

House Bill 563

By: Representatives Martin of the 47th, Harbin of the 118th, Fleming of the 117th, Geisinger of the 48th, and Wilkinson of the 52nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 3-3-23 of the Official Code of Georgia Annotated, relating to
2 unlawful acts involving alcoholic beverages and underage persons, so as to redefine the
3 offense of furnishing alcoholic beverages to underage persons; to change provisions relating
4 to the duty to request and be furnished with identification prior to furnishing alcoholic
5 beverages to certain persons under certain circumstances and provide that violation of such
6 duty shall constitute a crime; to provide for related matters; to provide an effective date and
7 applicability; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 style="text-align:center">**SECTION 1.**

10 Code Section 3-3-23 of the Official Code of Georgia Annotated, relating to unlawful acts
11 involving alcoholic beverages and underage persons, is amended by striking paragraph (1)
12 of subsection (a) and subsection (h) and inserting in their respective places a new paragraph
13 (1) of subsection (a) and a new subsection (h) to read as follows:

14 "(1) No person ~~knowingly~~, directly or through another person, shall furnish, cause to be
15 furnished, or permit any person in such person's employ to furnish any alcoholic
16 beverage to any person under 21 years of age;"

17 "(h) In any case where a reasonable or prudent person could reasonably be in doubt as to
18 whether or not the person to whom an alcoholic beverage is to be sold or otherwise
19 furnished is actually 21 years of age or older, it shall be the duty of the person selling or
20 otherwise furnishing such alcoholic beverage to request to see and to be furnished with
21 proper identification as provided for in subsection (d) of this Code section in order to verify
22 the age of such person; and the failure to make such request and verification in any case
23 where the person to whom the alcoholic beverage is sold or otherwise furnished is less than
24 21 years of age ~~may be considered by the trier of fact in determining whether the person~~
25 ~~selling or otherwise furnishing such alcoholic beverage did so knowingly~~ shall constitute
26 a violation of paragraph (1) of subsection (a) of this Code section."

