

BY SEN. ZHAROFF

1 IN THE SENATE

2

SENATE BILL NO. 460

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to unlicensed sales of alcoholic
7 beverages; and providing for an effective date."

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

9 * Section 1. AS 04.16.200(a) is amended to read:

10 (a) Except as provided under (b) and (f) of this section, a
11 person who violates AS 04.11.010 is, upon conviction, guilty of a
12 class A misdemeanor.

13 * Sec. 2. AS 04.16.200(b) is amended to read:

14 (b) Except as provided in (f) of this section, a [A] person who
15 violates AS 04.11.010 in an area where the results of a local option
16 election have, under AS 04.11.490 - 04.11.500, prohibited the board
17 from issuing, renewing, or transferring one or more types of licenses
18 or permits under this title in the area is, upon conviction, guilty of
19 a class C felony.

20 * Sec. 3. AS 04.16.200 is amended by adding a new subsection to read:

21 (f) A person who violates AS 04.11.010 by selling alcoholic
22 beverages to a person under 21 years of age, and the alcoholic bever-
23 ages cause the death of the person, is, upon conviction, guilty of a
24 class A felony.

25 * Sec. 4. AS 04.21.020 is amended to read:

26 Sec. 04.21.020. CIVIL LIABILITY OF PERSONS PROVIDING ALCOHOLIC
27 BEVERAGES. Except as provided under (b) of this section, a [A] person
28 who provides alcoholic beverages to another person may not be held
29 civilly liable for injuries resulting from the intoxication of that

1 person unless the person who provides the alcoholic beverages holds a
2 license authorized under AS 4.11.080 - 04.11.220, or is an agent or
3 employee of such a licensee and

4 (1) the alcoholic beverages are provided to a person under
5 the age of 21 years in violation of AS 04.16.051, unless the licensee,
6 agent, or employee secures in good faith from the person a signed
7 statement, liquor identification card, or driver's license meeting the
8 requirements of AS 04.21.050(a) and (b) [,] that indicates that the
9 person is 21 years of age or older; or

10 (2) the alcoholic beverages are provided to a drunken
11 person in violation of AS 04.16.030.

12 * Sec. 5. AS 04.21.020 is amended by adding a new subsection to read:

13 (b) A person who violates AS 04.11.010 by providing alcoholic
14 beverages to a person under 21 years of age is civilly liable for
15 medical damages suffered by the person resulting from the alcoholic
16 beverages.

17 * Sec. 6. This Act takes effect immediately under AS 01.10.070(c).