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**HOUSE BILL NO. 942**

House Amendments in [ ] - February 15, 2010

A *BILL to amend and reenact § 18.2-340.20 of the Code of Virginia, relating to the Department of Agriculture and Consumer Services; charitable gaming; revocation of permits.*

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Patron Prior to Engrossment—Delegate Abbitt

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Referred to Committee on General Laws**Be it enacted by the General Assembly of Virginia:****1. That § 18.2-340.20 of the Code of Virginia is amended and reenacted as follows:**

§ 18.2-340.20. Denial, suspension or revocation of permit; hearings and appeals.

A. The Department may deny, suspend or revoke the permit of any organization found not to be in strict compliance with the provisions of this article and the regulations of the Board [ ; *provided the Department has made a written finding that any such noncompliance constitutes a substantial and immediate threat to the public health, safety or welfare only after the proposed action by the Department has been reviewed and approved by the Board* ] . The action of the Department in denying, suspending, or revoking any permit shall be subject to the Administrative Process Act (§ 2.2-4000 et seq.).

B. Except as provided in §§ 18.2-340.25, 18.2-340.30 and 18.2-340.36, no permit to conduct charitable gaming shall be denied, suspended or revoked except upon notice stating the proposed basis for such action and the time and place for the hearing. At the discretion of the Department, hearings may be conducted by hearing officers who shall be selected from the list prepared by the Executive Secretary of the Supreme Court. After a hearing on the issues, the Department may refuse to issue or may suspend or revoke any such permit if it determines that the organization has not complied with the provisions of this article or the regulations of the Board.

C. Any person aggrieved by a refusal of the Department to issue any permit, the suspension or revocation of a permit, or any other action of the Department, may seek review of such action in accordance with Article 4 (§ 2.2-4025 et seq.) of the Administrative Process Act.

ENGROSSED

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