

20100707D

SENATE BILL NO. 51

Offered January 8, 2020

Prefiled November 18, 2019

A BILL to amend and reenact § 18.2-308.012 of the Code of Virginia, relating to carrying a concealed handgun; consumption of alcohol in a public park; penalty.

Patrons—Spruill; Delegate: Kory

Referred to Committee on the Judiciary**Be it enacted by the General Assembly of Virginia:****1. That § 18.2-308.012 of the Code of Virginia is amended and reenacted as follows:****§ 18.2-308.012. Prohibited conduct.**

A. Any person permitted to carry a concealed handgun who is under the influence of alcohol or illegal drugs while carrying such handgun in a public place is guilty of a Class 1 misdemeanor. Conviction of any of the following offenses shall be prima facie evidence, subject to rebuttal, that the person is "under the influence" for purposes of this section: manslaughter in violation of § 18.2-36.1, maiming in violation of § 18.2-51.4, driving while intoxicated in violation of § 18.2-266, public intoxication in violation of § 18.2-388, or driving while intoxicated in violation of § 46.2-341.24. Upon such conviction that court shall revoke the person's permit for a concealed handgun and promptly notify the issuing circuit court. A person convicted of a violation of this subsection shall be ineligible to apply for a concealed handgun permit for a period of five years.

B. No person who carries a concealed handgun onto the premises of any (i) restaurant or club as defined in § 4.1-100 for which a license to sell and serve alcoholic beverages for on-premises consumption has been granted by the Virginia Alcoholic Beverage Control Authority under Title 4.1 or (ii) *public park or other public space when alcoholic beverages have been approved for sale or consumption therein by the Alcoholic Beverage Control Authority under Title 4.1*, may consume an alcoholic beverage while on the premises. A person who carries a concealed handgun onto the premises of such a restaurant, ~~or~~ club, *public park, or public space* and consumes alcoholic beverages is guilty of a Class 2 misdemeanor. However, nothing in this subsection shall apply to a federal, state, or local law-enforcement officer.

INTRODUCED

SB51