

**ALASKA STATE LEGISLATURE
HOUSE JUDICIARY STANDING COMMITTEE**

March 25, 2026

1:06 p.m.

DRAFT

MEMBERS PRESENT

Representative Andrew Gray, Chair
Representative Chuck Kopp, Vice Chair
Representative Ted Eischeid
Representative Genevieve Mina
Representative Sarah Vance
Representative Mia Costello
Representative Jubilee Underwood

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

PREVIOUS COMMITTEE ACTION

WITNESS REGISTER

ACTION NARRATIVE

[1:06:49 PM](#)

CHAIR GRAY called the House Judiciary Standing Committee meeting to order at 1:06 p.m. Representatives Costello, Mina, Vance, and Gray were present at the call to order. Representatives Underwood, Kopp, and Eishceid arrived as the meeting was in progress.

^CONFIRMATION HEARING(S): State Commission for Human Rights

[1:07:47 PM](#)

CHAIR GRAY announced that the first order of business would be confirmation hearings for the State Commission for Human Rights.

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}MARY GRACE SALAZAR* State Commission for Human Rights* Anchorage, Alaska* Testified as appointee to the { offered her background and shared what she would provide to the commission.

[1:09:14 PM](#)

CHAIR GRAY opened public testimony on Ms. Salazar's appointment. After ascertaining that no one wished to testify, he closed public testimony.

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REPRESENTATIVE MINA asked Ms. Salazar to speak to her background and interest in serving on the commission.

MS. SALAZAER spoke to her 30 years of experience serving the state, beginning with * and ending with AOGC (many in between), and reiterated her passion for state service.

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CHAIR GRAY moved

[1:12:24 PM](#)

The committee took an at-ease from * to *.

^#hb308

[1:14:22 PM](#)

CHAIR GRAY announced that the next order of business would be HOUSE BILL NO. 308, "An Act relating to release before trial; relating to limitation of driver's licenses; relating to operating a vehicle, aircraft, or watercraft while under the influence of an alcoholic beverage; and providing for an effective date."

[CHAIR GRAY passed the gavel to Vice Chair Kopp.]

[1:15:36 PM](#)

CHAIR GRAY, as prime sponsor, presented HB 308. He paraphrased the sponsor statement [included in the committee file], which read as follows [original punctuation provided]:

Every year, impaired driving shatters families and devastates communities across Alaska. These crashes are not accidents, they are preventable.

HB 308 proposes lowering Alaska's legal blood alcohol concentration (BAC) limit to 0.04. This change would align the state with federal regulations, which recognize the safety hazards of driving with a BAC above 0.04. Under federal law, commercial drivers (CDL holders) must maintain a BAC below 0.04, reflecting the increased risk of impairment at this level. Applying this same limit to all drivers would create consistent and safer driving laws across the state.

Impairment from alcohol begins well before the legal limit of 0.08 BAC. Even at a BAC of 0.02, drivers can experience slower reaction times, reduced coordination, and difficulty tracking moving objects, meaning driving ability is already affected at low levels of alcohol (National Transportation Safety Board). As BAC rises to 0.05, the risk of being involved in a fatal crash is 7 times more likely. In 2023, about 5% of fatal crashes involving impairment in Alaska occurred when BAC levels were between 0.01 and 0.07.

Utah dropped its BAC limit to 0.05, becoming the first state to implement a lower limit, which demonstrated the effectiveness of this approach. The state experienced a notable 19.8% reduction in the fatal crash rate within the first year of implementation. This decline in fatalities occurred without any adverse effects on alcohol sales, overall consumption, or tourism revenue, effectively addressing common concerns that stricter BAC regulations might negatively impact local businesses or the tourism industry (NTSB).

This bill is not about restricting responsible adults or discouraging social gatherings; it is about keeping our roads safe and making it clear that drinking and driving should be separated.

I urge your support for HB 308.

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REPRESENTATIVE VANCE asked what happens when someone fails a breathalyzer and how this would be walked out in practical terms

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CHAIR GRAY confirmed that when someone uses a breathalyzer it shows a number, so they would be looking for a BAC below 0.04. Anything above that would be

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}KARLEY THUNE, Staff* Representative Andrew Gray* Alaska State Legislature* Juneau, Alaska* Presented the sectional analysis for HB 308 on behalf of Representative Gray, prime sponsor.{ on behalf of Representative Gray, prime sponsor, presented the sectional analysis for HB 308 [included in the committee file], which read as follows [original punctuation provided]:

Section 1 Lowers the intoxication threshold for release from a correctional facility from 0.08 to 0.04 BAC before an intoxicated person may be released.

Section 2 Updates the definition of "previously convicted" to include convictions based on a 0.04 BAC standard instead of 0.08.

Section 3 Reduces the per se DUI limit from 0.08 BAC to 0.04 BAC, including equivalent blood and breath alcohol measurements.

Section 4 Updates DUI evidentiary presumptions to reflect the 0.04 BAC standard and removes the former 0.04-0.08 intermediate presumption range.

Section 5 Clarifies the act applies to offenses committed on or after the effective date, while prior convictions still count for repeat offense purposes.

Section 6 Sets the effective date as January 1, 2027.

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MS. THUNE shared a PowerPoint presentation on HB 308, beginning on slide 2, which described what the bill does. Slide 3 summarized what alcohol use looks like in Alaska. Slide 4 showed charts that illustrated the impairment that occurs at 0.04 BAC for both males and females. Slide 5 detailed the impact of lowering the BAC - what it would and wouldn't do. She noted that Utah is the first state that has introduced this legislation, which has resulted in declining rates of.... Slide 6 spoke to the global trends in BAC.

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REPRESENTATIVE EISCHEID asked whether an officer can compel an individual to take a breathalyzer test if they pass the field sobriety test.

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}CORPORAL NATE JOHNSON* Alaska State Troopers* Anchorage, Alaska* Answered questions during the hearing on HB 308.{ said separate from the breathalyzer, if probable cause is identified, the person could be compelled.

REPRESENTATIVE EISCHEID restated the question

CORPORAL JOHNSON reiterated that if a field sobriety test is passed, the investigation is usually ended. However, it's not taught to be a "pass/fail" test. He restated that if other factors were present such as slurring of words, an arrest could be made.

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CHAIR GRAY returned to slide 4, indicating that the field sobriety test would need to change (to be made more difficult) if the bill were to pass.

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REPRESENTATIVE EISCHEID asked if the goal is to reduce impairment and alcohol related deaths, why 0.04 was chosen instead of 0.01, for example.

MS. THUNE said the goal is to keep laws consistent with federal standards, adding that commercial drivers are not allowed to drive if they blow above a 0.02.

CHAIR GRAY said he is open to that amendment. He referenced laws in Norway, which do not allow machinery to be operated above a 0.02 and have very stringent laws. He referenced the states on slide 6, showing that currently, 84 percent of the world's population live in a country with BAC limits of 0.05 or lower.

REPRESENTATIVE EISCHEID asked whether a multi variant study was done with regard to the ...

MS. THUNE offered to follow up with the requested information.

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REPRESENTATIVE MINA asked why there is a difference between the higher limit in the U.S.

CHAIR GRAY shared his understanding that the limit used to be 1.0. He suggested that the world has lowered the rate at a faster pace than the U.S.

VICE CHAIR KOPP asked if Alaska is to align with the 0.04 standard of the federal commercial drivers, whether incongruences would be created, as the penalties for commercial drivers are much greater. He urged the committee to think about how to make the penalties proportional.

CHAIR GRAY said his intent is not to make the penalties consistent with commercial drivers. Rather, it's to create consistency with the limit and to reduce drunk driving.

VICE CHAIR KOPP said the 0.08 standard is a per se standard, which means they can arrest beneath the limit if other factors are present. He asked

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CORPORAL JOHNSON agreed that per statute, provided impairment can be proved, an arrest can be made at levels below the per se standard.

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REPRESENTATIVE VANCE asked for a comparison of limits for air and water craft, as well as commercial drivers for state versus federal law. She said the effects in Utah law suggest that this policy is preventative rather than punitive.

VICE CHAIR KOPP asked how many states have a standard of 0.04.

CHAIR GRAY answered Utah with 0.05.

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REPRESENTATIVE EISCHEID asked whether any studies in Utah have shown disparate impact on disadvantaged or lower economic communities.

MS. THUNE deferred the question to invited testifiers.

VICE CHAIR KOPP announced that the committee would hear invited testimony on HB 308.

[VICE CHAIR KOPP returned the gavel to Chair Gray.]

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}TIFFANY HALL, President and CEO* Recover Alaska* Juneau, Alaska* Gave invited testimony in support of HB 308.{ gave invited testimony in support of HB 308. She spoke to the gap in current law, as 1 in 5 fatalities have a BAC between 0.04 to 0.07. She reiterated that fatalities declined when Utah lowered the BAC. Research show that impairment starts at 0.05, even as low as 0.01. In other words, current limit is higher than where impairment truly begins. She spoke to the broader impact, and the social norms around alcohol use. She added that the bill would not change how law enforcement operate. She said this would be behavioral shift not an enforcement expansion. HB 308 would save lives and help shift norms in a state that urgently needs it, she said. In response to Rep Mina, she attributed political compromise and industry lobbying for the national level of 0.08. She referenced the 19.8 change in Utah which is directly associated with the implementation of the 0.05 BAC law.

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REPRESENTATIVE VANCE asked about the correlat

MS. HALL

MS. HALL added that the U.S. is a very car centric nation, which

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}TOM CHAPMAN, Board Member* National Transportation Safety Board* Washington, D.C.* Gave invited testimony in support of HB 308.{ said passage of HB 308 would make Alaska the second state to embrace a change that would save lives and reduce the number of ... He reiterated his support for implementing a per se at 0.05 or lower.

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REPRESENTATIVE EISCHEID 25 percent of all deaths alcohol related? is this typical?

MR. CHAPMAN did not know the answer beyond 2023; however, he suspected that it's typical.

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REPRESENTATIVE KOPP asked how long the NTSB has been advocating for states to lower the BAC to 0.05 or lower.

MR. CHAPMAN answered 2013. In response to a follow up, he cited political inertia as the reason states have not changed their laws.

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The committee took an at-ease from * to *.

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REPRESENTATIVE MINA asked what public health campaigns have helped mobilize more public support for lowering the BAC

MR. CHAPMAN said Utah generated a cultural shift to the way folks approach drinking and driving, so a broad national public awareness campaign would help.

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CHAIR GRAY opened public testimony on HB 308.

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}MIKE COONS, representing self* Wasilla, Alaska* Testified in opposition of HB 308.{ testified in opposition to HB 308. He said the bill would do nothing on the enforcement side and shared his experience as a paramedic. He recommended that if the bill sponsor wants to see a change, mandatory minimums should be raised. He opined that the bill would clog up the court system and urged the law to be enforced.

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}BERNIE HOFFMAN, representing self* Fairbanks, Alaska* Testified in support of HB 308.{ testified in support of HB 308. She shared her personal experience with a drunk driver, and urged the committee to continue working on the legislation because something needs to be done to address this issue, which affects all Alaskans.

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}STELLA AQUINO, representing self* Juneau, Alaska* Testified in support of HB 308.{ testified in support of HB 308. She cited research showing that impairment can occur at 0.04. She spoke to the impact of drunk driving and the history of the national BAC limit. She argued that reducing the BAC to 0.04 is realistic and achievable, and would save youth's lives in Alaska.

CHAIR GRAY closed public testimony on HB 308.

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REPRESENTATIVE MINA 2022 NHTSA study in Utah, which occurred 22 months after the law passed. She asked whether new data has come out of Utah or whether there are studies from other countries that have similar policies.

CHAIR GRAY shared the history of HB 308, which was initially drafted in 2022. He said he has been even more convinced by the data, and announced that the bill would be held over.

^#hb324

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CHAIR GRAY announced that the next order of business would be HOUSE BILL NO. 324, "An Act relating to virtual currency kiosks; relating to transactions involving virtual currency; and relating to unfair trade or deceptive acts or practices."

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}REPRESENTATIVE ELEXIE MOORE* District 28, Alaska State Legislature* City & State* Gave an overview of HB 324.{ as prime sponsor, gave an overview of HB 324.

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REPRESENTATIVE COSTELLO moved to adopt Amendment 1 to HB 324, labeled 34-LS1515\A.2, Gunther, 3/23/26, which read:

*

CHAIR GRAY

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}ZACK YOUNG* Staff to Rep. Costello* City & State* { explained that Amendment 1 would implement a hold of 48 hours and add disclosure requirements

CHAIR GRAY asked for the bill sponsor's opinion of Amendment 1.

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REPRESENTATIVE MOORE opined that Amendment 1 is a great stepping stone. She characterized it as a friendly amendment and expressed her support.

CHAIR GRAY asked whether open to putting 48 hour hold on all transactions.

REPRESENTATIVE COSTELLO stated...

CHAIR GRAY removed his objection.

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REPRESENTATIVE COSTELLO moved Am 2 A.1

CHAIR GRAY objected

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REPRESENTATIVE COSTELLO explained

[2:34:15 PM](#)

MR. YOUNG said Amendment 2 would remove current refund section of the bill.

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}TRACY RENO, Director* Division of Banking and Securities* DCCED* Anchorage, Alaska* Answered questions during HB 324.{ said the division is neutral on Amendment 2.

REPRESENTATIVE COSTELLO asked Ms. Reno to talk the committee through the processes involving money transfer licensees and fraud.

MS. RENO shared her understanding that when someone files a complaint related to fraudulent transaction, they conduct investigation and use software to help track where the crypto went, to which wallet. Sometimes they can reach out to that jurisdiction or company and request funds clawed back, but not often case with crypto.

REPRESENTATIVE COSTELLO asked whether Division can still work with the defrauded individual if the bill were to pass in its current form

MS. RENO said per regulation, there are 6 companies with 76 crypto kiosks in Alaska and they have the authority to investigate these.

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INTIMAYO HARBISON, Staff* Representative Elexie Moore* Alaska State Legislature* Juneau, Alaska* { said similar amendments in other states have created larger loopholes for cryptocurrency to occur. He cautioned the committee from taking a broader approach to the bill, as a narrower approach is preferred.

REPRESENTATIVE COSTELLO withdrew Amendment 2.

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MS. RENO expressed a minor concern about Amendment 1, as a 48 hour hold may not be long enough for an initial transaction made on a Friday or holiday for example.

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The committee took an at-ease from * to *.

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CHAIR GRAY noted that this change could be made in the next committee of referral.

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REPRESENTATIVE KOPP moved to report HB 324, as amended, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 324(JUD) was reported from the House Judiciary Standing Committee.

CHAIR GRAY authorized Legislative Legal Services to make any necessary and conforming changes.

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The committee took an at-ease from * to *.

^#hb136

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CHAIR GRAY announced that the final order of business would be HOUSE BILL NO. 136, "An Act relating to use of railroad easements." [Before the committee was CSHB 136(TRA).]

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REPRESENTATIVE KOPP, as prime sponsor, gave a brief review of CSHB 136(TRA). concisely stated

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REPRESENTATIVE VANCE said, "Let's get this done," as the bill sponsor has championed the legislation for some time. She opined that it's a good bill that would allow ARRC to exercise authority when needed while respecting property owners.

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REPRESENTATIVE MINA referred to testimony from Mr. Ed Martin, which referenced potential invitation for federal litigation.

REPRESENTATIVE KOPP said there would be nothing to litigate by the state setting a management policy. He opined that it would not invite federal litigation.

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REPRESENTATIVE MINA moved to report **CSHB 136(TRA)** out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 136(TRA) was reported out of the House Judiciary Standing Committee.

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ADJOURNMENT

There being no further business before the committee, the House Judiciary Standing Committee meeting was adjourned at *.