

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 4.1-305 of the Code of Virginia, relating to alcoholic beverage control;*
3 *unlawful possession.*

4 [H 971]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 4.1-305 of the Code of Virginia is amended and reenacted as follows:**8 § 4.1-305. Purchasing or possessing alcoholic beverages unlawful in certain cases; exceptions;
9 penalty; forfeiture.

10 A. No person to whom an alcoholic beverage may not lawfully be sold under § 4.1-304 shall
11 purchase or possess any alcoholic beverage, except (i) pursuant to subdivisions 1 through 7 of § 4.1-200;
12 (ii) where possession of the alcoholic beverages by a person less than twenty-one years of age is due to
13 such person's making a delivery of alcoholic beverages in pursuance of his employment or an order of
14 his parent; or (iii) by any state, federal, or local law-enforcement officer when possession of an
15 alcoholic beverage is necessary in the performance of his duties.

16 B. Any person found guilty of a violation of this section shall be guilty of a Class 1 misdemeanor;
17 and upon conviction, such person's license to operate a motor vehicle in the Commonwealth may be
18 suspended for a period of not more than one year. The court, in its discretion and upon a demonstration
19 of hardship, may authorize any person convicted of a violation of this section the use of a restricted
20 permit to operate a motor vehicle in accordance with the provisions of subsection D of § 16.1-278.9 *or*
21 *subsection E of § 18.2-271.1.*

22 C. Any alcoholic beverage purchased or possessed in violation of this section shall be deemed
23 contraband and forfeited to the Commonwealth in accordance with § 4.1-338.

ENROLLED

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