

**HOUSE BILL NO. 113**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVE DRUMMOND**

**Introduced: 2/10/17**

**Referred:**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to operating a motor vehicle, aircraft, or watercraft while under the**  
2 **influence of an alcoholic beverage, inhalant, or controlled substance."**

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

4 **\* Section 1.** AS 28.33.030 is amended by adding a new subsection to read:

5 (d) In a prosecution under (a) of this section, a person is not under the  
6 influence of marijuana, singly or in combination with an alcoholic beverage,  
7 intoxicating liquor, inhalant, or another controller substance, unless delta 9-  
8 tetrahydrocannabinol is present in the person's body. In this subsection, "marijuana"  
9 has the meaning given in AS 11.71.900.

10 **\* Sec. 2.** AS 28.35.030(u) is amended by adding a new paragraph to read:

11 (5) "marijuana" has the meaning given in AS 11.71.900.

12 **\* Sec. 3.** AS 28.35.030 is amended by adding a new subsection to read:

13 (v) In a prosecution under (a) of this section, a person is not under the  
14 influence of marijuana, singly or in combination with an alcoholic beverage,

1           intoxicating liquor, inhalant, or another controller substance, unless delta 9-  
2           tetrahydrocannabinol is present in the person's body.

3           \* **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to  
4 read:

5           APPLICABILITY. This Act applies to offenses committed on or after the effective  
6 date of this Act.