

CS FOR HOUSE BILL NO. 28(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE JUDICIARY COMMITTEE

**Offered: 4/15/93
Referred: Finance**

Sponsor(s): REPRESENTATIVES WILLIAMS, Phillips, B.Davis, Nicholia, Olberg, Bunde, Kott

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the penalty for providing alcoholic beverages to a person
2 under the age of 21; and providing for an effective date."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * Section 1. AS 04.16.051 is amended by adding a new subsection to read:

5 (d) A person acting with criminal negligence who violates this section is guilty
6 of a class C felony if, within the five years preceding the violation, the person has
7 been previously convicted under

8 (1) this section; or

9 (2) a law or ordinance of this or another jurisdiction with elements
10 substantially similar to this section.

11 * Sec. 2. AS 04.16.180(a) is amended to read:

12 (a) Except as provided in AS 04.11.015, AS 04.16.051, 04.16.200 - 04.16.210
13 [AS 04.16.200 - 04.16.210], and AS 04.21.065, a person who violates a provision of
14 this title or a regulation adopted by the board is guilty, upon conviction, of a class A

1 misdemeanor. Each violation is a separate offense.

2 * Sec. 3. AS 04.21.065(a) is amended to read:

3 (a) A holder of one of the following types of licenses or permits shall post on
4 the licensed or designated premises two separate [A] warning [SIGN OR] signs as
5 described in (b) of this section:

6 (1) beverage dispensary license;

7 (2) restaurant or eating place license;

8 (3) club license;

9 (4) brewery license; this paragraph applies only to a brewery that
10 permits a person to sample portions of the brewery's product;

11 (5) package store license;

12 (6) common carrier dispensary license;

13 (7) recreational site license;

14 (8) community liquor license;

15 (9) pub license;

16 (10) winery license; this paragraph applies only to a winery that permits
17 a person to sample portions of the winery's product;

18 (11) caterer's permit;

19 (12) special events permit;

20 (13) conditional contractor's permit;

21 (14) another license or permit issued by the board authorizing
22 consumption of alcoholic beverages.

23 * Sec. 4. AS 04.21.065(b) is amended to read:

24 (b) The [A] warning signs [SIGN] required by (a) of this section must be at
25 least 11 inches by 14 inches and the lettering must be at least one-half inch high
26 and in contrasting colors. The ~~first~~ sign must read, [IN LETTERING AT LEAST
27 ONE-HALF INCH HIGH AND IN CONTRASTING COLORS,] "WARNING:
28 Drinking alcoholic beverages such as beer, wine, wine coolers, and distilled spirits or
29 smoking cigarettes during pregnancy can cause birth defects." The second sign must
30 read, "WARNING: A person who provides alcoholic beverages to a person under
31 21 years of age, if convicted under AS 04.16.051, could be imprisoned for up to

1 **five years and fined up to \$50,000.** The license or permit holder shall display the
2 signs in a manner that would make them conspicuous to a person who will be
3 purchasing or consuming alcoholic beverages or smoking cigarettes on the licensed or
4 designated premises.

5 * Sec. 5. This Act takes effect July 1, 1993.