

HOUSE BILL NO. 251

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE FOSTER

Introduced: 2/17/20

Referred: Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act prohibiting the use of certain restrictive provisions in leases of space for**
2 **business use; and adding an unlawful act to the Alaska Unfair Trade Practices and**
3 **Consumer Protection Act."**

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

5 * **Section 1.** AS 45.50.471(b) is amended by adding a new paragraph to read:

6 (58) violating AS 45.50.476 (prohibited lease provision).

7 * **Sec. 2.** AS 45.50 is amended by adding a new section to read:

8 **Sec. 45.50.476. Prohibited lease provision.** A lease of space for business use
9 may not include a provision that prohibits or otherwise prevents a party to the lease
10 from

11 (1) selling or leasing that party's real property, including an interest in
12 real property, to a person who is not a party to the lease and who intends to use the
13 real property or interest for the operation of a business that is the same as or similar to
14 a business, or part of a business, owned or engaged in by another party to the lease;

1 (2) assisting or facilitating a person who is not a party to the lease to
2 operate a business that is the same as or similar to a business, or part of a business,
3 owned or engaged in by another party to the lease; or

4 (3) engaging, directly or indirectly, by itself or with another person, in
5 a business that is the same as or similar to a business, or part of a business, owned or
6 engaged in by another party to the lease.

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

9 **APPLICABILITY.** This Act applies to leases entered into on or after the effective date
10 of this Act.