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Referred: Health, Education &
Social Services

BY DUNCAN, BETTISWORTH, CATO,
FREEMAN, GARDINER, HURLBERT,
MONTGOMERY AND MOSS

1 IN THE HOUSE

2 HOUSE BILL NO. 406

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to sales of alcoholic beverages to
7 and by licensed wholesalers."

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

9 * Section 1. AS 04.16 is amended by adding a new section to read:

10 Sec. 04.16.172. RESTRICTIONS ON SALES TO AND FROM WHOLESALERS.

11 (a) No person other than a primary source of supply may sell alcoholic
12 beverages to a wholesaler, and a wholesaler may not purchase alcoholic
13 beverages from any person other than a primary source of supply.

14 (b) A licensee may not knowingly purchase alcoholic beverages
15 from a wholesaler who has not purchased the alcoholic beverages from a
16 primary source of supply.

17 (c) The primary source of supply shall attach an invoice to any
18 shipment to a wholesaler.

19 (d) For the purposes of this section,

20 (1) "primary source of supply" means the distiller, producer,
21 owner of the alcoholic beverage at the time it became a marketable
22 product, and the bottler, prime importer trademark owner, brand owner,
23 or a person who is authorized in writing to act as the exclusive agent
24 of a distiller, producer, owner, or bottler;

25 (2) "wholesaler" means a person licensed under AS 04.11.160.

26 * Sec. 2. AS 04.11.370 is amended by adding a new subsection to read:

27 (b) The license of a licensee who violates AS 04.16.172 shall be
28 suspended for a period not in excess of one year.

29 * Sec. 3. AS 04.16.180(a) is amended to read:

1 (a) Except as provided in AS 04.16.200 - 04.16.210, a person who
2 violates a provision of this title or a regulation adopted by the board
3 is guilty, upon conviction, of a class A misdemeanor. Each violation
4 is a separate offense. This subsection does not apply to a violation
5 of AS 04.16.172.

6 * Sec. 4. AS 04.16.180 is amended by adding a new subsection to read:

7 (e) The penalty for a violation of AS 04.16.172 is suspension of
8 the license as provided in AS 04.11.370(b).
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