

HOUSE BILL NO. 281

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE LEBON

Introduced: 2/24/20

Referred: Labor & Commerce, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to operators' licenses for charitable gaming; relating to raffles and**
2 **lotteries conducted by operators; and providing for an effective date."**

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

4 * **Section 1.** AS 05.15.100(c) is amended to read:

5 (c) The department may issue an operator's license to a [NATURAL] person
6 to conduct an activity permitted under this chapter, other than a Calcutta pool, on
7 behalf of a municipality or a qualified organization. The department may also issue an
8 operator's license to a municipality or a qualified organization to conduct an activity,
9 other than a Calcutta pool, on behalf of another municipality or qualified organization.

10 * **Sec. 2.** AS 05.15.122(b) is amended to read:

11 (b) The department may issue an operator's license to a [NATURAL] person,
12 municipality, or qualified organization that

13 (1) applies on the form provided by the department;

14 (2) pays the annual fee of \$500;

(3) discloses the identity of persons employed by the applicant in a managerial or supervisory capacity;

(4) submits proof of liability insurance satisfactory to the department;

(5) posts a bond or security satisfactory to the department in the amount of \$25,000 for each permit under which the operator operates up to a maximum of \$100,000; and

(6) if

(A) a natural person, has passed a test formulated by the department on the contents of this chapter and the regulations adopted under this chapter [AND ADMINISTERED BY THE DEPARTMENT AT LEAST FOUR TIMES A YEAR]; or

(B) [, IF] a municipality, [OR] qualified organization, or a person other than a natural person, has designated a municipal employee, [OR] member of the organization, or employee who has passed the [THIS] test required under (A) of this paragraph.

* **Sec. 3.** AS 05.15.122 is amended by adding a new subsection to read:

(e) The department shall administer the test required by (b)(6)(A) of this section at least four times a year.

* **Sec. 4.** AS 05.15.165 is amended by adding a new subsection to read:

(g) Notwithstanding (c) and (d) of this section, an operator may sell raffle and lottery tickets on behalf of a permittee on premises without posting the permit and without obtaining liability insurance if

(1) no other activity subject to this chapter is conducted by the operator on the premises;

(2) the premises are not owned or leased by the operator;

(3) the operator has obtained the permission of the owner or manager of the premises to sell raffle and lottery tickets on the premises; and

(4) either

(A) the operator, and each employee of the operator, possesses a copy of the operator's license and of the authorizing permit while conducting the sales; or

(B) the license number and permit number are printed on each raffle and lottery ticket.

* **Sec. 5.** AS 05.15.690(34) is amended to read:

(34) "operator" means a [NATURAL] person, [WHO, OR A] municipality, or qualified organization that [,] has obtained a license to conduct an activity subject to this chapter on behalf of a permittee;

* **Sec. 6.** AS 05.15.690 is amended by adding a new paragraph to read:

(50) "person" means a natural person, sole proprietorship, or limited liability partnership formed by natural persons.

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

TRANSITION: EFFECT ON CURRENT LICENSEES. A person who holds a valid operator's license under AS 05.15 on the effective date of secs. 1 - 6 of this Act may continue to operate under the license until the license expires normally under AS 05.15, as that chapter read on the day before the effective date of secs. 1 - 6 of this Act, but the operator shall otherwise comply with AS 05.15, as amended by secs. 1 - 6 of this Act.

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

TRANSITION: REGULATIONS. The Department of Revenue may adopt regulations necessary to implement this Act. The regulations take effect under AS 44.62 (Administrative Procedure Act), but not before the effective date of secs. 1 - 6 of this Act.

* **Sec. 9.** Section 8 of this Act takes effect immediately under AS 01.10.070(c).