

Introduced: 3/18/67
Referred: Judiciary

1 IN THE HOUSE

BY HARRIS

2 HOUSE BILL NO. 303

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the dissemination of certain
7 magazines and books."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 11.40 is amended by adding new sections to read:

10 Sec. 11.40.172. SEPARATE DISPLAY AREAS FOR CERTAIN MAGAZINES AND
11 BOOKS. An establishment which sells magazines or books or both to the
12 public is required to place in a separate, marked, and less accessible
13 section of the establishment all magazines and books dealing with
14 illicit sexual activity, or containing photographs or drawings of nude
15 or partially nude men or women, or containing a surplus of vulgar
16 language.

17 Sec. 11.40.174. MINORS PROHIBITED FROM PURCHASING CERTAIN MAGA-
18 ZINES AND BOOKS. (a) No minor, except as provided in (b) of this
19 section, may enter the adult section of an establishment described in
20 sec. 172 of the chapter nor look at or purchase any of the magazines
21 or books in that section of the establishment unless he is accompanied
22 by one of his parents or a guardian.

23 (b) Subsection (a) of this section shall not apply to a person
24 who is married or in the armed forces or attending college.

25 Sec. 11.40.176. RESPONSIBILITY OF OWNER. An owner of an establish-
26 ment described in sec. 172 of this chapter is responsible for deter-
27 mining whether a customer is a minor or comes within one or more of
28 the exceptions listed in sec. 174 of this chapter. The owner shall
29 use reasonable effort and diligence in making this determination.

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1 **Sec. 11.40.178. PENALTIES. (a) The following constitutes mis-**
2 **demeanors on the part of an owner of an establishment which sells books**
3 **or magazines:**

4 (1) failing to segregate books and magazines as required by
5 sec. 172 of this chapter;

6 (2) allowing a minor who does not come within the exceptions
7 of sec. 174 of this chapter to enter the adult section, or to look at
8 or purchase the books or magazines described in sec. 172 of this chapter.

9 (b) After seven convictions under (a)(1) or (a)(2) of this section,
10 further violations of those subsections shall constitute a felony and
11 shall be punishable by imprisonment for not more than three years or
12 by a \$1,000 fine or by both.

13 (c) It is a misdemeanor for a minor who does not come within one
14 or more of the exceptions listed in sec. 174 of this chapter to falsify
15 information regarding his age and purchase a book or magazine in the
16 adult section.

17 (d) It is a misdemeanor for anyone to knowingly sell to or give
18 to a minor who doesn't come within one of the exceptions listed in
19 sec. 174 of this chapter a book or magazine described in sec. 172 of
20 this chapter.