



Concert Promoter Program

State Office Building

PO Box 110806, Juneau, AK 99811-0806

Phone: (907) 465-2550

Email: Concert.Promoters@Alaska.Gov

Website: ProfessionalLicense.Alaska.Gov/ConcertPromoters

Instructions for Concert Promoter Registration

"A person may not engage in the business of promoting concerts in the state without a valid promoter's certificate of registration issued by the department." "Concert" is defined as "a live, staged musical performance, comedy act, or other specialty act featuring any number of performers for which a ticket is sold in advance for purposes of profit by a concert promoter; the term does not include dramatic performances;" and a "promoter" means "a person who contracts for and arranges a concert for purposes of profit whether engaged full time or part time in the business of booking or hiring concerts." — AS 08.06.010, 08.92.090(1) and (3).

Read AS 08.92.070 for exemptions from license requirements.

The following must be on file with the division before the file will be reviewed:

(1) APPLICATION

Completed, signed, and notarized. An applicant with a "Yes" answer to the professional conduct question must submit a separate written, signed and dated explanation and provide copies of any supporting documents.

(2) FEES

A check or money order made payable to the State of Alaska:

- Non-refundable application fee: \$125.00
- Concert promoter registration fee: \$500.00

(3) SURETY BOND: A \$5,000 surety bond of either:

- (a) a surety bond issued by an insurer or other surety company (which may be obtained by contacting your insurance agent), with the bonding company's power of attorney (and the bond must be signed by both the principal and the surety (form #4075a)); or
- (b) an original Time Certificate of Deposit (TCD) or Savings Passbook issued by a bank or trust company authorized to do business in Alaska. The certificate or passbook should read, "State of Alaska in trust for (Concert Promoter)." The original certificate or passbook is held by the state and must be accompanied by a completed, signed and notarized Assignment of Cash Deposit (form #08-4075b) ; or
- (c) a cashier's check. Cash will be deposited in a Trust Account established by the state, which does NOT pay interest. The cash must be accompanied by a completed, signed, and notarized Assignment of Cash Deposit (form #08-4075b); or
- (d) as an alternative to the bond or cash deposit, a promoter may, daily, deposit in a trust account in a bank, savings and loan association, or licensed escrow agent, 50 percent of the advance ticket receipts accumulated for each concert promoted, and provide the department with the number and location of the trust or escrow account. (In order to ensure 50 percent of the advance ticket receipts are maintained in the account, deposits must be made daily, which cover sales for the day.) A completed, signed, and notarized Assignment of Cash Deposit (form #08-4075b) must be provided.

APPLICATION INFORMATION

CPA Information

LICENSE TERM

There is no “inactive” status. If you choose not to renew your license, it will lapse. Licenses are issued for a two-year period and expire on December 31 of odd-numbered years, regardless of the date of issuance, except licenses issued within 90 days of the expiration date are issued to the next biennial expiration date. One renewal notice will be mailed at least 30 days before license expiration to the last known address of record.

General Information

APPLICATION PROCESSING

The average time to process a paper application varies by program, but can take several weeks from the date it is received in this office, complete with all correct forms, supporting documents and appropriate fees paid. If the application is incomplete, the applicant will be notified of the incomplete and/or incorrect documents and fees. When the application is complete and correct, and all supporting documents have been received and all fees have been paid the license will be issued and sent to you. Start the process far enough in advance to allow for processing time. Applications are reviewed in order of receipt in our office, and walk-in customers should not expect immediate review.

“YES” RESPONSES

A “Yes” response in the application does not mean your application will be denied. If you have responded “Yes” to any professional fitness questions in the application, be sure to submit a signed and dated explanation, and both charging and closing court documentation.

DENIAL OF APPLICATION

Please be aware that the denial of an application of licensure may be reported to any person, professional licensing board, federal, state, or local governmental agency, or other entity making a relevant inquiry or as may be required by law.

RANDOM AUDIT

If your program requires continuing education, the division will audit a percentage of the license renewals. If your license is randomly selected for audit, you will be sent a letter and required to submit copies of documentation and proof that you satisfied the continuing competency requirements as you stated on this renewal form. Please note that licensees are randomly selected by computer and may be randomly selected as often as the computer program chooses. You must save your documents for at least four years so you can respond to audits.

ADDRESS OR NAME CHANGE

In accordance with 12 AAC 02.900, it is the applicant's/licensee's responsibility to notify the division, in writing, of changes of address or name. Name and address change notification forms are available on the division's website. The address of record with the division will be used to send renewals and all other official notifications and correspondence. The name appearing on the license must be your current legal name.

CERTIFIED TRUE COPIES

If any of the required documents will be issued under a former name, indicate on the application and submit marriage license and/or court documents that are notarized as a “certified true copy of the original document”. To obtain a certified true copy, you must present the notary with the original document along with the photocopy. You must write, “I certify this is a true copy of the original document” and sign your name. The notary will compare the original document with the copy and then notarize your signature.

SOCIAL SECURITY NUMBERS

AS 08.01.060 and 08.01.100 require that a U.S. Social Security Number be on file with the division before a professional license is issued or renewed for an individual. If you do not have a U.S. Social Security Number, please complete the Request for Exemption from Social Security Number Requirement form located at *ProfessionalLicense.Alaska.gov* or contact the division for a copy of the form. This form is required with every application if you do not have a U.S. Social Security Number.

PUBLIC INFORMATION

Please be aware that all information on the application form will be available to the public, unless required to be kept confidential by state or federal law. Information about current licensees, including mailing addresses, is available on the division's website at *ProfessionalLicense.Alaska.gov* under License Search.

ABANDONED APPLICATIONS

Under 12 AAC 02.910, an application is considered abandoned when 12 months have elapsed since correspondence was last received from or on behalf of the applicant. An abandoned application is denied without prejudice. At the time of abandonment, the division will send notification to the last known address of the applicant, who has 30 days to submit a written request for a refund of biennial license and other fees paid. The application fee will not be refunded. If no request for refund is received within that timeframe, no refund will be issued, and all fees will be forfeited.

PAYMENT OF CHILD SUPPORT AND STUDENT LOANS:

If the Alaska Child Support Enforcement Division has determined that you are in arrears on child support, you may be issued a nonrenewable temporary license valid for 150 days. Contact Child Support Services at (907) 269-6900 to resolve payment issues.

BUSINESS LICENSES

The status of a professional license will directly impact the status of an associated business license. Renewal applications for business licenses are mailed separately. For more information about business licenses, (907) 465-2550 or *BusinessLicense.Alaska.gov*

STATUTES AND REGULATIONS

The complete set of statutes and regulations for this program are available by written request or online at the division's website: *ProfessionalLicense.Alaska.Gov*

If you would like to receive notice of all proposed regulation changes for your program, please send a request in writing with your name, preferred contact method (mail or email), and the program you want to be updated on to the address below.

REGULATIONS SPECIALIST

Department of Commerce, Community, and Economic Development

Division of Corporations, Business and Professional Licensing

EMAIL: *RegulationsAndPublicComment@Alaska.Gov*

US MAIL: P.O. Box 110806, Juneau, Alaska 99811-0806

Chapter 92 - Concert Promoters

Sec. 08.92.010. Registration required. A person may not engage in the business of promoting concerts in the state without a valid promoter's certificate of registration issued by the department. To remain valid, a certificate of registration must be renewed on a date set by the department.

Sec. 08.92.020. Fees. (a) An applicant for a promoter's certificate of registration shall pay an original registration fee established by regulations adopted under AS 08.01.065.

(b) The biennial fee for the renewal of a registration certificate is also established by regulations adopted under AS 08.01.065.

Sec. 08.92.030. Bond or cash deposit required. A promoter of concerts shall, at the time of applying for a certificate of registration, file with the department a surety bond or an equivalent cash deposit in the amount of \$5,000. As an alternative to the bond or cash deposit, a promoter may deposit in a trust account in a bank, savings and loan association, or licensed escrow agent, 50 percent of the advance ticket receipts accumulated for each concert promoted, and provide the department with the number and location of the trust or escrow account. The bond, cash deposit, or account shall be conditioned upon the promoter providing ticket refunds within 10 days after the scheduled date of a concert which is cancelled due to any cause. The state, on behalf of a ticket holder, or a ticket holder directly, may bring an action on the bond, cash deposit, or account.

Sec. 08.92.035. Refund caption required. Tickets for concerts subject to the provisions of this chapter shall be printed with the name and business address of the promoter and the following caption:

"In the event of concert cancellation, refunds will be available at the above location between the hours of 9:00 a.m. and 5:00 p.m. for a period of 10 days after the scheduled date of the concert."

Sec. 08.92.040. Denial, revocation, and suspension of registration. (a) The department may refuse to issue, or may suspend or revoke, a certificate of registration for failure to comply with a provision of this chapter or of a regulation adopted under it. If a bonding company cancels the bond of a promoter, the promoter's certificate of registration shall be revoked. A promoter whose certificate has been revoked may again obtain registration by complying with the requirements of this chapter.

(b) Proceedings under this chapter are governed by the Administrative Procedure Act (AS 44.62).

(c) If the department determines that a person is acting as a promoter in violation of this chapter, the department may order the person to stop the violation. Upon receipt of the order, the person affected has the right to be heard and to present proof to the department that the violation has not occurred. In the department's discretion or upon application made by the recipient of the order, the department shall schedule a hearing at the earliest possible time. After the hearing the department may affirm, modify, or set aside the order.

Sec. 08.92.050. Injunction. The attorney general may institute an action in the superior court to enjoin a violation of this chapter.

Sec. 08.92.060. Violations. (a) A person who violates AS 08.92.010 is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than \$5,000, or by imprisonment for not more than one year, or by both.

(b) Retention of ticket receipts after the 10th day following the scheduled date of a concert that has been cancelled is presumed to be fraud against ticket purchasers. A promoter who fails to refund the purchase price of a ticket to a concert which has been cancelled and retains the ticket receipts after the 10th day following the scheduled concert that has been cancelled is guilty of

(1) a misdemeanor, if ticket receipts retained are \$1,000 or less, and upon conviction is punishable by a fine of not more than \$5,000, or by imprisonment for not more than one year, or by both;

(2) a felony, if ticket receipts retained are more than \$1,000, and upon conviction is punishable by a fine of not more than \$10,000, or by imprisonment for not more than five years, or by both.

Sec. 08.92.070. Exemption. The provisions of this chapter do not apply to concerts promoted, organized or produced

(1) by a nonprofit corporation, society or group that has qualified for nonprofit status under sec. 501(c)(3) of the Internal Revenue Code (26 U.S.C. 501(c)(3));

(2) by a promoter for presentation within a municipality having a population of less than 10,000 persons.

Sec. 08.92.080. Regulations. The department may adopt regulations in accordance with the Administrative Procedure Act (AS 44.62) as necessary to administer and enforce this chapter.

Sec. 08.92.090. Definitions. In this chapter

(1) "concert" means a live, staged musical performance, comedy act, or other specialty act featuring any number of performers for which a ticket is sold in advance for purposes of profit by a concert promoter; the term does not include dramatic performances;

(2) "department" means the Department of Community and Economic Development;

(3) "promoter" means a person who contracts for and arranges a concert for purposes of profit whether engaged full time or part time in the business of booking or hiring concerts.



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Concert Promoter Registration Application

Required Fees:	<input type="checkbox"/> Nonrefundable Application Fee	\$125.00
	<input type="checkbox"/> Registration Fee	\$500.00

Business Name:	
DBA Name:	
Mailing Address:	
Physical Address:	
Contact Phone:	

EMAIL AGREEMENT: By choosing to receive correspondence on any matter affecting my license or other business with the Alaska Division of Corporations, Business and Professional Licensing, I agree to maintain an accurate email address through the MY LICENSE web page. I understand that failure to check my email account or to keep the email address in good standing may result in an inability to receive crucial information, potentially resulting in my inability to obtain or maintain licensure.

Email Address:		<input type="checkbox"/> Send my Correspondence by Email <input type="checkbox"/> Send my Correspondence by US Mail
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Check applicable box and provide complete names and addresses of owner, all partners or corporate officers.

For sole proprietors or partners only, provide social security numbers and birthdates.

- Sole Proprietorship*
 Partnership*
 Corporation
 LLC/LLP

(ALL BUSINESS TYPES)		(SOLE PROPRIETORS OR PARTNERSHIPS ONLY)	
Name	Address	Birthdate	SSN

Professional Fitness Section

The following questions must be answered. "Yes" answers may not automatically result in license denial. If you answer "Yes" to any of the questions, please explain dates and specific circumstances (locations, type of action, organizations or parties involved) on the Letter of Explanation Form #08-4572, signed and dated, and send any supporting documents that are applicable (court records, judgments, charging documents, certificates of completion, board or license actions, investigative notices, etc.).

Applications submitted without the appropriate attachments will be considered incomplete and will not be processed.

When in doubt, disclose and explain.

Have you or your business had any professional license, registration or permit denied, revoked, suspended, or otherwise restricted, conditioned, or limited or have you surrendered a professional license, been fined, placed on probation, reprimanded, disciplined, or entered into a settlement with a licensing authority in connection with a professional license you have held in any jurisdiction including Alaska and including that of any military authorities or is any such action pending?

- Yes
 No

One of the following bonding types must be checked.

Original documents evidencing compliance to the requirements of AS 08.92.030 must be attached.

- Surety Bond
 Timed CD or Passbook Account
 Cash Deposit
 Escrow account with:

Bank Name

Account Number

CONTINUED ON FOLLOWING PAGE

Notary Agreement

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted herewith are true and correct.

I understand that any falsification or misrepresentation of any item or response in this application, or any attachment hereto, or falsification or misrepresentation of documents to support this application, is sufficient grounds for denying, revoking, or otherwise disciplining a license or permit to practice in the state of Alaska.

I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

A person who makes a false statement on this application may be subject to civil and criminal penalties, including prosecution for perjury (AS 11.56.200 & AS 11.56.230).

<div style="border: 1px dashed gray; padding: 10px; width: fit-content; margin: 0 auto;">Notary Stamp</div>	Applicant's Signature:		Printed Name:	
	Notary Public for State of:		Subscribed and Sworn to Before me on this Day:	
	Notary's Signature:		My Commission Expires:	



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Concert Promoter Surety Bond

KNOW ALL PERSONS BY THESE PRESENTS:

Bond Number: _____

That I/We _____
Name(s) of proprietor, or all partners

doing business as (DBA) _____

as Principal, and _____
Surety Company

as Surety, are held and firmly bound to the State of Alaska, for the use of the State of Alaska, and to any person who may have cause of action against the Principal for any malfeasance or misfeasance in the conduct of concert promotion by the Principal as a Concert Promoter, in the sum of FIVE THOUSAND DOLLARS (\$5,000.00), lawful money of the United States of America, to be paid to the State of Alaska for the use of the State of Alaska, and to any person who may have a cause of action against the Principal for any malfeasance or misfeasance in the conduct of Concert Promotion by the Principal as a Concert Promoter, as their interests may appear, not exceeding in the aggregate the sum of FIVE THOUSAND DOLLARS (\$5,000.00), for which payment well and truly be made we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally by these presents.

WHEREAS, the above bounden Principal has applied to the State of Alaska for registration as a Concert Promoter for the purpose of acting as a Concert Promoter required to register with the State of Alaska pursuant to AS 08.92.010 -.090 and the acts amendatory thereof and supplemental thereto;

NOW, the condition of this obligation is such,

That if the State of Alaska shall register the above bounden Principal as a Concert Promoter and that Principal shall faithfully and honestly act as a Concert Promoter in accordance with law, and fully complies with the provision of AS 08.92.010-.090 of the State of Alaska and the acts amendatory thereof and supplemental thereto, and if the Principal shall fully indemnify and save harmless from loss the State of Alaska and any person who may have a cause of action against the Principal for any malfeasance or misfeasance in the conduct of Concert Promotion, then this obligation to be voided, otherwise to remain in full force and virtue.

This bond shall not become void upon the first recovery on it, but may be sued upon from time to time until the full amount of it shall have been exhausted.

This bond is to cover all claims arising on account of the registration of the Principal acting as a Concert Promoter for the full term hereof

beginning on _____, and expiring on _____.

IN WITNESS WHEREOF, the principal and the surety have signed and sealed this bond on _____ (date).

PRINCIPAL

SURETY

Name: _____

Name: _____

Signature: _____

Address: _____

Title: _____

Attorney-in-Fact: _____

Agency Name: _____

Address: _____

THIS BOND IS NOT VALID UNTIL SIGNED BY BOTH PRINCIPAL AND SURETY. Surety's Power of Attorney must be attached.



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Assignment of Cash Deposit Instructions

IMPORTANT: Take these instructions and the following assignment form to your bank.

A cash deposit, in an amount specified in AS 08.92.030, may be submitted to the department in lieu of a surety bond. The cash deposit can be in the form of a certificate of deposit issued by a bank or trust company authorized to do business in Alaska or a cashier's check to be deposited into the State Trust Account.

In order for the department to accept the certificate of deposit as security for the concert promoter's license the certificate must:

1. be issued to the **"State of Alaska in trust for"** or similar words, the owner/s name(s) and the registered business name, i.e. State of Alaska, ITF John Jones d/b/a Jones Concerts. If the type of ownership is a Corporation, or LLC the certificate should omit any personal name/s, i.e. State of Alaska, ITF Jones Productions, Inc.
2. be accompanied by an Assignment of Cash Deposit form signed and notarized by the concert promoter and a bank representative acknowledging transfer of the funds to the department.

The cash deposit is subject to the purposes of AS 08.92.030 and shall remain on file with the state for a period of three years after one of the following circumstances:

- a surety bond is submitted to replace the cash deposit on file (the waiting period would begin on the date that the surety bond commences); or
- the expiration date of the license; or
- the suspension or revocation without reinstatement of the license; or
- a notarized statement has been submitted to the department stating that the concert promoter has ceased doing business.

After the three-year waiting period has passed it is the concert promoter's responsibility to contact the department and request a "release of cash deposit" form.

IMPORTANT

A cash deposit will not transfer to another business entity. If the type of ownership of your business changes, i.e., changing from a sole proprietorship to a partnership, adding a partner, deleting a partner, or incorporating, the cash deposit will not transfer to another business entity. You will need to submit a separate cash deposit or surety bond for the new entity and the three-year waiting period for the original cash deposit would begin on the date the new entity is registered.



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Assignment of Cash Deposit

12 AAC 21.120(a)(2): The Timed Certificate of Deposit MUST:

- Be payable to "State of Alaska in trust for"
- Be issued for at least three years and be automatically renewable
- Be signed by BOTH the concert promoter and the bank

For value received, the undersigned assigns and transfers to the State of Alaska, the following:

Deposit Number: _____

Amount of Deposit: _____

Bank Name:		
Bank Address:		
X		
<i>Signature of Bank Representative</i>	<i>Printed Name of Bank Representative</i>	<i>Date</i>

Owner or Entity Name:		Email:	
Official DBA:		Phone:	
If a concert promoter license number has been issued to you, enter it here:			

The undersigned irrevocably constitutes and appoints the State of Alaska by and through its duly authorized agents as its attorney-in-fact to do all things necessary and appropriate to effectuate the purposes of this assignment.

It is agreed and understood that this assignment shall remain in full force and effect for the period of time provided by law for actions against the surety bond.

<i>The person who executed the below and foregoing Assignment of Cash Deposit acknowledged to me that it was signed and sealed freely and voluntarily for the uses and purposes stated in the assignment.</i>			
Notary Stamp	Applicant's Signature:		Printed Name:
	Notary Public for State of:		Subscribed and Sworn to Before me on this Day:
	Notary's Signature:		My Commission Expires: