

1997 SESSION

INTRODUCED

971288254

HOUSE BILL NO. 2242

Offered January 17, 1997

A BILL to amend the Code of Virginia by adding in Article 3 of Chapter 3 of Title 8.01 a section numbered 8.01-44.6, relating to liability of a seller for death or injury caused by the sale of alcohol to a minor.

Patron—Griffith

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 3 of Chapter 3 of Title 8.01 a section numbered 8.01-44.6 as follows:

§ 8.01-44.6. Liability of a seller for the sale of alcoholic beverages to a minor.

Any person who sells an alcoholic beverage to a minor shall be liable to any person killed or injured as a result of the acts or omissions of the minor, provided that the resulting death or injury was proximately caused by the sale to the minor.

The seller's unlawful sale shall be deemed to be the proximate cause of the death or injury if (i) the acts of the minor resulted in the death or injury, (ii) the minor consumed the beverage sold, and (iii) as a result of such consumption, the minor's blood alcohol content was 0.08 percent or more by weight by volume at the time of the death or injury.

INTRODUCED

HB2242