, if required to  
22 participate in a juvenile alcohol safety action program, as defined in **AS 04.21.080**  
23 [AS 04.16.050], has successfully completed any education or treatment recommended.

24 \* **Sec. 6.** AS 28.15.211(g) is amended to read:

25 (g) Except as provided under AS 28.15.183(h), the department may not issue a  
26 new license or reissue a license to a person whose driver's license has been revoked  
27 under AS 04.16.050, AS 28.15.183, or 28.15.185 unless the person, if required to  
28 participate in a juvenile alcohol safety action program, has successfully completed any  
29 education or treatment recommended. In this subsection, "juvenile alcohol safety  
30 action program" has the meaning given in **AS 04.21.080** [AS 04.16.050].

31 \* **Sec. 7.** AS 04.16.050(l)(2) is repealed.