

HOUSE BILL NO. 301

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE WOOL

Introduced: 1/24/18

Referred:

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the renewal and transfer of ownership of a beverage dispensary**
2 **license or restaurant or eating place license."**

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

4 *** Section 1.** AS 04.11.400(a) is amended to read:

5 (a) Except as provided in (d) - (k) **and (o)** of this section, a new license may
6 not be issued and the board may prohibit relocation of an existing license

7 (1) outside an established village, incorporated city, unified
8 municipality, or organized borough if, after the issuance or relocation, there would be
9 (A) more than one restaurant or eating place license for each 1,500 population or
10 fraction of that population, or (B) more than one license of each other type, including
11 licenses that have been issued under (d), [OR] (e), **or (o)** of this section, for each 3,000
12 population or fraction of that population, in a radius of five miles of the licensed
13 premises, excluding the populations of established villages, incorporated cities, unified
14 municipalities, and organized boroughs that are wholly or partly included within the

1 radius;

2 (2) inside an established village, incorporated city, or unified
3 municipality if, after the issuance or relocation, there would be inside the established
4 village, incorporated city, or unified municipality

5 (A) more than one restaurant or eating place license for each
6 1,500 population or fraction of that population; or

7 (B) more than one license of each other type, including licenses
8 that have been issued under (d), [OR] (e), or (o) of this section, for each 3,000
9 population or fraction of that population;

10 (3) inside an organized borough but outside an established village or
11 incorporated city located within the borough if, after the issuance or relocation, there
12 would be inside the borough, but outside the established villages and incorporated
13 cities located within the borough,

14 (A) more than one restaurant or eating place license for each
15 1,500 population or fraction of that population; or

16 (B) more than one license of each other type, including licenses
17 that have been issued under (d), [OR] (e), or (o) of this section, for each 3,000
18 population or fraction of that population excluding the population of those
19 established villages that have adopted a local option under AS 04.11.491(b)(1),
20 (3), or (4), and excluding the population of incorporated cities located within
21 the organized borough.

22 * **Sec. 2.** AS 04.11.400 is amended by adding a new subsection to read:

23 (o) On and after the effective date of this Act, the holder of a beverage
24 dispensary or restaurant or eating place license issued under (g) of this section as that
25 subsection read on June 5, 1985, who has continually held the license until the
26 effective date of this Act, may renew or transfer ownership of the license if the holder

27 (1) maintains a minimum of 10 rental rooms on the licensed premises;

28 (2) has a dining facility on the licensed premises or kitchen facilities in
29 the majority of its rental rooms; and

30 (3) otherwise complies with the requirements of this title.