

House Bill 1436

By: Representatives Smith of the 113<sup>th</sup>, Ehrhart of the 36<sup>th</sup>, Chambers of the 81<sup>st</sup>, Drenner of the 86<sup>th</sup>, Burkhalter of the 50<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 6 of Title 3 of the Official Code of Georgia Annotated,  
2 relating to general provisions relative to wine, so as to authorize restaurant patrons to remove  
3 for off-premises consumption a resealed partially consumed bottle of wine that was  
4 purchased with a full-course meal; to provide for a definition of the term full-course meal;  
5 to amend Article 11 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated,  
6 relating to miscellaneous provisions of the uniform rules of the road, so as to provide that a  
7 resealed partially consumed bottle of wine that was purchased with a full-course meal is not  
8 an open alcoholic beverage container for purposes of the prohibition against possessing an  
9 open container of alcohol in the passenger area of a motor vehicle; to provide for related  
10 matters; to repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

13 Article 1 of Chapter 6 of Title 3 of the Official Code of Georgia Annotated, relating to  
14 general provisions relative to wine, is amended by inserting at the end thereof a new Code  
15 Section 3-6-4 to read as follows:

16 "3-6-4.

17 (a) As used in this Code section, the term 'full-course meal' means a meal consisting of a  
18 salad or vegetable, an entree, a beverage, and bread.

19 (b) Notwithstanding any other contrary provision of law, any establishment which is  
20 licensed to sell alcoholic beverages for consumption on the premises may permit a  
21 consumer to remove an unsealed bottle of wine for consumption off premises, if the patron  
22 has purchased a full-course meal and consumed a portion of the bottle of wine on the  
23 premises with such meal on the establishment's premises. A partially consumed bottle of  
24 wine that is to be removed from the premises must be securely resealed by the licensee or  
25 its employees before removal from the premises. The partially consumed bottle of wine  
26 shall be placed in a bag or other container that is secured in such a manner that it is visibly

