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HOUSE BILL NO. 753

Offered January 13, 2010

Prefiled January 12, 2010

A BILL to amend and reenact § 4.1-315 of the Code of Virginia, relating to alcoholic beverage control; possession without a license; exemptions.

Patrons—Greason and Griffith

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That § 4.1-315 of the Code of Virginia is amended and reenacted as follows:

§ 4.1-315. Possession without license to sell alcoholic beverages upon premises of restaurant; exceptions; penalty.

A. No alcoholic beverages shall be kept or allowed to be kept upon any premises or upon the person of any proprietor or person employed upon the premises of a restaurant or other place where food or refreshments of any kind are furnished for compensation, except such alcoholic beverages as such person owning or operating such place of business is licensed to purchase and to sell at such place of business.

B. This section shall not apply to (i) any residence; (ii) alcoholic beverages in the possession of a passenger being transported for compensation as provided in subsection D of § 4.1-308; (iii) dining areas in restaurants licensed by the Board while such areas are in use for private meetings or parties limited in attendance to members and guests of a particular group, association or organization; ~~or~~ (iv) licensed restaurants in office buildings, industrial or similar facilities while such restaurant is closed to the public and is in use for private meetings or parties limited in attendance to employees and nonpaying guests of the owner or a lessee of all or part of such building or facility; *or (v) any dining areas or private rooms of residents in an assisted living facility as defined in § 63.2-100 and licensed in accordance with Article 1 (§ 63.2-1800 et seq.) of Chapter 18 of Title 63.2.*

C. Any person convicted of a violation of this section shall be guilty of a Class 1 misdemeanor.

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