

Original sponsor: Labor and Commerce
Committee

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE
2 CS FOR HOUSE BILL NO. 536 (Judiciary)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FIFTEENTH LEGISLATURE - SECOND SESSION
5 A BILL
6 For an Act entitled: "An Act relating to the sale, pricing, and marketing
7 of alcoholic beverages; and prohibiting persons from
8 being on premises involving alcoholic beverages under
9 certain circumstances."
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
11 * Section 1. AS 04.16.015(a) is amended to read:
12 (a) On premises where alcoholic beverages are sold by the drink,
13 a licensee or a licensee's agent or employee may not
14 (1) offer or deliver, as a marketing device to the general
15 public, free alcoholic beverages to a patron;
16 (2) deliver an alcoholic beverage to a person already
17 possessing two or more;
18 (3) sell, offer to sell, or deliver [ALCOHOLIC BEVERAGES TO
19 A PERSON OR GROUP OF PERSONS AT A PRICE LESS THAN THE PRICE REGULARLY
20 CHARGED FOR THE BEVERAGES DURING THE SAME CALENDAR WEEK, EXCEPT AT
21 PRIVATE FUNCTIONS NOT OPEN TO THE GENERAL PUBLIC;
22 (4) SELL, OFFER TO SELL, OR DELIVER] an unlimited number of
23 alcoholic beverages to a person or group of persons during a set
24 period of time for a fixed price;
25 (4) except at private functions not open to the general
26 public, [(5)] sell, offer to sell, or deliver a particular type or
27 brand of alcoholic beverage [BEVERAGES] to a person or group of per-
28 sons on any one calendar day
29 (A) at a price [PRICES] less than that [THOSE] charged

1 the general public on that day; or

2 (B) during only part of the hours that the licensed
3 premises are open during that day [, EXCEPT AT PRIVATE FUNCTIONS
4 NOT OPEN TO THE GENERAL PUBLIC];

5 (5) [(6)] encourage or permit an organized game or contest
6 on the licensed premises that involves drinking alcoholic beverages or
7 the awarding of alcoholic beverages as prizes.

8 * Sec. 2. AS 04.16.015(c) is amended to read:

9 (c) This section may not be construed as prohibiting a licensee
10 or a licensee's agent or employee from

11 (1) offering free food or entertainment at any time;

12 (2) [, FROM] serving wine by the bottle or carafe or beer
13 by the pitcher with or without meals;

14 (3) [, OR FROM] including an alcoholic beverage as part of
15 a meal package; or

16 (4) increasing prices during times when entertainment is
17 provided; in this paragraph, "entertainment" means a live performance,
18 or a television broadcast of an event that actually occurs at the time
19 it is viewed and for which the licensee pays a one-time fee for the
20 right to show the event on the licensed premises.

21 * Sec. 3. AS 04.16 is amended by adding a new section to read:

22 Sec. 04.16.025. ILLEGAL PRESENCE ON PREMISES INVOLVING ALCOHOLIC
23 BEVERAGES. (a) A person may not knowingly enter or remain on prem-
24 ises

25 (1) in which alcoholic beverages are manufactured, sold,
26 offered for sale, possessed for sale or barter, trafficked in, or
27 bartered in violation of

28 (A) AS 04.11.010; or

29 (B) a municipal ordinance adopted under AS 04.21.-

1 010(a) or (b); or

2 (2) licensed under this title during hours in which the
3 person's presence on the premises is a violation of a municipal ordi-
4 nance adopted under authority of AS 04.16.010(d) providing for hours
5 of closure that are outside the hours of closure prescribed by AS 04.-
6 16.010(c).

7 (b) A person who violates this section is guilty of a violation.

8 * Sec. 4. AS 04.16.180(a) is amended to read:

9 (a) Except as provided in AS 04.16.025 and 04.16.200 - 04.16.-
10 210, a person who violates a provision of this title or a regulation
11 adopted by the board is guilty, upon conviction, of a class A misde-
12 meanor. Each violation is a separate offense.