

APPROVED AND SIGNED BY THE GOVERNOR

Date 4-3-81

Time 4:15 P.M.

no: 25

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1981

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ENROLLED

SENATE BILL NO. 25

(By Mr. Stephens)

—•—

PASSED March 25, 1981

In Effect ninety days from Passage



ENROLLED
Senate Bill No. 25
(By MR. STEPTOE)

[Passed March 25, 1981; in effect ninety days from passage.]

AN ACT to repeal section fifteen-b, article sixteen, chapter eleven of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to amend and reenact sections fifteen and sixteen of said article sixteen, all relating to nonintoxicating beer and abolishing the concurrent jurisdiction of courts of record to revoke or suspend beer licenses.

Be it enacted by the Legislature of West Virginia:

That section fifteen-b, article sixteen, chapter eleven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be repealed; and that sections fifteen and sixteen of said article sixteen be amended and reenacted, all to read as follows:

ARTICLE 16. NONINTOXICATING BEER.

§11-16-15. Revocation or suspension of license.

- 1 The commissioner may revoke, or suspend, the license
- 2 of any licensee:
- 3 (a) For any of the reasons and upon any grounds de-
- 4 clared to be unlawful by section thirteen of this article;
- 5 or
- 6 (b) For any reason or ground upon which a license
- 7 might have been refused in the first instance had the
- 8 facts at the time of the issuance of such license been
- 9 known to the commissioner; or
- 10 (c) For the violation of any rule, regulation or order
- 11 promulgated by the commissioner under authority of this
- 12 article.

13 In addition to the grounds for revocation or suspension
14 of a license above set forth, conviction of the licensee of
15 any offense constituting a violation of the laws of this
16 state or of the United States relating to nonintoxicating
17 beer or alcoholic liquor shall be mandatory grounds for
18 revocation or suspension of a license.

§11-16-16. Reissuance of license after revocation.

1 No license shall be issued to any person who has for-
2 merly held a license, under the provisions of this article,
3 which has been revoked by the commissioner, within a
4 period of two years from the date of such revocation;
5 nor shall any license be issued hereunder to any person
6 who was an officer or stockholder of a corporation whose
7 license was revoked as aforesaid, nor to any person who
8 was a member of a partnership or association whose
9 license was revoked as aforesaid, nor to the wife or hus-
10 band of any person whose license was revoked as afore-
11 said, within said period of two years from the date of rev-
12 ocation; nor shall any license be issued to any corporation
13 having a stockholder or director who has had a license
14 revoked as aforesaid, within said period of two years from
15 the date of the revocation of such person's license.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

W. F. Baylor
Chairman Senate Committee

Tony E. Whitlow
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

Isabel C. Willis
Clerk of the Senate

C. A. Blackenship
Clerk of the House of Delegates

Walter D. Brown
President of the Senate

Walter H. Lee, Jr.
Speaker House of Delegates

The within ^{DRW} is ~~is~~ approved this the 3

day of April, 1981.

John D. Rhyder
Governor

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OFFICE OF THE GOVERNOR

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SECY. OF STATE