

HOUSE BILL NO. 440

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Introduced: 2/4/94

Referred: Labor & Commerce, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to business licenses; and providing for an effective date."

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

3 * Section 1. AS 43.70.020 is repealed and reenacted to read:

4 Sec. 43.70.020. **BUSINESS LICENSE REQUIRED.** (a) A person may not
5 conduct business in the state unless the person has a business license issued under this
6 section for the business activity to be conducted, the name under which the business
7 activity is conducted, and the location where the business activity is conducted.

8 (b) A license issued under this section covers one business activity, one name
9 under which the business activity is conducted, and one location where the business
10 activity is conducted. A separate business license is required for each additional

11 (1) business activity conducted by the person at the same location or
12 under the same name;

13 (2) name under which the person conducts the business activity; and

14 (3) location where the business activity is conducted.

1 (c) The department shall issue a business license to a person who applies on
2 the forms prescribed by the department, pays the fee established under this section, and
3 provides the information required by the department. A business license is issued for
4 two calendar years and expires on the first day of the calendar year following the
5 second calendar year for which it is issued. A business license may be renewed by
6 applying on the forms prescribed by the department, paying the fee established under
7 this section, and providing the information required by the department. The fee for
8 a business license that is issued or renewed under this section is \$50.

9 (d) A person is not required to obtain a business license under this section if
10 the person does not represent to be regularly conducting the business the person is
11 conducting, the person does not conduct the business for more than 15 consecutive
12 days, and the total anticipated gross income from the business the person is conducting
13 in one calendar year is less than \$1,500.

14 (e) The department may classify by regulation under AS 44.62 (Administrative
15 Procedure Act) the business activities for which a business license may be issued. The
16 regulations may identify the activities that are included within a business activity
17 classification. The department may use the standard industrial classification manual
18 for the classification and identification.

19 (f) A person who violates (a) of this section is guilty of a class B
20 misdemeanor.

21 (g) In this section, "conduct business" includes having a sales representative
22 in the state, but does not include

23 (1) sending a catalog or similar item from another state to a potential
24 customer in this state, unless the business that is sending the catalog or similar item
25 has a sales representative or a business location in this state; in this subparagraph,
26 "business location" includes a hotel or motel or other room used temporarily for the
27 business; or

28 (2) responding to a contact initiated by a person in this state if the
29 products are delivered to the person from outside the state or the services are
30 performed outside the state.

31 * Sec. 2. AS 43.70.090 is amended to read:

1 **Sec. 43.70.090. REGULATIONS.** The department may adopt regulations
2 necessary to implement **[DETERMINE AND COLLECT THE FEES IMPOSED BY]**
3 this chapter.

4 * **Sec. 3.** AS 08.01.065(d) and AS 43.70.030 are repealed.

5 * **Sec. 4. TRANSITIONAL PROVISION.** Notwithstanding AS 43.70.020, as repealed and
6 reenacted by sec. 1 of this Act, if a person has been issued a business license under
7 AS 43.70.020, as that section exists before the effective date of this Act, and the expiration
8 date of the license under former AS 43.70.020 is January 1, 1996, the person is not required
9 until January 1, 1996, to obtain a new license or additional licenses under AS 43.70.020(a) -
10 (b), as repealed and reenacted by this Act, for the business covered by the license.

11 * **Sec. 5.** This Act takes effect January 1, 1995.