

House Bill 1313

By: Representatives Stephens of the 164th, Benfield of the 85th, Parrish of the 156th, Dollar of the 45th, Harbin of the 118th, and others

A BILL TO BE ENTITLED
AN ACT

1 Article 2 of Chapter 5 of Title 3 of the Official Code of Georgia Annotated, relating to state
2 license requirements and regulations for manufacture, distribution, and sale, so as to provide
3 for definitions; to provide for craft brewers; to provide for limited exceptions to the three-tier
4 system for craft brewers; to provide for tastings; to provide for related matters; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 2 of Chapter 5 of Title 3 of the Official Code of Georgia Annotated, relating to state
9 license requirements and regulations for manufacture, is amended by adding a new Code
10 section to read as follows:

11 "3-5-36.1

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

13 (1) 'Craft brewer' means a brewer of malt beverages that does not produce more than
14 250,000 barrels of malt beverage per year.

15 (2) 'Premises of the licensee' means property on which malt beverages are manufactured
16 by a licensed craft brewer or property located contiguous to the property on which malt
17 beverages are manufactured and owned by a licensed craft brewer or by an affiliate of
18 such licensed craft brewer.

19 (3) 'Premises of a tasting room' means the property on which a tasting room is located,
20 regardless of whether such property is owned by a licensed craft brewer or used by a
21 licensed craft brewer to manufacture malt beverages.

22 (4) 'Tasting' means an event at which samples of a craft brewer's malt beverages are
23 provided to the public.

24 (5) 'Tasting room' means an outlet or location used for the promotion of a licensed craft
25 brewer's malt beverages at which samples of such malt beverages are provided to the

26 public. Samples of a licensed craft brewer's malt beverages in a tasting room may be
27 given complimentary or provided for a fee.

28 (b) A craft brewer shall be licensed in the same manner as brewers. A limited exception
29 to the provisions of Code Sections 3-5-29 through 3-5-32 providing a three-tier system for
30 the distribution and sale of malt beverages shall exist for craft brewers. A licensed craft
31 brewer shall be permitted to:

32 (1) Provide food on the premises of the licensee or the premises of a tasting room at no
33 charge. Food may also be provided by and brought to the premises of the licensee or the
34 premises of a tasting room by any person or on behalf of any person to whom such
35 permission has been granted by the licensed brewer;

36 (2) Serve as part of a tasting or private events other alcoholic beverages produced by
37 other manufacturers which are authorized for retail sale under this title, including wine
38 and malt beverages, provided that such alcoholic beverages are purchased from a licensed
39 wholesaler for consumption on the premises only; and provided, further, that in addition
40 to draft beer manufactured on the premises, each craft brewer licensee shall offer for sale
41 commercially available canned or bottled malt beverages from licensed wholesalers;

42 (3) To offer free samplings of the beer produced on its premises as part of tours
43 conducted pursuant to Code Section 3-5-38;

44 (4) To rent a tasting room or other room on the premises of the licensee for entertainment
45 purposes;

46 (5) To market, promote, and charge for tours conducted pursuant to Code Section 3-5-38;
47 and

48 (6) To provide to interested parties lists of retailers who sell the craft brewer's products."

49 **SECTION 2.**

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