SENATE BILL NO. 15

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FOURTH LEGISLATURE - FIRST SESSION

BY SENATORS MERRICK, Bjorkman, Claman, Gray-Jackson

Introduced: 1/22/25
Referred: Labor and Commerce

A BILL

FOR AN ACT ENTITLED

"An Act relating to the sale of alcohol; relating to the posting of warning signs for alcoholic beverages; and providing for an effective date."

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

*** Section 1.** AS 04.09.210(c) is amended to read:

(c) The board may issue or renew a license under this section only if the

(1) board determines that

(A) the licensed premises is a bona fide restaurant as defined in AS 04.21.080(b);

(B) there is supervision on the premises adequate to reasonably ensure that a person under 21 years of age will not obtain alcoholic beverages**, unless the person is employed as permitted in AS 04.16.049(d)**; and

(C) it is unlikely that persons under 21 years of age not employed on the premises will enter and remain on the licensed premises for purposes other than dining; and

(2) sale and service of food and alcoholic beverages and any other business conducted on the licensed premises of the restaurant or eating place is under the sole control of the licensee.

*** Sec. 2.** AS 04.09.210(d) is amended to read:

(d) The board may authorize the holder of a restaurant or eating place license

(1) to allow a person who is at least 16 years of age but under 21 years of age to enter and remain on the licensed premises for dining only;

(2) to allow a person who is under 16 years of age to enter and remain on the licensed premises for dining only if

(A) the person is accompanied by a person who is 21 years of age or older; and

(B) the parent or guardian of the person consents to the person being on the licensed premises; and

(3) subject to AS 04.16.049, to employ or permit the employment of a person who is at least 16 years of age but under 21 years of age on the licensed premises if the employer provides adequate supervision to ensure that **<u>an employee who is 16 or 17 years of age</u>** [THE PERSON] does not obtain alcoholic beverages.

*** Sec. 3.** AS 04.09.250(c) is amended to read:

(c) The holder of a theater license may sell or serve alcoholic beverages only in designated areas on the licensed premises and only for **<u>a period beginning two hours</u>** [ONE HOUR] before the event **<u>until one hour after the event</u>** [AND DURING INTERMISSIONS].

*** Sec. 4.** AS 04.09.360(c) is amended to read:

(c) The board may issue or renew a license under this section only if

(1) the board determines that

(A) the licensed premises is a bona fide restaurant as defined in AS 04.21.080(b);

(B) there is supervision on the premises adequate to reasonably ensure that a person under 21 years of age will not obtain alcoholic beverages**<u>, except as provided under AS 04.16.049(d)</u>**; and

(C) it is unlikely that persons under 21 years of age not

employed on the premises will enter and remain on the licensed premises for purposes other than dining; and

(2) the sale and service of food and alcoholic beverages and any other business conducted on the licensed premises of the restaurant or eating place is under the sole control of the licensee.

*** Sec. 5.** AS 04.09.360(f) is amended to read:

(f) The board may authorize the holder of a seasonal restaurant or eating place tourism license

(1) to allow a person who is at least 16 years of age but under 21 years of age to enter and remain on the licensed premises for dining only;

(2) to allow a person who is under 16 years of age to enter and remain on the licensed premises for dining only if

(A) the person is accompanied by a person who is 21 years of age or older; and

(B) the parent or guardian of the person consents to the person being on the licensed premises; and

(3) subject to AS 04.16.049, to employ or permit the employment of a person who is at least 16 years of age but under 21 years of age on the licensed premises if the employer provides adequate supervision to ensure that **<u>an employee who is 16 or 17 years of age</u>** [THE PERSON] does not obtain alcoholic beverages.

*** Sec. 6.** AS 04.09.450(d) is amended to read:

(d) The board may issue an endorsement under this section only if the board finds

(1) that the establishment or portion of the establishment for which the endorsement is requested is a bona fide restaurant;

(2) there is supervision on the premises adequate to reasonably ensure that a person under 21 years of age will not obtain alcoholic beverages**<u>, except as provided under AS 04.16.049(d)</u>**; and

(3) that it is unlikely that persons under 21 years of age not employed on the premises will enter and remain on the premises of the bona fide restaurant for purposes other than dining.

*** Sec. 7.** AS 04.09.450(e) is amended to read:

(e) The board may authorize the holder of a license with a restaurant endorsement

(1) to allow a person who is at least 16 years of age but under 21 years of age to enter and remain on the licensed premises for dining only;

(2) to allow a person who is under 16 years of age to enter and remain on the licensed premises for dining only if

(A) the person is accompanied by a person who is 21 years of age or older; and

(B) the parent or guardian of the person consents to the person being on the licensed premises; and

(3) subject to AS 04.16.049, to employ or permit the employment of a person who is at least 16 years of age but under 21 years of age on the premises of the bona fide restaurant if the employer provides adequate supervision to ensure that **an employee who is 16 or 17 years of age** [THE PERSON] does not obtain alcoholic beverages.

*** Sec. 8.** AS 04.16.049(d) is amended to read:

(d) Notwithstanding any other provision in this section **and AS 04.16.050(a)**, a person 18, 19, or 20 years of age may be employed within the licensed premises of a **brewery manufacturer, winery manufacturer, distillery manufacturer,** hotel or motel, large resort, golf course, general wholesaler, limited brewed beverage and wine wholesaler, common carrier dispensary, outdoor recreation lodge, **brewery retailer, winery retailer, distillery retailer,** or restaurant, may enter and remain within those premises for the purpose of employment, **and, other than for a business that offers adult entertainment,** [BUT] may [NOT], in the course of employment, sell, serve, deliver, or dispense alcoholic beverages.

*** Sec. 9.** AS 04.16.049(h) is amended to read:

(h) Notwithstanding any other provision in this section, a person under 21 years of age may be present

(1) on the licensed premises of a

(A) common carrier dispensary, destination resort, or outdoor

recreation lodge for the purpose of travel, travel lodging, or outdoor recreation activities provided by the licensee if the person is

(i) [(1)] at least 16 years of age; or

(ii) [(2)] under 16 years of age and a parent or legal guardian of the underaged person consents**;**

(B) theater if the person is

(i) at least 16 years of age; or

(ii) under 16 years of age, is accompanied by a person who is at least 21 years of age, and a parent or legal guardian of the underaged person consents;

(2) in the areas of a licensed premises covered by a large resort endorsement, but excluding the areas of the premises originally covered by the licensee's beverage dispensary or beverage dispensary tourism license where alcohol is being served, for the purpose of travel, travel lodging, or outdoor recreation activities provided by the large resort if the person is

(A) at least 16 years of age; or

(B) under 16 years of age and a parent or legal guardian of the underaged person consents.

*** Sec. 10.** AS 04.16.049 is amended by adding a new subsection to read:

(k) In this section, "business that offers adult entertainment" has the meaning given in AS 23.10.350(f).

*** Sec. 11.** AS 04.16.052(a) is amended to read:

(a) A licensee or an agent or employee of the licensee may not with criminal negligence

(1) allow another person to sell, barter, or give an alcoholic beverage to a person under the age of 21 years within licensed premises**, except as provided in AS 04.16.049(d)**;

(2) allow a person under the age of 21 years to enter and remain within licensed premises except as provided in AS 04.16.049;

(3) allow a person under the age of 21 years to consume an alcoholic beverage within licensed premises;

(4) allow a person under the age of 21 years to sell or serve alcoholic beverages**, except as provided in AS 04.16.049(d)**;

(5) while working on licensed premises, furnish or deliver alcoholic beverages to a person under the age of 21 years**, except as provided in AS 04.16.049(d)**.

*** Sec. 12.** AS 04.21.065(b) is amended to read:

(b) The warning signs required by (a) of this section must be at least 11 inches by 14 inches, and the lettering must be at least one-half inch high and in contrasting colors. The first sign must read, "WARNING: **Alcohol use** [DRINKING ALCOHOLIC BEVERAGES SUCH AS BEER, WINE, WINE COOLERS, AND DISTILLED SPIRITS OR SMOKING CIGARETTES] during pregnancy can cause birth defects. **Alcohol use can cause cancer, including breast and colon cancers.**" The second sign must read, "WARNING: A person who provides alcoholic beverages to a person under 21 years of age, if convicted under AS 04.16.051, could be imprisoned for up to five years and fined up to $50,000." The third sign must read, "WARNING: An unaccompanied person under 21 years of age who enters these premises in violation of law may, under AS 04.16.049(e), be civilly liable for damages of $1,500." The license or permit holder shall display the first and second signs in a manner that would make them conspicuous to a person who will be purchasing or consuming alcoholic beverages or smoking cigarettes on the licensed or designated premises and shall conspicuously display the third sign at each door through which customers enter the licensed premises.

*** Sec. 13.** AS 04.09.250(d) is repealed.

*** Sec. 14.** This Act takes effect July 1, 2025.