



LAWS OF ALASKA

2001

Source
CSHB 214(L&C)

Chapter No.
87

AN ACT

Relating to a civil action against a person under 21 years of age who enters premises where alcohol is sold or consumed.

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

THE ACT FOLLOWS ON PAGE 1

Approved by the Governor: July 3, 2001

Actual Effective Date: October 1, 2001

AN ACT

1 Relating to a civil action against a person under 21 years of age who enters premises where
2 alcohol is sold or consumed.

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4 * **Section 1.** AS 04.16.049 is amended by adding a new subsection to read:

5 (e) A licensee may bring a civil action against a person who violates this
6 section if the violation occurs on the premises of that licensee. If judgment is entered
7 in favor of the licensee, the court shall award civil damages in the amount of \$1,000
8 and award reasonable costs and reasonable attorney fees allowed under the Alaska
9 Rules of Civil Procedure.

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

11 (a) A holder of one of the following types of licenses or permits shall post on
12 the licensed or designated premises three [TWO] separate warning signs as described
13 in (b) of this section:

14 (1) beverage dispensary license;

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- 1 (2) restaurant or eating place license;
2 (3) club license;
3 (4) brewery license; this paragraph applies only to a brewery that
4 permits a person to sample portions of the brewery's product;
5 (5) package store license;
6 (6) common carrier dispensary license;
7 (7) recreational site license;
8 (8) pub license;
9 (9) winery license; this paragraph applies only to a winery that permits
10 a person to sample portions of the winery's product;
11 (10) caterer's permit;
12 (11) special events permit;
13 (12) conditional contractor's permit;
14 (13) another license or permit issued by the board authorizing
15 consumption of alcoholic beverages.

16 * Sec. 3. AS 04.21.065(b) is amended to read:

17 (b) The warning signs required by (a) of this section must be at least 11 inches
18 by 14 inches and the lettering must be at least one-half inch high and in contrasting
19 colors. The first sign must read, "WARNING: Drinking alcoholic beverages such as
20 beer, wine, wine coolers, and distilled spirits or smoking cigarettes during pregnancy
21 can cause birth defects." The second sign must read, "WARNING: A person who
22 provides alcoholic beverages to a person under 21 years of age, if convicted under
23 AS 04.16.051, could be imprisoned for up to five years and fined up to \$50,000." **The**
24 **third sign must read, "WARNING: A person under 21 years of age who enters**
25 **these premises in violation of law could, under AS 04.16.049(e), be civilly liable**
26 **for damages of \$1,000."** The license or permit holder shall display the **first and**
27 **second** signs in a manner that would make them conspicuous to a person who will be
28 purchasing or consuming alcoholic beverages or smoking cigarettes on the licensed or
29 designated premises **and shall conspicuously display the third sign at each door**
30 **through which customers enter the licensed premises.**