1	Senate Bill No. 18
2	(By Senators Unger, Barnes, Foster and D. Facemire)
3	
4	[Introduced January 12, 2011; referred to the Committee on
5	Finance.]
6	
7	
8	
9	
10	A BILL to amend the Code of West Virginia, 1931, as amended, by
11	adding thereto a new section, designated §60-3A-3a; and to
12	amend said code by adding thereto a new section, designated
13	§60-7-9, all relating to requiring certain employees of
14	licensed private clubs and retail outlets selling alcoholic
15	beverages to take the techniques for education and alcohol
16	management course, the training for intervention procedures
17	course, alcohol awareness programs provided by the American
18	Hotel and Lodging Association or the National Restaurant
19	Association or other similar alcohol awareness education
20	courses provided or approved by the Alcohol Beverage Control
21	Commissioner; and providing rule-making authority.
22	Be it enacted by the Legislature of West Virginia:

23 That the Code of West Virginia, 1931, as amended, be amended

1

1 by adding thereto a new section, designated 60-3A-3a; and that 2 said code be amended by adding thereto a new section, designated 3 60-7-9, all to read as follows:

4 ARTICLE 3A. SALES BY RETAIL LIQUOR LICENSEES.

5 §60-3A-3a. Mandatory training for retail outlet employees.

6 (a) Any point of sale employee of a retail outlet licensed 7 pursuant to the provisions of this article, who is hired on or 8 after July 1, 2011, shall participate in the techniques for 9 education and alcohol management program (TEAM), the training for 10 intervention procedures course (TIPS), alcohol awareness programs 11 provided by the American Hotel and Lodging Association or the 12 National Restaurant Association or other similar alcohol awareness 13 education programs provided or approved by the commissioner, within 14 sixty days of commencing employment and every three years 15 thereafter. Any point of sale employee who was employed prior to 16 July 1, 2011, shall participate in one of the training programs 17 specified in this section or other similar programs provided or 18 approved by the commissioner before July 1, 2012, and every three 19 years thereafter.

20 (b) The commissioner shall propose rules for legislative 21 approval in accordance with the provisions of article three, 22 chapter twenty-nine-a of this code to implement the provisions of 23 this section.

2

1 ARTICLE 7. LICENSES TO PRIVATE CLUBS.

2 §60-7-9. Mandatory training for private club employees.

3 (a) Any employee of a private club licensed pursuant to the 4 provisions of this article, who serves alcohol and who is hired on 5 or after July 1, 2011, shall participate in the techniques for 6 education and alcohol management program (TEAM), the training for 7 intervention procedures course (TIPS), alcohol awareness programs 8 provided by the American Hotel and Lodging Association or the 9 National Restaurant Association or other similar alcohol awareness 10 education programs provided or approved by the commissioner, within 11 sixty days of commencing employment and every three years 12 thereafter. Any employee who serves alcohol and who was employed 13 prior to July 1, 2011, shall participate in one of the training 14 programs specified in this section or other similar programs 15 provided or approved by the commissioner before July 1, 2012, and 16 every three years thereafter.

17 (b) The commissioner shall propose rules for legislative 18 approval in accordance with the provisions of article three, 19 chapter twenty-nine-a of this code to implement the provisions of 20 this section.

NOTE: The purpose of this bill is to require certain employees of licensed private clubs and retail outlets selling alcoholic

3

beverages to take the techniques for education and alcohol management course, the training for intervention procedures course, alcohol awareness programs provided by the American Hotel and Lodging Association or the National Restaurant Association or other similar alcohol awareness education courses provided or approved by the Alcohol Beverage Control Commissioner.

60-3A-3a and 60-7-9 are new; therefore, strike-throughs and underscoring have been omitted.