3 AAC 306 is amended by adding a new section to read:

**3 AAC 306.995. Emergency regulations to respond to COVID-19 outbreak.**  (a) Notwithstanding any other provisions of 3 AAC 306, the following activities are permitted by a retail marijuana store licensed under AS 17.38 and 3 AAC 306 that also satisfy the definition of an essential business in the Alaska Essential Services and Critical Workforce Infrastructure Order, as amended, as follows:

1. a Retail Marijuana Store may permit the ordering of marijuana or marijuana product over the phone or by internet so long as the purchaser is picking up the marijuana or marijuana product directly from the licensee’s premises, or as described in subparagraph (2) by window or curbside delivery;
2. A Retail Marijuana Store may permit window or curbside delivery of marijuana or marijuana products, only if:

(A) the marijuana or marijuana product offered for sale does not exceed the amounts set out under 3 AAC 306.355 and is packaged as required under 3 AAC 306.345; and

(B) the licensee ensures, and a holder of a marijuana handler permit verifies, the recipient of the marijuana or marijuana product is 21 years of age or older by requiring the recipient to produce a valid driver’s license or a valid state identification card;

(C) the licensee extends the video surveillance requirements of 3 AAC 306.720 to include the area designated for curbside delivery; and

(D) the licensee submits, for which fees will be waived, and the Director approves a temporary operating plan, describing and depicting its curbside or window delivery, including a statement that municipal or other local law does not prohibit this accommodation.

(b) Notwithstanding any other provisions of 3 AAC 306, the following transportation requirements of 3 AAC 306.750 are amended to permit the following:

(A) under 3 AAC 306.705(a, one or more agents or employees of licensees may hand off marijuana or marijuana product at a commercial or transportation hub, so long as the purpose of the hand off is to minimize intrastate travel or entry into small communities. All such agents or employees must hold marijuana handler permits. The handoff and change in agents or employees must be documented in the transport manifest accompanying the marijuana or marijuana product and in the marijuana inventory tracking system.

(B) 3 AAC 750(d) will be interpreted to permit an agent or employee of a licensee that holds a marijuana handler permit to make an overnight stop to deliver or pick up marijuana or marijuana products and keep the sealed marijuana or marijuana product in their possession, so long as the purpose of the stop is to minimize the amount of intrastate travel and the security of the marijuana or marijuana product can be maintained. All overnight stops must be planned and documented in the transport manifest accompanying the marijuana or marijuana product and in the marijuana inventory tracking system.

(C) a licensee may permit the transport and consignment of marijuana or marijuana product to a commercial carrier, so long as a licensee or an agent or employee of the license, who holds marijuana handler permit delivers the marijuana or marijuana product to the commercial carrier and solely a licensee or an agent or employee of the license, who holds marijuana handler permit picks up the marijuana or marijuana product from the commercial carrier. All such transport shall be documented in the transport manifest accompanying the marijuana or marijuana product and in the marijuana inventory tracking system.

(d) the Alcohol and Marijuana Control Office director may impose additional and reasonable emergency conditions necessary to prevent diversion of marijuana or marijuana products to minors or individuals restricted from purchasing marijuana or marijuana products.

(e) for purposes of this section, “curbside delivery” means parking spots designated by a licensee for pickup of marijuana or marijuana products or an area immediately adjacent and within video surveillance of an entry to a licensee’s business premises.

(f) for purposes of this section, “commercial carrier” means a person undertaking to engage in [air or vehicle] commerce by lease, contract or other arrangement, whether over regular or irregular routes.

(f) 3 AAC 306.995 shall be effective for the length of time set out at AS 44.62.260 or the length of the State of Alaska’s Covid19 public health emergency declaration, whichever is less.

(g) the following categories of licensees are impacted: 3 AAC 306.300, 3 AAC 306.400, 3 AAC 306.500, and 3 AAC 306.600 (Eff. \_\_\_\_/\_\_\_\_/\_\_\_\_\_\_, Register \_\_\_\_)

**Authority:** AS 26.23.020AS 17.38.010 AS 17.38.150 AS 17.38.200

AS 17.38.070 AS 17.38.190 AS 17.38.900 AS 17.38.121