

1 IN THE HOUSE

BY WALLIS BY REQUEST

2

HOUSE BILL NO. 443

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act prohibiting the sale of alcoholic beverages
7 under certain circumstances."

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

9 * Section 1. AS 04.11.150(a) is amended to read:

10 (a) A package store license authorizes the holder to sell alco-
11 holic beverages to a person [IN RESPONSE TO A VERBAL SOLICITATION FOR
12 PURCHASE RECEIVED FROM THE PERSON] present on the licensed premises
13 [OR IN RESPONSE TO A WRITTEN SOLICITATION MADE BY A PERSON KNOWN TO
14 THE LICENSEE FOR A PURCHASE TO BE RECEIVED BY THE PERSON MAKING THE
15 SOLICITATION].

16 * Sec. 2. AS 04.16 is amended by adding a new section to read:

17 Sec. 04.16.025. CERTAIN SALES TO NONLICENSEES PROHIBITED. A
18 licensee, agent, or employee may not sell alcoholic beverages for
19 delivery outside the licensed premises unless the person to whom the
20 alcoholic beverages are sold and delivered is

21 (1) licensed under this title; or

22 (2) licensed to sell alcoholic beverages in another state
23 or country.

24 * Sec. 3. AS 04.16.220(a) is amended to read:

25 (a) The following are subject to forfeiture:

26 (1) alcoholic beverages manufactured, sold, offered for
27 sale or possessed for sale, bartered or exchanged for goods and ser-
28 vices in this state in violation of AS 04.11.010; alcoholic beverages
29 possessed, stocked, warehoused, or otherwise stored in violation of

1 AS 04.21.060; alcoholic beverages sold or offered for sale in an area
2 where the results of a local option election have, under AS 04.11.-
3 490 - 04.11.500, prohibited the possession of alcoholic beverages or
4 prohibited the board from issuing, renewing, or transferring one or
5 more licenses or permits under this title in the area; alcoholic
6 beverages transported into the state and sold to persons not licensed
7 under this chapter in violation of AS 04.16.170(b);

8 (2) materials and equipment used in the manufacture, sale,
9 offering for sale, possession for sale, barter or exchange of alco-
10 holic beverages for goods and services in this state in violation of
11 AS 04.11.010; materials and equipment used in the stocking, warehous-
12 ing, or storage of alcoholic beverages in violation of AS 04.21.060;
13 materials and equipment used in the sale or offering for sale of an
14 alcoholic beverage in an area where the results of a local option
15 election have, under AS 04.11.490 - 04.11.500, prohibited the board
16 from issuing, renewing, or transferring one or more licenses or per-
17 mits under this title in the area;

18 (3) aircraft, vehicles, or vessels used to transport, or
19 facilitate the transportation of

20 (A) alcoholic beverages manufactured, sold, offered
21 for sale or possessed for sale, bartered or exchanged for goods
22 and services in this state in violation of AS 04.11.010 or
23 AS 04.16.025;

24 (B) property stocked, warehoused, or otherwise stored
25 in violation of AS 04.21.060;

26 (C) alcoholic beverages imported into a municipality
27 or established village in violation of AS 04.11.496;

28 (4) alcoholic beverages found on licensed premises that do
29 not bear federal excise stamps if excise stamps are required under

1 federal law;

2 (5) alcoholic beverages, materials or equipment used in
3 violation of AS 04.16.025 or 04.16.175 [AS 04.16.175].

4 * Sec. 4. AS 04.11.010(b) is repealed.