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SENATE BILL NO. 515**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on General Laws
on February 28, 2012)

(Patron Prior to Substitute—Senator Wagner)

A BILL to amend and reenact § 4.1-226 of the Code of Virginia, relating to alcoholic beverage control; managers for licensed retail establishments.

Be it enacted by the General Assembly of Virginia:**1. That § 4.1-226 of the Code of Virginia is amended and reenacted as follows:**

§ 4.1-226. Grounds for which Board shall suspend or revoke licenses.

The Board shall suspend or revoke any license, other than a brewery license, in which case the Board may impose penalties as provided in § 4.1-227, if it finds that:

1. A licensee has violated or permitted the violation of § 18.2-331, relating to the illegal possession of a gambling device, upon the premises for which the Board has granted a license for the sale of alcoholic beverages to the public.

2. In the licensed establishment of a mixed beverage licensee there (i) is entertainment of an obscene nature, entertainment commonly called stripteasing, topless entertaining, or entertainment that has employees who are not clad both above and below the waist or (ii) are employees who solicit the sale of alcoholic beverages. The provisions of clause (i) shall not apply to persons operating theaters, concert halls, art centers, museums, or similar establishments that are devoted primarily to the arts or theatrical performances, when the performances that are presented are expressing matters of serious literary, artistic, scientific, or political value.

3. A retail licensee has knowingly employed as a manager or otherwise on the licensed premises any unauthorized alien as defined in the federal Immigration Reform and Control Act of 1986 (P.L. 99-603).