COMMONWEALTH of VIRGINIA

Executive Department

Executive Directive Ten (2020)

Authorizing the Chief Executive Officer of the Virginia Alcoholic Beverage Control Authority to Take Certain Administrative Action Due to the Novel Coronavirus (COVID-19)

Importance of the Issue

On March 12, 2020, I declared a state of emergency in the Commonwealth of Virginia due to the potential impacts of the spread of the novel coronavirus (COVID-19). The health and general welfare of Virginia residents require that state action be taken to help alleviate the conditions caused by this situation.

Therefore, by virtue of the authority vested in me as Governor under Article V of the Constitution of Virginia, § 44-146.17 of the *Code of Virginia*, and my continuing and ultimate authority and responsibility to act in such matters, I direct the Virginia Alcoholic Beverage Control Authority (ABC) to take the following measures:

1. Defer for 90 days the collection of any renewal fees for any license or permit issued by ABC that expired or will expire on or after March 31, 2020, and before the later of (i) July 1, 2020, or (ii) 30 days following the expiration or rescission of Executive Order 51. A licensee or permittee whose renewal fees are deferred shall pay the required renewal fee no later than 90 days after the original expiration date of such license or permit. Such action will give licensees an additional 90 days, beyond the original expiration date, to pay any renewal fees for their licenses and permits. All applicable penalties prescribed in § 4.1-203 of the *Code of Virginia* shall be waived.

2. Allow the sale and service of cocktails off-premises by establishments licensed to sell mixed beverages pursuant to §§ 4.1-210(A)(1) or 4.1-210(A)(12) of the *Code of Virginia*.

3. Allow the sale and service of cocktails off-premises by distilleries licensed pursuant to §§ 4.1-206(A)(1), 4.1-206(A)(2), and 4.1-206(A)(3) of the *Code of Virginia* exercising the privilege to sell samples granted by §§ 4.1-119(D) and 4.1-119(G) of the *Code of Virginia*.

4. Prescribe the terms and conditions under which the sale and service of cocktails off-premises shall be permitted under paragraphs two and three above. The terms

and conditions shall affirmatively state that the privilege of any licensee to sell and serve cocktails off premises shall expire at 11:59 p.m. on the date on which Executive Order 51 expires or is rescinded, or upon revocation of such privilege by the Board of Directors for Virginia Alcoholic Beverage Control Authority.

Effective Date of this Executive Directive

This authority granted to ABC by this Executive Directive shall be effective from April 9, 2020, 11:59 p.m., and shall remain in full force and effect until Executive Order 51 expires, or is rescinded

Given under my hand and under the Seal of the Commonwealth of Virginia, this 8th day of April, 2020.

Ralph S. Northam, Governor

Attest:

Kelly Thomasson, Secretary of the Commonwealth