

HOUSE CS FOR CS FOR SENATE BILL NO. 194(JUD) am H

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Amended: 4/16/10

Offered: 3/25/10

Sponsor(s): SENATOR MEYER

REPRESENTATIVES Ramras, Crawford, Dahlstrom, Chenault, Gardner

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 and relating to expiration of identification**
3 **cards issued to persons under 21 years of age."**

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

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

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

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

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

1 attorney fees.

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

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

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

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

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

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

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

19 * **Sec. 5.** AS 18.65.310 is amended by adding a new subsection to read:

20 (k) An identification card issued to a person under 21 years of age expires 90
21 days after the person reaches 21 years of age.

22 * **Sec. 6.** AS 28.15.183(g) is amended to read:

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

28 * **Sec. 7.** AS 28.15.211(g) is amended to read:

29 (g) Except as provided under AS 28.15.183(h), the department may not issue a
30 new license or reissue a license to a person whose driver's license has been revoked
31 under AS 04.16.050, AS 28.15.183, or 28.15.185 unless the person, if required to

1 participate in a juvenile alcohol safety action program, has successfully completed any
2 education or treatment recommended. In this subsection, "juvenile alcohol safety
3 action program" has the meaning given in AS 04.21.080 [AS 04.16.050].

4 * **Sec. 8.** AS 04.16.050(l)(2) is repealed.