

Original Sponsor: Commerce Committee

Offered: 4/30/76
Referred: Finance

1 IN THE HOUSE

BY THE COMMERCE COMMITTEE

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CS FOR HOUSE BILL NO. 915

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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NINTH LEGISLATURE - SECOND SESSION

5

A BILL

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For an Act entitled: "An Act regulating theatrical promoters; and providing
7 for an effective date."

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

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* Section 1. AS 08 is amended by adding a new chapter to read:

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CHAPTER 92. THEATRICAL PROMOTERS.

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Sec. 08.92.010. REGISTRATION REQUIRED. No person may engage in
the business of promoting theatrical productions in this state without
13 first obtaining and holding a current and valid theatrical promoter's
14 certificate of registration issued by the department. To remain valid,
15 a certificate of registration must be renewed no later than January 15
16 of each year.

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Sec. 08.92.020. FEES. (a) An applicant for a theatrical pro-
moter's certificate of registration shall pay an original registration
19 fee of \$75.

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(b) The fee for the annual renewal for each calendar year of a
registration certificate is \$20.

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Sec. 08.92.030. BOND OR OTHER SECURITY REQUIRED. A theatrical
promoter shall, at the time of applying for a certificate of registra-
tion, file with the department a surety bond in the amount of \$10,000, or
an equivalent cash deposit, or negotiable securities in an amount
acceptable to the commissioner of commerce and economic development.
The bond or other security shall be conditioned upon the theatrical
promoter's providing ticket refunds for a theatrical production can-
celled due to any cause within 10 days after the scheduled date of the

1 cancelled theatrical production. The bond or other security shall
2 permit action upon it by the state on behalf of a ticket holder or by a
3 ticket holder directly.

4 Sec. 08.92.040. DENIAL, REVOCATION, AND SUSPENSION OF REGISTRA-
5 TION. (a) The department may refuse to issue, or may suspend or revoke,
6 a certificate of registration for failure to comply with a provision of
7 this chapter or of a regulation adopted under it. If a bonding
8 company cancels the bond of a theatrical promoter, the theatrical pro-
9 moter's certificate of registration shall be revoked. A theatrical
10 promoter whose certificate has been revoked may again obtain registra-
11 tion by complying with the requirements of this chapter.

12 (b) Proceedings under this chapter are governed by the Admini-
13 strative Procedure Act (AS 44.62) except where a certificate is re-
14 voked because of cancellation of a bond.

15 (c) If the department determines that a person is acting as a
16 theatrical promoter in violation of this chapter, the department may,
17 without prior hearing, order the person to stop the violation. Upon
18 receipt of the order, the person affected has the right to be heard and
19 to present proof to the department that the violation has not occurred.
20 In the department's discretion or upon application made by the recipient
21 of the order, the department shall schedule a hearing at the earliest
22 possible time. After the hearing the department may affirm, modify or
23 set aside the order.

24 Sec. 08.92.050. INJUNCTION. The attorney general, at the request
25 of the department, may institute an action in the superior court to
26 enjoin a violation of this chapter.

27 Sec. 08.92.060. VIOLATION OF SEC. 10 OF THIS CHAPTER A MISDE-
28 MEANOR. A person who violates sec. 10 of this chapter is guilty of a
29 misdemeanor, and upon conviction is punishable by a fine of not more

1 than \$5,000, or by imprisonment for not more than one year, or by both.

2 Sec. 08.92.070. EXEMPTION. This chapter does not apply to thea-
3 trical productions promoted, organized or produced by a nonprofit
4 corporation, society or group.

5 Sec. 08.92.080. REGULATIONS. The department may adopt regulations
6 in accordance with the Administrative Procedure Act (AS 44.62) as
7 necessary to administer and enforce this chapter.

8 Sec. 08.92.090. DEFINITIONS. In this chapter

9 (1) "department" means the Department of Commerce and Eco-
10 nomic Development;

11 (2) "theatrical promoter" means a person who contracts for
12 and arranges a theatrical production for purposes of profit whether
13 engaged full time or part time in the business of booking or hiring the
14 theatrical production;

15 (3) "theatrical production" means a live, staged performance,
16 including but not limited to concerts featuring any number of perfor-
17 mers, or any type of musical or dramatic entertainment, or specialty
18 acts for which a ticket is sold in advance for purposes of profit by a
19 theatrical promoter.

20 * Sec. 2. This Act takes effect immediately in accordance with AS 01.-
21 10.070(c).
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