

House Bill 165

By: Representatives Powell of the 29<sup>th</sup>, Jerguson of the 22<sup>nd</sup>, Cooper of the 41<sup>st</sup>, Dickson of the 6<sup>th</sup>, Mitchell of the 88<sup>th</sup>, and others

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 regarding alcoholic beverages, so as to provide that counties and  
3 municipalities with approval of the local housing authority board of commissioners may  
4 provide certain exceptions relating to the sale of alcoholic beverages for consumption on the  
5 premises near housing authority property; to provide for related matters; to provide for an  
6 effective date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 SECTION 1.

9 Article 2 of Chapter 3 of Title 3 of the Official Code of Georgia Annotated, relating to  
10 prohibited acts regarding alcoholic beverages, is amended by revising subsection (e) of Code  
11 Section 3-3-21, relating to sales of alcoholic beverages near churches, school buildings, or  
12 other sites, as follows:

13 "(e)(1) As used in this subsection, the term 'housing authority property' means any  
14 property containing 300 housing units or fewer owned or operated by a housing authority  
15 created by Article 1 of Chapter 3 of Title 8, the 'Housing Authorities Law.'

16 (2) No person knowingly and intentionally may sell any alcoholic beverages for  
17 consumption on the premises within 100 yards of any housing authority property. This  
18 subsection shall not apply at any location for which a license has been issued prior to  
19 July 1, 2000, nor to the renewal of such license. Nor shall this subsection apply at any  
20 location for which a new license is applied for if the sale of alcoholic beverages for  
21 consumption on the premises was lawful at such location at any time during the 12  
22 months immediately preceding such application. A county or municipality, by agreement  
23 with the local housing authority, may provide for an exemption from this subsection for  
24 an applicant by adopting one of the two methods set forth below:

25 (A) Requiring the applicant to make an application to the county or municipality for  
26 such an exemption which the county or municipality shall forward to the local housing

27 authority board of commissioners for review. Within 30 days after receiving such  
28 application, the local housing authority board of commissioners shall provide the  
29 county or municipality with a recommendation to grant or deny such exemption or  
30 provide no recommendation and, after the 30 day period for review and  
31 recommendation by the local housing authority board of commissioners expires or the  
32 local housing authority board of commissioners makes a recommendation or returns  
33 such application without recommendation, whichever is earlier, a county or  
34 municipality shall be authorized by resolution or ordinance to exempt such applicant  
35 from this subsection and provide for such sales by such applicant; or  
36 (B) Requiring the applicant to file an application with the county or municipality with  
37 the written recommendation for approval of such application by the local housing  
38 authority board of commissioners. The county or municipality shall be authorized by  
39 resolution or ordinance to exempt such applicant from this subsection and provide for  
40 such sales by such applicant."

41 **SECTION 2.**

42 This Act shall become effective upon its approval by the Governor or upon its becoming law  
43 without such approval.

44 **SECTION 3.**

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