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**HOUSE BILL NO. 423**

Offered January 8, 2014

Prefiled January 4, 2014

*A BILL to amend and reenact § 4.1-308 of the Code of Virginia, relating to alcoholic beverage control; consumption of alcoholic beverages in a motor vehicle or boat operated by a common carrier.*

Patron—Hope

Referred to Committee on General Laws

**Be it enacted by the General Assembly of Virginia:**

**1. That § 4.1-308 of the Code of Virginia is amended and reenacted as follows:**

**§ 4.1-308. Drinking alcoholic beverages, or offering to another, in public place; penalty; exceptions.**

A. If any person takes a drink of alcoholic beverages or offers a drink thereof to another, whether accepted or not, at or in any public place, he shall be guilty of a Class 4 misdemeanor.

B. This section shall not prevent any person from drinking alcoholic beverages or offering a drink thereof to another in any rooms or areas approved by the Board in a licensed establishment, provided such establishment or the person who operates the same is licensed to sell alcoholic beverages at retail for on-premises consumption and the alcoholic beverages drunk or offered were purchased therein.

C. This section shall not prevent any person from drinking alcoholic beverages or offering a drink thereof to another in any room or area approved by the Board at an event for which a banquet license or mixed beverage special events license has been granted. Nor shall this section prevent, upon authorization of the licensee, any person from drinking his own lawfully acquired alcoholic beverages or offering a drink thereof to another in approved areas and locations at events for which a coliseum or stadium license has been granted.

D. This section shall not prevent any ~~person~~ *passenger* from drinking alcoholic beverages or offering a drink thereof to another *passenger* on or in a ~~chartered~~ *being used* boat ~~being used~~ or motor vehicle operated by a *restricted common carrier or contract passenger carrier* for the transportation of passengers for compensation which is not licensed by the Board and which does not sell alcoholic beverages.

INTRODUCED

HB423