

Senate Bill 71

By: Senators Paul of the 40th, Seabaugh of the 28th, Mullis of the 53rd, Guhl of the 45th, Cable of the 27th and others

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Article 1 of Chapter 3 of Title 3 of the Official Code of Georgia Annotated,
2 relating to general provisions applicable to the regulation of alcoholic beverages, so as to
3 change certain provisions relating to sales of alcoholic beverages on Sundays; to provide that
4 the sale of alcoholic beverages in certain counties and municipalities shall be prohibited on
5 all days between 3:00 A.M. and 7:00 A.M.; to repeal conflicting laws; and for other
6 purposes.

7 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

8 **SECTION 1.**

9 Article 1 of Chapter 3 of Title 3 of the Official Code of Georgia Annotated, relating to
10 general provisions applicable to the regulation of alcoholic beverages, is amended by striking
11 in their entirety subsections (b) and (c) of Code Section 3-3-7, relating to local authorization
12 and regulation of sales of alcoholic beverages on Sunday, and inserting in lieu thereof new
13 subsections (b) and (c) to read as follows:

14 "(b) In each county having a population of 550,000 or more according to the United States
15 decennial census of 1970 or any future such census in which the sale of alcoholic
16 beverages is lawful:

17 (1) The county governing authority may authorize the sale of alcoholic beverages for
18 consumption on the premises at any time from 11:55 P.M. on Saturdays and the ~~three~~
19 two and one-twelfth hours immediately following such time; and

20 (2) Alcoholic beverages may be sold on Sundays between the hours of 12:30 P.M. and
21 12:00 Midnight in public stadiums, coliseums, and auditoriums with a seating capacity
22 in excess of 3,500 persons and in eating establishments. As used in this paragraph, the
23 term 'eating establishment' means an establishment which is licensed to sell distilled
24 spirits, malt beverages, or wines and which derives at least 50 percent of its total annual
25 gross food and beverage sales from the sale of prepared meals or food.

1 (c) In all municipalities having a population of 300,000 or more according to the United
 2 States decennial census of 1970 or any future such census in which the sale of alcoholic
 3 beverages is lawful:

4 (1) The municipal governing authority may authorize the sale of alcoholic beverages
 5 for consumption on the premises at any time from 11:55 P.M. on Saturdays and the
 6 ~~three~~ two and one-twelfth hours immediately following such time; and

7 (2) Alcoholic beverages may be sold on Sundays between the hours of 12:30 P.M. and
 8 12:00 Midnight in public stadiums, coliseums, and auditoriums with a seating capacity
 9 in excess of 3,500 persons; in eating establishments; and in locally designated special
 10 entertainment districts. As used in this paragraph, the term 'eating establishment'
 11 means an establishment which is licensed to sell distilled spirits, malt beverages, or
 12 wines and which derives at least 50 percent of its total annual gross food and beverage
 13 sales from the sale of prepared meals or food. As used in this paragraph, the term
 14 'special entertainment districts' means contiguous properties upon which is located a
 15 festival marketplace and entertainment project which is financed in whole or in part by
 16 public funds and which contains a minimum of 200,000 square feet of gross leasable
 17 space for retail sales and entertainment purposes and which is located in the central
 18 business district of any such municipality if more than 50 percent of such contiguous
 19 properties are owned or controlled by a governmental entity."

20 SECTION 2.

21 Said article is further amended by adding between Code Sections 3-3-7 and 3-3-8 a new
 22 Code Section 3-3-7.1 to read as follows:

23 "3-3-7.1.

24 (a) In each county having a population of 400,000 or more according to the United States
 25 decennial census of 1990 or any future such census in which the sale of alcoholic
 26 beverages is lawful, the sale of alcoholic beverages, including the sale of alcoholic
 27 beverages for consumption on the premises, shall be prohibited on all days between 3:00
 28 A.M. and 7:00 A.M.

29 (b) In all municipalities having a population of 130,000 or more according to the United
 30 States decennial census of 1990 or any future such census in which the sale of alcoholic
 31 beverages is lawful, the sale of alcoholic beverages, including the sale of alcoholic
 32 beverages for consumption on the premises, shall be prohibited on all days between 3:00
 33 A.M. and 7:00 A.M."

1 **SECTION 3.**

2 Said Article is further amended to exempt Atlanta Hartsfield International Airport from the
3 provisions of this amendment.

4 **SECTION 4.**

5 All laws and parts of laws in conflict with this Act are repealed.