

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to require the Alcoholic Beverage Control Board to adopt regulations implementing the*
3 *provisions of Chapters 549 and 563 of the 1995 Acts of Assembly and Chapter 40 of the 1997 Acts*
4 *of Assembly.*

5 [H 2248]

6 Approved

7 Whereas, Chapters 549 and 563 of the 1995 Acts of Assembly required the Alcoholic Beverage
8 Control Board to designate, by regulation, the violations for which a waiver of a hearing and payment
9 of a civil charge in lieu of suspension may be accepted for a first offense occurring within three years
10 immediately preceding the date of the violation, including: (i) establishment of a schedule of penalties
11 for such offenses, prescribing the appropriate suspension of a license and the civil charge acceptable in
12 lieu of such suspension, and (ii) provision for the licensee receiving notice of a hearing on an alleged
13 violation being advised of the option of (a) accepting the suspension authorized by the Board's schedule,
14 (b) paying a civil charge authorized by the Board's schedule in lieu of suspension, or (c) proceeding to a
15 hearing; and

16 Whereas, Chapter 40 of the 1997 Acts of Assembly required the Alcoholic Beverage Control Board
17 to promulgate regulations requiring retail licensees to file an appeal from any hearing decision rendered
18 by a hearing officer within thirty days of the date the notice of the decision is sent; and

19 Whereas, the regulations required by Chapters 549 and 563 of the 1995 Acts of Assembly and those
20 required by Chapter 40 of the 1997 Acts of Assembly have not been adopted; now, therefore,

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

22 1. § 1. *The Alcoholic Beverage Control Board shall promulgate emergency regulations to implement the*
23 *provisions of Chapters 549 and 563 of the 1995 Acts of Assembly and Chapter 40 of the 1997 Acts of*
24 *Assembly which regulations shall be effective July 1, 1999.*

25 § 2. *The Alcoholic Beverage Control Board shall adopt final regulations to implement the provisions*
26 *of Chapters 549 and 563 of the 1995 Acts of Assembly and Chapter 40 of the 1997 Acts of Assembly on*
27 *or before June 30, 2000.*

28 2. **That an emergency exists and this act is in force from its passage.**