

The House Committee on Regulated Industries offers the following substitute to HB 1066:

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 3 of Title 3 of the Official Code of Georgia Annotated,
2 relating to prohibited acts relative to regulation of alcoholic beverages generally, so as to
3 prohibit certain conduct regarding vaporized forms of alcoholic beverages produced by
4 alcohol vaporizing devices; to define certain terms; to provide for exceptions; to provide
5 punishments for violations; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 2 of Chapter 3 of Title 3 of the Official Code of Georgia Annotated, relating to
9 prohibited acts relative to regulation of alcoholic beverages generally, is amended by adding
10 a new Code section to read as follows:

11 "3-3-33.

12 (a) As used in this Code section, the term:

13 (1) 'Alcohol vaporizing device' means any device, machine, or process that mixes any
14 alcoholic beverages with pure oxygen or other gas to produce a vaporized product for the
15 purpose of consumption by inhalation.

16 (2) 'Licensed premises' means any premises in which alcoholic beverages are sold or
17 dispensed for consumption on the premises and shall include any premises which are
18 required by law to be licensed to sell or dispense alcoholic beverages for consumption on
19 the premises.

20 (3) 'Operator' means an owner, license holder, operator, manager, or person in charge of
21 any licensed premises.

22 (b)(1) No person shall purchase, offer for sale or use, sell, or use any vaporized form of
23 an alcoholic beverage produced by an alcohol vaporizing device.

24 (2) Paragraph (1) of this subsection shall not apply to a product that contains alcohol as
25 otherwise lawfully prescribed by a health care practitioner who is licensed under Title 43.

- 1 (c) No operator shall keep or allow to be kept on the licensed premises thereof any
2 vaporized form of an alcoholic beverage produced by an alcohol vaporizing device.
- 3 (d) Any person convicted of a violation of this Code section shall be guilty of a
4 misdemeanor. Any person convicted of a violation of this Code section involving the offer
5 for sale or use to a person under the age of 21 shall be guilty of a misdemeanor, except that
6 upon the second or subsequent conviction such person so convicted shall be guilty of a
7 misdemeanor of a high and aggravated nature."

8 **SECTION 2.**

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