

Original sponsor: Ziegler by request

Offered: 5/15/80
Referred: Rules

1 IN THE SENATE

BY THE RULES COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 115 (Rules)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the civil liability of providers of
7 intoxicating liquor."

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

9 * Section 1. AS 09.65 is amended by adding a new section to read:

10 Sec. 09.65.097. CIVIL LIABILITY OF PERSONS PROVIDING INTOXICATING
11 LIQUOR. (a) A person who provides intoxicating liquor to an individual
12 may not be held civilly liable for injuries resulting from the intoxi-
13 cation of that individual unless

14 (1) that person holds a license authorized under AS 04.10.-
15 020 - 04.10.146, or is an agent or employee of such a licensee; and

16 (2) the intoxicating liquor is provided to an individual
17 under the age of 19 years in violation of AS 04.15.020(a), 04.15.060(d)
18 or 04.15.080, unless the licensee, employee, or agent secures in good
19 faith from the individual a signed statement, liquor identification
20 card, or driver's license, meeting the requirements of AS 04.15.060(d),
21 AS 18.65.310(a), or AS 04.15.065, respectively, and indicating that the
22 individual is 19 years of age or older; or

23 (3) provides intoxicating liquor to an intoxicated person in
24 violation of AS 04.15.020(a).

25 (b) For the purposes of this section, "intoxicated" or "intoxicated
26 person" means a person whose physical or mental conduct is substantially
27 impaired as a result of the introduction of an intoxicating liquor into
28 his body and who exhibits those plain and easily observed or discovered
29 outward manifestations of behavior commonly known to be produced by the

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use of intoxicating liquor.