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SENATE BILL NO. 14

Senate Amendments in [] - February 3, 2026

A BILL to amend and reenact § 4.1-206.3 of the Code of Virginia, relating to alcoholic beverage control; retail licenses; commercial lifestyle center licenses.

Patron Prior to Engrossment—Senator DeSteph

Referred to Committee on Rehabilitation and Social Services

Be it enacted by the General Assembly of Virginia:

1. That § 4.1-206.3 of the Code of Virginia is amended and reenacted as follows:

§ 4.1-206.3. Retail licenses.

A. The Board may grant the following mixed beverages licenses:

1. Mixed beverage restaurant licenses, which shall authorize the licensee to sell and serve mixed beverages for on-premises consumption in dining areas and other designated areas of such restaurant or off-premises consumption. Such license may be granted only to persons (i) who operate a restaurant and (ii) whose gross receipts from the sale of food cooked, or prepared, and consumed on the premises and nonalcoholic beverages served on the premises, after issuance of such license, amount to at least 45 percent of the gross receipts from the sale of mixed beverages and food. For the purposes of this subdivision, other designated areas shall include outdoor dining areas, whether or not contiguous to the licensed premises, which outdoor dining areas may have more than one means of ingress and egress to an adjacent public thoroughfare, provided such areas are under the control of the licensee and approved by the Board. Such noncontiguous designated areas shall not be approved for any retail license issued pursuant to subdivision A 5 of § 4.1-201.

If the restaurant is located on the premises of a hotel or motel with no fewer than four permanent bedrooms where food and beverage service is customarily provided by the restaurant in designated areas, bedrooms, and other private rooms of such hotel or motel, such licensee may (a) sell and serve mixed beverages for on-premises consumption in such designated areas, bedrooms, and other private rooms or off-premises consumption and (b) sell spirits packaged in original closed containers purchased from the Board for on-premises consumption to registered guests and at scheduled functions of such hotel or motel only in such bedrooms or private rooms. However, with regard to a hotel classified as a resort complex, the Board may authorize the sale and on-premises consumption of alcoholic beverages in all areas within the resort complex deemed appropriate by the Board. Nothing herein shall prohibit any person from keeping and consuming his own lawfully acquired spirits in bedrooms or private rooms.

If the restaurant is located on the premises of and operated by a private, nonprofit, or profit club exclusively for its members and their guests, or members of another private, nonprofit, or profit club in another city with which it has an agreement for reciprocal dining privileges, such license shall also authorize the licensees to (1) sell and serve mixed beverages for on-premises or off-premises consumption and (2) sell spirits that are packaged in original closed containers with a maximum capacity of two fluid ounces or 50 milliliters and purchased from the Board for on-premises consumption. Where such club prepares no food in its restaurant but purchases its food requirements from a restaurant licensed by the Board and located on another portion of the premises of the same hotel or motel building, this fact shall not prohibit the granting of a license by the Board to such club qualifying in all other respects. The club's gross receipts from the sale of nonalcoholic beverages consumed on the premises and food resold to its members and guests and consumed on the premises shall amount to at least 45 percent of its gross receipts from the sale of mixed beverages and food. The food sales made by a restaurant to such a club shall be excluded in any consideration of the qualifications of such restaurant for a license from the Board.

If the restaurant is located on the premises of and operated by a municipal golf course, the Board shall recognize the seasonal nature of the business and waive any applicable monthly food sales requirements for those months when weather conditions may reduce patronage of the golf course, provided that prepared food, including meals, is available to patrons during the same months. The gross receipts from the sale of food cooked, or prepared, and consumed on the premises and nonalcoholic beverages served on the premises, after the issuance of such license, shall amount to at least 45 percent of the gross receipts from the sale of mixed beverages and food on an annualized basis.

If the restaurant is located on the premises of and operated by a culinary lodging resort, such license shall authorize the licensee to (A) sell alcoholic beverages, without regard to the amount of gross receipts from the sale of food prepared and consumed on the premises, for off-premises consumption or for on-premises consumption in areas upon the licensed premises approved by the Board and other designated areas of the resort, including outdoor areas under the control of the licensee, and (B) permit the possession and

59 consumption of lawfully acquired alcoholic beverages be persons to whom overnight lodging is being
60 provided in bedrooms and private guest rooms.

61 If the restaurant is located on the premises of a mixed beverage casino licensee owned by an operator
62 licensed under Article 3 (§ 58.1-4108 et seq.) of Chapter 41 of Title 58.1, such mixed beverage restaurant
63 license shall authorize the licensee to sell alcoholic beverages for on-premises consumption on the licensed
64 premises of the restaurant during all hours of operation of the mixed beverage casino licensee. Any alcoholic
65 beverages purchased from such restaurant may be (I) taken onto the premises of the mixed beverage casino
66 licensee and (II) possessed or consumed in areas designated by the Board, after consultation with the mixed
67 beverage casino licensee. Designated areas may include any areas on the premises of the mixed beverage
68 casino licensee, including entertainment venues, conference rooms, private rooms, hotels, pools, marinas, or
69 green spaces. Alcoholic beverages purchased from a restaurant pursuant to this subdivision shall be contained
70 in glassware or a paper, plastic, or similar disposable container that clearly displays the name or logo of the
71 restaurant from which the alcoholic beverage was purchased.

72 The granting of a license pursuant to this subdivision shall automatically authorize the licensee to obtain a
73 license to sell and serve wine and beer for on-premises consumption and in closed containers for off-premises
74 consumption; however, the licensee shall be required to pay the local fee required for such additional license
75 pursuant to § 4.1-233.1.

76 2. Mixed beverage caterer's licenses, which may be granted only to a person regularly engaged in the
77 business of providing food and beverages to others for service at private gatherings or at special events,
78 which shall authorize the licensee to sell and serve alcoholic beverages for on-premises consumption. The
79 annual gross receipts from the sale of food cooked and prepared for service and nonalcoholic beverages
80 served at gatherings and events referred to in this subdivision shall amount to at least 45 percent of the gross
81 receipts from the sale of mixed beverages and food.

82 3. Mixed beverage limited caterer's licenses, which may be granted only to a person regularly engaged in
83 the business of providing food and beverages to others for service at private gatherings or at special events,
84 not to exceed 12 gatherings or events per year, which shall authorize the licensee to sell and serve alcoholic
85 beverages for on-premises consumption. The annual gross receipts from the sale of food cooked and prepared
86 for service and nonalcoholic beverages served at gatherings and events referred to in this subdivision shall
87 amount to at least 45 percent of the gross receipts from the sale of mixed beverages and food.

88 4. Mixed beverage carrier licenses to (i) persons operating a common carrier of passengers by train, boat,
89 bus, or airplane, which shall authorize the licensee to sell and serve mixed beverages anywhere in the
90 Commonwealth to passengers while in transit aboard any such common carrier, and in designated rooms of
91 establishments of air carriers at airports in the Commonwealth and (ii) financial institutions, subsidiaries of a
92 financial institution, or persons approved by the applicable airport authority that have entered into a contract
93 with a financial institution or subsidiary of a financial institution to operate a passenger lounge, which shall
94 authorize the licensee to sell and serve mixed beverages in designated areas of a passenger lounge for ticketed
95 air carrier passengers that is located within an airport in the Commonwealth. For purposes of supplying its
96 airplanes, as well as any airplanes of a licensed express carrier flying under the same brand, an air carrier
97 licensee may appoint an authorized representative to load alcoholic beverages onto the same airplanes and to
98 transport and store alcoholic beverages at or in close proximity to the airport where the alcoholic beverages
99 will be delivered onto airplanes of the air carrier and any such licensed express carrier. The air carrier
100 licensee shall (a) designate for purposes of its license all locations where the inventory of alcoholic beverages
101 may be stored and from which the alcoholic beverages will be delivered onto airplanes of the air carrier and
102 any such licensed express carrier and (b) maintain records of all alcoholic beverages to be transported, stored,
103 and delivered by its authorized representative. The granting of a license pursuant to this subdivision shall
104 automatically authorize the licensee to obtain a license to sell and serve wine and beer for on-premises
105 consumption or in closed containers for off-premises consumption; however, the licensee shall be required to
106 pay the local fee required for such additional license pursuant to § 4.1-233.1.

107 For the purposes of this subdivision:

108 "Financial institution" means any bank, trust company, savings institution, industrial loan association,
109 consumer finance company, or credit union.

110 "Passenger lounge" means any restricted-access passenger waiting room or lounge leased to persons by
111 the applicable airport authority in which food and beverage services are provided to ticketed passengers.

112 5. Annual mixed beverage sports facility licenses to persons operating a sports facility or food concessions
113 at a sports facility, which shall authorize the licensee to sell mixed beverages during any event and
114 immediately subsequent thereto to patrons within all seating areas, concourses, walkways, concession areas,
115 and additional locations designated by the Board (i) in closed containers for off-premises consumption or (ii)
116 in paper, plastic, or similar disposable containers or in single original metal cans for on-premises
117 consumption. Upon authorization of the licensee, any person may keep and consume his own lawfully
118 acquired alcoholic beverages on the premises in all areas and locations covered by the license. The granting
119 of a license pursuant to this subdivision shall automatically authorize the licensee to obtain a license to sell
120 and serve wine and beer for on-premises consumption or in closed containers for off-premises consumption;

121 however, the licensee shall be required to pay the local fee required for such additional license pursuant to
 122 § 4.1-233.1.

123 6. Limited mixed beverage restaurant licenses, which shall authorize the licensee to sell and serve dessert
 124 wines as defined by Board regulation and no more than six varieties of liqueurs, which liqueurs shall be
 125 combined with coffee or other nonalcoholic beverages, for on-premises consumption in dining areas of the
 126 restaurant or off-premises consumption. Such license may be granted only to persons who operate a
 127 restaurant and in no event shall the sale of such wine or liqueur-based drinks, together with the sale of any
 128 other alcoholic beverages, exceed 10 percent of the total annual gross sales of all food and alcoholic
 129 beverages. The granting of a license pursuant to this subdivision shall automatically authorize the licensee to
 130 obtain a license to sell and serve wine and beer for on-premises consumption or in closed containers for
 131 off-premises consumption; however, the licensee shall be required to pay the local fee required for such
 132 additional license pursuant to § 4.1-233.1.

133 7. Annual mixed beverage performing arts facility licenses, which shall (i) authorize the licensee to sell,
 134 on the dates of performances or events, alcoholic beverages in paper, plastic, or similar disposable containers
 135 or in single original metal cans for on-premises consumption in all seating areas, concourses, walkways,
 136 concession areas, similar facilities, and other areas upon the licensed premises approved by the Board and (ii)
 137 automatically authorize the licensee to obtain a license to sell and serve wine and beer for on-premises
 138 consumption or in closed containers for off-premises consumption; however, the licensee shall be required to
 139 pay the local fee required for such additional license pursuant to § 4.1-233.1. Such licenses may be granted to
 140 persons operating a performing arts facility or food concessions at a performing arts facility.

141 8. Combined mixed beverage restaurant and caterer's licenses, which may be granted to any restaurant or
 142 hotel that meets the qualifications for both a mixed beverage restaurant pursuant to subdivision 1 and mixed
 143 beverage caterer pursuant to subdivision 2 for the same business location, and which license shall authorize
 144 the licensee to operate as both a mixed beverage restaurant and mixed beverage caterer at the same business
 145 premises designated in the license, with a common alcoholic beverage inventory for purposes of the
 146 restaurant and catering operations. Such licensee shall meet the separate food qualifications established for
 147 the mixed beverage restaurant license pursuant to subdivision 1 and mixed beverage caterer's license pursuant
 148 to subdivision 2. The granting of a license pursuant to this subdivision shall automatically authorize the
 149 licensee to obtain a license to sell and serve wine and beer for on-premises consumption or in closed
 150 containers for off-premises consumption; however, the licensee shall be required to pay the local fee required
 151 for such additional license pursuant to § 4.1-233.1.

152 9. Bed and breakfast licenses, which shall authorize the licensee to (i) serve alcoholic beverages in dining
 153 areas, private guest rooms, and other designated areas to persons to whom overnight lodging is being
 154 provided, with or without meals, for on-premises consumption only in such rooms and areas, and without
 155 regard to the amount of gross receipts from the sale of food prepared and consumed on the premises and (ii)
 156 permit the consumption of lawfully acquired alcoholic beverages by persons to whom overnight lodging is
 157 being provided in (a) bedrooms or private guest rooms or (b) other designated areas of the bed and breakfast
 158 establishment. For purposes of this subdivision, "other designated areas" includes outdoor dining areas,
 159 whether or not contiguous to the licensed premises, which may have more than one means of ingress and
 160 egress to an adjacent public thoroughfare, provided that such outdoor dining areas are under the control of the
 161 licensee and approved by the Board. Such noncontiguous designated areas shall not be approved for any retail
 162 license issued pursuant to subdivision A 5 of § 4.1-201.

163 10. Museum licenses, which may be issued to nonprofit museums exempt from taxation under § 501(c)(3)
 164 of the Internal Revenue Code, which shall authorize the licensee to (i) permit the consumption of lawfully
 165 acquired alcoholic beverages on the premises of the licensee by any bona fide member and guests thereof and
 166 (ii) serve alcoholic beverages on the premises of the licensee to any bona fide member and guests thereof.
 167 However, alcoholic beverages shall not be sold or charged for in any way by the licensee. The privileges of
 168 this license shall be limited to the premises of the museum, regularly occupied and utilized as such.

169 11. *Commercial lifestyle center licenses.*

170 a. Commercial lifestyle center licenses, which may only be issued only to a commercial owners'
 171 association governing a commercial lifestyle center, which shall authorize any retail on-premises restaurant
 172 licensee that is a tenant of the commercial lifestyle center to sell alcoholic beverages to any bona fide
 173 customer to whom alcoholic beverages may be lawfully sold for consumption on that portion of the licensed
 174 premises of the commercial lifestyle center designated by the Board, including (i) plazas, seating areas,
 175 concourses, walkways, or such other similar areas and (ii) the premises of any tenant location of the
 176 commercial lifestyle center that is not a retail licensee of the Board, upon approval of such tenant, but
 177 excluding any parking areas. Only alcoholic beverages purchased from such retail on-premises restaurant
 178 licensees may be consumed on the licensed premises of the commercial lifestyle center, and such alcoholic
 179 beverages shall be contained in paper, plastic, or similar disposable containers with the name or logo of the
 180 restaurant licensee that sold the alcoholic beverage clearly displayed. Alcoholic beverages shall not be sold or
 181 charged for in any way by the commercial lifestyle center licensee. The licensee shall post appropriate
 182 signage clearly demarcating for the public the boundaries of the licensed premises; however, no physical

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183 barriers shall be required for this purpose. The licensee shall provide adequate security for the licensed
184 premises to ensure compliance with the applicable provisions of this subtitle and Board regulations.

185 *b. Notwithstanding any other provision of law to the contrary, in any municipality with a population in
186 excess of 450,000 and an annual tourism fiscal impact in excess of \$3.5 billion, the Board may grant a
187 commercial lifestyle center license and a performing arts facility license for the same designated area [if
188 provided that (i) the performing arts facility license is limited to prescheduled events [and (ii) such licenses
189 shall not be used simultaneously].*

190 12. Mixed beverage port restaurant licenses, which shall authorize the licensee to sell and serve mixed
191 beverages for consumption in dining areas and other designated areas of such restaurant. Such license may be
192 granted only to persons operating a business (i) that is primarily engaged in the sale of meals; (ii) that is
193 located on property owned by the United States government or an agency thereof and used as a port of entry
194 to or egress from the United States; and (iii) whose gross receipts from the sale of food cooked, or prepared,
195 and consumed on the premises and nonalcoholic beverages served on the premises, after issuance of such
196 license, amount to at least 45 percent of the gross receipts from the sale of mixed beverages and food. For the
197 purposes of this subdivision, other designated areas shall include outdoor dining areas, whether or not
198 contiguous to the licensed premises, which outdoor dining areas may have more than one means of ingress
199 and egress to an adjacent public thoroughfare, provided such areas are under the control of the licensee and
200 approved by the Board. Such noncontiguous designated areas shall not be approved for any retail license
201 issued pursuant to subdivision A 5 of § 4.1-201. The granting of a license pursuant to this subdivision shall
202 automatically authorize the licensee to obtain a license to sell and serve wine and beer for on-premises
203 consumption or in closed containers for off-premises consumption; however, the licensee shall be required to
204 pay the local fee required for such additional license pursuant to § 4.1-233.1.

205 13. Annual mixed beverage special events licenses to (i) a duly organized nonprofit corporation or
206 association operating either a performing arts facility or an art education and exhibition facility; (ii) a
207 nonprofit corporation or association chartered by Congress for the preservation of sites, buildings, and objects
208 significant in American history and culture; (iii) persons operating an agricultural event and entertainment
209 park or similar facility that has a minimum of 50,000 square feet of indoor exhibit space and equine and other
210 livestock show areas, which includes barns, pavilions, or other structures equipped with roofs, exterior walls,
211 and open-door or closed-door access; or (iv) a locality for special events conducted on the premises of a
212 museum for historic interpretation that is owned and operated by the locality. The operation in all cases shall
213 be upon premises owned by such licensee or occupied under a bona fide lease, the original term of which was
214 for more than one year's duration. Such license shall authorize the licensee to sell alcoholic beverages during
215 scheduled events and performances for on-premises consumption in areas upon the licensed premises
216 approved by the Board.

217 14. Mixed beverage casino licenses, which shall authorize the licensee to (i) sell and serve mixed
218 beverages for on-premises consumption in areas designated by the Board, after consultation with the mixed
219 beverage casino licensee, without regard to the amount of gross receipts from the sale of food prepared and
220 consumed on the premises and (ii) provide complimentary mixed beverages to patrons for on-premises
221 consumption in private areas or restricted access areas designated by the Board, after consultation with the
222 mixed beverage casino licensee. Designated areas may include any areas on the premises of the mixed
223 beverage casino licensee, including entertainment venues, private rooms, conference rooms, hotels, pools,
224 marinas, or green spaces. The granting of a license pursuant to this subdivision shall authorize the licensee to
225 obtain a license to sell and serve wine and beer for on-premises consumption and in closed containers for
226 off-premises consumption in accordance with the provisions of this subdivision governing mixed beverages;
227 however, the licensee shall be required to pay the local fee required for such additional license pursuant to
228 § 4.1-233.1. Notwithstanding any law or regulation to the contrary, a mixed beverage casino licensee may
229 exercise the privileges of its license as set forth in this subdivision during all hours of operation of the casino
230 gaming establishment; however, such licensee shall not sell wine or beer for off-premises consumption
231 between the hours of 12 a.m. and 6 a.m.

232 A mixed beverage casino licensee may (a) provide patrons gifts of alcoholic beverages in closed
233 containers for personal consumption off the licensed premises or in areas designated by the Board, after
234 consultation with the mixed beverage casino licensee, and (b) enable patrons who participate in a loyalty or
235 reward credit program to redeem credits for the purchase of alcoholic beverages for on-premises
236 consumption. A summary of the operation of such loyalty or reward credit program shall be provided to the
237 Board upon request.

238 A mixed beverage casino license may only be issued to a casino gaming establishment owned by an
239 operator licensed under Article 3 (§ 58.1-4108 et seq.) of Chapter 41 of Title 58.1.

240 B. The Board may grant an on-and-off-premises wine and beer license to the following:

241 1. Hotels, restaurants, and clubs, which shall authorize the licensee to sell wine and beer (i) in closed
242 containers for off-premises consumption or (ii) for on-premises consumption, either with or without meals, in
243 dining areas and other designated areas of such restaurants, or in dining areas, private guest rooms, and other
244 designated areas of such hotels or clubs, for consumption only in such rooms and areas. However, with

245 regard to a hotel classified by the Board as (a) a resort complex, the Board may authorize the sale and
 246 consumption of alcoholic beverages in all areas within the resort complex deemed appropriate by the Board
 247 or (b) a limited service hotel, the Board may authorize the sale and consumption of alcoholic beverages in
 248 dining areas, private guest rooms, and other designated areas to persons to whom overnight lodging is being
 249 provided, for on-premises consumption in such rooms or areas, and without regard to the amount of gross
 250 receipts from the sale of food prepared and consumed on the premises, provided that at least one meal is
 251 provided each day by the hotel to such guests. With regard to facilities registered in accordance with Chapter
 252 49 (§ 38.2-4900 et seq.) of Title 38.2 as continuing care communities that are also licensed by the Board
 253 under this subdivision, any resident may, upon authorization of the licensee, keep and consume his own
 254 lawfully acquired alcoholic beverages on the premises in all areas covered by the license. For purposes of this
 255 subdivision, "other designated areas" includes outdoor dining areas, whether or not contiguous to the licensed
 256 premises, which may have more than one means of ingress and egress to an adjacent public thoroughfare,
 257 provided that such outdoor dining areas are under the control of the licensee and approved by the Board. Such
 258 noncontiguous designated areas shall not be approved for any retail license issued pursuant to subdivision A
 259 5 of § 4.1-201.

260 2. Hospitals, which shall authorize the licensee to sell wine and beer (i) in the rooms of patients for their
 261 on-premises consumption only in such rooms, provided the consent of the patient's attending physician is first
 262 obtained or (ii) in closed containers for off-premises consumption.

263 3. Rural grocery stores, which shall authorize the licensee to sell wine and beer for on-premises
 264 consumption or in closed containers for off-premises consumption. No license shall be granted unless (i) the
 265 grocery store is located in any town or in a rural area outside the corporate limits of any city or town and (ii)
 266 it appears affirmatively that a substantial public demand for such licensed establishment exists and that public
 267 convenience and the purposes of this subtitle will be promoted by granting the license.

268 4. Coliseums, stadiums, and racetracks, which shall authorize the licensee to sell wine and beer during any
 269 event and immediately subsequent thereto to patrons within all seating areas, concourses, walkways,
 270 concession areas, and additional locations designated by the Board (i) in closed containers for off-premises
 271 consumption or (ii) in paper, plastic, or similar disposable containers or in single original metal cans for on-
 272 premises consumption. Upon authorization of the licensee, any person may keep and consume his own
 273 lawfully acquired alcoholic beverages on the premises in all areas and locations covered by the license. Such
 274 licenses may be granted to persons operating food concessions at coliseums, stadiums, racetracks, or similar
 275 facilities.

276 5. Performing arts food concessionaires, which shall authorize the licensee to sell wine and beer during
 277 the performance of any event to patrons within all seating areas, concourses, walkways, or concession areas,
 278 or other areas approved by the Board (i) in closed containers for off-premises consumption or (ii) in paper,
 279 plastic, or similar disposable containers or in single original metal cans for on-premises consumption. Upon
 280 authorization of the licensee, any person may keep and consume his own lawfully acquired alcoholic
 281 beverages on the premises in all areas and locations covered by the license. Such licenses may be granted to
 282 persons operating food concessions at any performing arts facility.

283 6. Exhibition halls, which shall authorize the licensee to sell wine and beer during the event to patrons or
 284 attendees within all seating areas, exhibition areas, concourses, walkways, concession areas, and such
 285 additional locations designated by the Board in such facilities (i) in closed containers for off-premises
 286 consumption or (ii) in paper, plastic, or similar disposable containers or in single original metal cans for on-
 287 premises consumption. Upon authorization of the licensee, any person may keep and consume his own
 288 lawfully acquired alcoholic beverages on the premises in all areas and locations covered by the license. Such
 289 licenses may be granted to persons operating food concessions at exhibition or exposition halls, convention
 290 centers, or similar facilities located in any county operating under the urban county executive form of
 291 government or any city that is completely surrounded by such county. For purposes of this subdivision,
 292 "exhibition or exposition hall" and "convention centers" mean facilities conducting private or public trade
 293 shows or exhibitions in an indoor facility having in excess of 100,000 square feet of floor space.

294 7. Concert and dinner-theaters, which shall authorize the licensee to sell wine and beer during events to
 295 patrons or attendees within all seating areas, exhibition areas, concourses, walkways, concession areas, dining
 296 areas, and such additional locations designated by the Board in such facilities, for on-premises consumption
 297 or in closed containers for off-premises consumption. Persons licensed pursuant to this subdivision shall
 298 serve food, prepared on or off premises, whenever wine or beer is served. Such licenses may be granted to
 299 persons operating concert or dinner-theater venues on property fronting Natural Bridge School Road in
 300 Natural Bridge Station and formerly operated as Natural Bridge High School.

301 8. Historic cinema houses, which shall authorize the licensee to sell wine and beer, either with or without
 302 meals, during any showing of a motion picture to patrons to whom alcoholic beverages may be lawfully sold,
 303 for on-premises consumption or in closed containers for off-premises consumption. The privileges of this
 304 license shall be limited to the premises of the historic cinema house regularly occupied and utilized as such.

305 9. Nonprofit museums, which shall authorize the licensee to sell wine and beer for on-premises
 306 consumption or in closed containers for off-premises consumption in areas approved by the Board. Such

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307 licenses may be granted to persons operating a nonprofit museum exempt from taxation under § 501(c)(3) of
308 the Internal Revenue Code, located in the Town of Front Royal, and dedicated to educating the consuming
309 public about historic beer products. The privileges of this license shall be limited to the premises of the
310 museum, regularly occupied and utilized as such.

311 C. The Board may grant the following off-premises wine and beer licenses:

312 1. Retail off-premises wine and beer licenses, which may be granted to a convenience grocery store,
313 delicatessen, drugstore, gift shop, gourmet oyster house, gourmet shop, grocery store, or marina store as
314 defined in § 4.1-100 and Board regulations. Such license shall authorize the licensee to sell wine and beer in
315 closed containers for off-premises consumption and, notwithstanding the provisions of § 4.1-308, to give to
316 any person to whom wine or beer may be lawfully sold a sample of wine or beer for on-premises
317 consumption; however, no single sample shall exceed four ounces of beer or two ounces of wine and no more
318 than 12 ounces of beer or five ounces of wine shall be served to any person per day. The licensee may also
319 give samples of wine and beer in designated areas at events held by the licensee for the purpose of featuring
320 and educating the consuming public about the alcoholic beverages being tasted. With the consent of the
321 licensee, farm wineries, wineries, breweries, distillers, and wholesale licensees or authorized representatives
322 of such licensees may participate in such tastings, including the pouring of samples. The licensee shall
323 comply with any food inventory and sales volume requirements established by Board regulation.

324 2. Gourmet brewing shop licenses, which shall authorize the licensee to sell to any person to whom wine
325 or beer may be lawfully sold, ingredients for making wine or brewing beer, including packaging, and to rent
326 to such persons facilities for manufacturing, fermenting, and bottling such wine or beer, for off-premises
327 consumption in accordance with subdivision 6 of § 4.1-200.

328 3. Confectionery licenses, which shall authorize the licensee to prepare and sell on the licensed premises
329 for off-premises consumption confectionery that contains five percent or less alcohol by volume. Any alcohol
330 contained in such confectionery shall not be in liquid form at the time such confectionery is sold.

331 D. The Board may grant the following banquet, special event, and tasting licenses:

332 1. Per-day event licenses.

333 a. Banquet licenses to persons in charge of private banquets, and to duly organized nonprofit corporations
334 or associations in charge of special events, which shall authorize the licensee to sell or give wine and beer in
335 rooms or areas approved by the Board for the occasion for on-premises consumption in such rooms or areas.
336 Licensees who are nonprofit corporations or associations conducting fundraisers (i) shall also be authorized
337 to sell wine, as part of any fundraising activity, in closed containers for off-premises consumption to persons
338 to whom wine may be lawfully sold; (ii) shall be limited to no more than one such fundraiser per year; and
339 (iii) if conducting such fundraiser through an online meeting platform, may ship such wine, in accordance
340 with Board regulations, in closed containers to persons located within the Commonwealth. Except as
341 provided in § 4.1-215, a separate license shall be required for each day of each banquet or special event. For
342 the purposes of this subdivision, when the location named in the original application for a license is outdoors,
343 the application may also name an alternative location in the event of inclement weather. However, no such
344 license shall be required of any hotel, restaurant, or club holding a retail wine and beer license.

345 b. Mixed beverage special events licenses to a duly organized nonprofit corporation or association in
346 charge of a special event, which shall authorize the licensee to sell and serve mixed beverages for on-
347 premises consumption in areas approved by the Board on the premises of the place designated in the license.
348 A separate license shall be required for each day of each special event.

349 c. Mixed beverage club events licenses to a club holding a wine and beer club license, which shall
350 authorize the licensee to sell and serve mixed beverages for on-premises consumption by club members and
351 their guests in areas approved by the Board on the club premises. A separate license shall be required for each
352 day of each club event. No more than 12 such licenses shall be granted to a club in any calendar year. The
353 granting of a license pursuant to this subdivision shall automatically authorize the licensee to obtain a license
354 to sell and serve wine and beer for on-premises consumption; however, the licensee shall be required to pay
355 the local fee required for such additional license pursuant to § 4.1-233.1.

356 d. Tasting licenses, which shall authorize the licensee to sell or give samples of alcoholic beverages of the
357 type specified in the license in designated areas at events held by the licensee. A tasting license shall be
358 issued for the purpose of featuring and educating the consuming public about the alcoholic beverages being
359 tasted. A separate license shall be required for each day of each tasting event. No tasting license shall be
360 required for conduct authorized by § 4.1-201.1.

361 2. Annual licenses.

362 a. Annual banquet licenses to duly organized private nonprofit fraternal, patriotic, or charitable
363 membership organizations that are exempt from state and federal taxation and in charge of banquets
364 conducted exclusively for members and their guests, which shall authorize the licensee to serve wine and beer
365 in rooms or areas approved by the Board for the occasion for on-premises consumption in such rooms or
366 areas. Such license shall authorize the licensee to conduct no more than 12 banquets per calendar year. For
367 the purposes of this subdivision, when the location named in the original application for a license is outdoors,
368 the application may also name an alternative location in the event of inclement weather. However, no such

369 license shall be required of any hotel, restaurant, or club holding a retail wine and beer license.

370 b. Banquet facility licenses to volunteer fire departments and volunteer emergency medical services
 371 agencies, which shall authorize the licensee to permit the consumption of lawfully acquired alcoholic
 372 beverages on the premises of the licensee by any person, and bona fide members and guests thereof,
 373 otherwise eligible for a banquet license. However, lawfully acquired alcoholic beverages shall not be
 374 purchased or sold by the licensee or sold or charged for in any way by the person permitted to use the
 375 premises. Such premises shall be a volunteer fire or volunteer emergency medical services agency station or
 376 both, regularly occupied as such and recognized by the governing body of the county, city, or town in which
 377 it is located. Under conditions as specified by Board regulation, such premises may be other than a volunteer
 378 fire or volunteer emergency medical services agency station, provided such other premises are occupied and
 379 under the control of the volunteer fire department or volunteer emergency medical services agency while the
 380 privileges of its license are being exercised.

381 c. Designated outdoor refreshment area licenses to a locality, business improvement district, or nonprofit
 382 organization, which shall authorize (i) the licensee to permit the consumption of alcoholic beverages within
 383 the area designated by the Board for the designated outdoor refreshment area and (ii) any permanent retail on-
 384 premises licensee that is located within the area designated by the Board for the designated outdoor
 385 refreshment area to sell alcoholic beverages within the permanent retail location for consumption in the area
 386 designated for the designated outdoor refreshment area, including sidewalks and the premises of businesses
 387 not licensed to sell alcoholic beverages at retail, upon approval of such businesses. In determining the
 388 designated area for the designated outdoor refreshment area, the Board shall consult with the locality.
 389 Designated outdoor refreshment area licensees shall be limited to 16 events per year, and the duration of any
 390 event shall not exceed three consecutive days. However, the Board may increase the frequency and duration
 391 of events after adoption of an ordinance by a locality requesting such increase in frequency and duration.
 392 Such ordinance shall include the size and scope of the area within which such events will be held, a public
 393 safety plan, and any other considerations deemed necessary by the Board. Such limitations on the number of
 394 events that may be held shall not apply during the effective dates of any rule, regulation, or order that is
 395 issued by the Governor or State Health Commissioner to meet a public health emergency and that effectively
 396 reduces allowable restaurant seating capacity; however, designated outdoor refreshment area licensees shall
 397 be subject to all other applicable provisions of this subtitle and Board regulations and shall provide notice to
 398 the Board regarding the days and times during which the privileges of the license will be exercised. Only
 399 alcoholic beverages purchased from permanent retail on-premises licensees located within the designated area
 400 may be consumed at the event, and such alcoholic beverages shall be contained in paper, plastic, or similar
 401 disposable containers that clearly display the name or logo of the retail on-premises licensee from which the
 402 alcoholic beverage was purchased. Alcoholic beverages shall not be sold or charged for in any way by the
 403 designated outdoor refreshment area licensee. The designated outdoor refreshment area licensee shall post
 404 appropriate signage clearly demarcating for the public the boundaries of the event; however, no physical
 405 barriers shall be required for this purpose. The designated outdoor refreshment area licensee shall provide
 406 adequate security for the event to ensure compliance with the applicable provisions of this subtitle and Board
 407 regulations.

408 d. Annual mixed beverage banquet licenses to duly organized private nonprofit fraternal, patriotic, or
 409 charitable membership organizations that are exempt from state and federal taxation and in charge of
 410 banquets conducted exclusively for members and their guests, which shall authorize the licensee to serve
 411 mixed beverages for on-premises consumption in areas approved by the Board on the premises of the place
 412 designated in the license. Such license shall authorize the licensee to conduct no more than 12 banquets per
 413 calendar year. The granting of a license pursuant to this subdivision shall automatically authorize the licensee
 414 to obtain a license to sell and serve wine and beer for on-premises consumption; however, the licensee shall
 415 be required to pay the local fee required for such additional license pursuant to § 4.1-233.1.

416 e. Equine sporting event licenses, which may be issued to organizations holding equestrian, hunt, and
 417 steeplechase events, which shall authorize the licensee to permit the consumption of lawfully acquired
 418 alcoholic beverages on the premises of the licensee by patrons thereof during such event. However, alcoholic
 419 beverages shall not be sold or charged for in any way by the licensee. The privileges of this license shall be
 420 (i) limited to the premises of the licensee, regularly occupied and utilized for equestrian, hunt, and
 421 steeplechase events, and (ii) exercised on no more than four calendar days per year.

422 f. Annual arts venue event licenses, to persons operating an arts venue, which shall authorize the licensee
 423 participating in a community art walk that is open to the public to serve lawfully acquired wine or beer on the
 424 premises of the licensee to adult patrons thereof during such events. However, alcoholic beverages shall not
 425 be sold or charged for in any way, directly or indirectly, by the licensee, and the licensee shall not give more
 426 than two five-ounce glasses of wine or two 12-ounce glasses of beer to any one adult patron. The privileges
 427 of this license shall be (i) limited to the premises of the arts venue regularly occupied and used as such and
 428 (ii) exercised on no more than 12 calendar days per year.

429 E. The Board may grant a marketplace license to persons operating a business enterprise of which the
 430 primary function is not the sale of alcoholic beverages, which shall authorize the licensee to serve

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431 complimentary wine or beer to bona fide customers on the licensed premises subject to any limitations
432 imposed by the Board; however, the licensee shall not give more than two five-ounce glasses of wine or two
433 12-ounce glasses of beer to any customer per day, nor shall it sell or otherwise charge a fee to such customer
434 for the wine or beer served or consumed. In order to be eligible for and retain a marketplace license, the
435 applicant's business enterprise must (i) provide a single category of goods or services in a manner intended to
436 create a personalized experience for the customer; (ii) employ staff with expertise in such goods or services;
437 (iii) be ineligible for any other license granted by the Board; (iv) have an alcoholic beverage control manager
438 on the licensed premises at all times alcohol is served; (v) ensure that all employees satisfy any training
439 requirements imposed by the Board; and (vi) purchase all wine and beer to be served from a licensed
440 wholesaler or the Authority and retain purchase records as prescribed by the Board. In determining whether
441 to grant a marketplace license, the Board shall consider (a) the average amount of time customers spend at the
442 business; (b) the business's hours of operation; (c) the amount of time that the business has been in operation;
443 and (d) any other requirements deemed necessary by the Board to protect the public health, safety, and
444 welfare.

445 F. The Board may grant the following shipper, bottler, and related licenses:

446 1. Wine and beer shipper licenses, which shall carry the privileges and limitations set forth in § 4.1-209.1.
447 2. Internet wine and beer retailer licenses, which shall authorize persons located within or outside the
448 Commonwealth to sell and ship wine and beer, in accordance with § 4.1-209.1 and Board regulations, in
449 closed containers to persons in the Commonwealth to whom wine and beer may be lawfully sold for
450 off-premises consumption. Such licensee shall not be required to comply with the monthly food sale
451 requirement established by Board regulations.

452 3. Bottler licenses, which shall authorize the licensee to acquire and receive deliveries and shipments of
453 beer in closed containers and to bottle, sell, and deliver or ship it, in accordance with Board regulations to (i)
454 wholesale beer licensees for the purpose of resale, (ii) owners of boats registered under the laws of the United
455 States sailing for ports of call of a foreign country or another state, and (iii) persons outside the
456 Commonwealth for resale outside the Commonwealth.

457 4. Fulfillment warehouse licenses, which shall authorize associations as defined in § 13.1-313 with a place
458 of business located in the Commonwealth to (i) receive deliveries and shipments of wine or beer owned by
459 holders of wine and beer shipper's licenses; (ii) store such wine or beer on behalf of the owner; and (iii) pick,
460 pack, and ship such wine or beer as directed by the owner, all in accordance with Board regulations. No
461 wholesale wine or wholesale beer licensee, whether licensed in the Commonwealth or not, or any person
462 under common control of such licensee, shall acquire or hold any financial interest, direct or indirect, in the
463 business for which any fulfillment warehouse license is issued.

464 5. Marketing portal licenses, which shall authorize agricultural cooperative associations organized under
465 the provisions of the Agricultural Cooperative Association Act (§ 13.1-312 et seq.), with a place of business
466 located in the Commonwealth, in accordance with Board regulations, to solicit and receive orders for wine or
467 beer through the use of the Internet from persons in the Commonwealth to whom wine or beer may be
468 lawfully sold, on behalf of holders of wine and beer shipper's licenses. Upon receipt of an order for wine or
469 beer, the licensee shall forward it to a holder of a wine and beer shipper's license for fulfillment. Marketing
470 portal licensees may also accept payment on behalf of the shipper.

471 6. Third-party delivery licenses, which shall carry the privileges and limitations set forth in § 4.1-212.2.