

3 AAC 304.180 is repealed and readopted to read:

**3 AAC 304.180. Denial, suspension, revocation, or refusal to renew or transfer, in the public interest.** (a) The factors the board may consider in determining whether it is in the public interest to deny, revoke, suspend, or refuse to renew or transfer a license include

(1) the applicant's, the applicant's affiliates', the transferee's, or the transferee's affiliates' histories of conviction of

(A) a crime involving moral turpitude; or

(B) a felony in this state, the United States, or another state or territory

during the 10 years immediately preceding the date of application;

(2) the applicant's, the applicant's affiliates', the transferee's, or the transferee's affiliates' histories of commission of

(A) a violation of AS 04 or regulations adopted by the board; or

(B) a violation of the alcoholic beverage control laws of another state, as a licensee of that state;

(3) whether the applicant, the applicant's affiliates, the transferee, or the transferee's affiliates are untrustworthy, unfit to conduct a licensed business, or a potential source of harm to the public;

(4) whether the applicant, the applicant's affiliates, the transferee, or the transferee's affiliates have permitted, on licensed premises belonging to that person, the occurrence of sexual contact between persons; for the purpose of this paragraph, "sexual contact" means the touching of genitals, anus, or female breast or the intrusion of any object into the genital or anal opening regardless of whether the act was consensual; and

(5) all other factors the board in its discretion determines relevant to the public interest.

(b) The grounds on which a local governing body may properly protest an application under AS 04.11.480 include the grounds set out in (a) of this section.

(c) In this section, “a crime involving moral turpitude” means

(1) homicide;

(2) manslaughter;

(3) assault in the first or second degree;

(4) kidnapping;

(5) forgery;

(6) arson;

(7) human trafficking;

(8) coercion;

(9) indecent exposure in the first degree;

(10) sexual assault;

(11) sexual abuse of a minor;

(12) unlawful exploitation of a minor including possession or distribution of child pornography. (Eff. 4/28/84, Register 90; am 5/1/94, Register 130; am 5/11/96, Register 138; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

<b>Authority:</b>	AS 04.06.090	AS 04.11.330	AS 04.11.370
	AS 04.06.100	AS 04.11.340	AS 04.11.480
	AS 04.11.320	AS 04.11.360	