

Senate Bill 114

By: Senators Grant of the 25th, Staton of the 18th, Hooks of the 14th and Shafer of the 48th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 4 of Title 3 of the Official Code of Georgia Annotated,
2 relating to state license requirements and regulations for manufacture, distribution, and
3 package sales, so as to provide for the issuance of a manufacturer's or distiller's license to a
4 fruit grower for the manufacture of distilled spirits under certain circumstances; to provide
5 for the issuance of a manufacturer's or distiller's license authorizing the manufacture of
6 distilled spirits from agricultural products other than perishable fruits grown in this state
7 under certain circumstances; to provide for related matters; to repeal conflicting laws; and
8 for other purposes.

9 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

10 **SECTION 1.**

11 Article 2 of Chapter 4 of Title 3 of the Official Code of Georgia Annotated, relating to state
12 license requirements and regulations for manufacture, distribution, and package sales, is
13 amended by revising Code Section 3-4-24, relating to the issuance to fruit growers of license
14 to manufacture distilled spirits, storage and disposition, limitations upon manufacture and
15 sale, issuance of manufacturer's or distiller's license in certain counties or municipalities, as
16 follows:

17 "3-4-24.

18 (a) The commissioner may issue a license to a fruit grower authorizing the grower to
19 manufacture distilled spirits from perishable fruits grown in this state.

20 (b) If any distilled spirits are manufactured as permitted by this Code section in any
21 county, municipality, or county area exclusive of certain incorporated areas, as the case
22 may be, in which the distilled spirits are not to be sold under the terms of this chapter, the
23 licensee shall immediately store the distilled spirits or alcohol in a warehouse or
24 warehouses designated by the commissioner to be sold or disposed of under the supervision
25 of the commissioner in states, counties, or municipalities permitting the legal sale of
26 distilled spirits or alcohol.

- 27 (c) It is unlawful for the licensee to sell or dispose of any such distilled spirits or alcohol:
 28 (1) In any municipality, county, or unincorporated area of a county in which the sale of
 29 distilled spirits or alcohol is prohibited by this chapter; or
 30 (2) To any person not holding a wholesale or retail license issued pursuant to this
 31 chapter.
- 32 (d) ~~No~~ A manufacturer's or distiller's license ~~shall~~ may be issued pursuant to this Code
 33 section to a fruit grower for the manufacture of distilled spirits in any county or
 34 municipality of this state that has ~~not~~ approved either the package sale of distilled spirits
 35 or the sale of distilled spirits by the drink, or both, as provided in this chapter."

36 SECTION 2.

37 Said article is further amended by adding a new Code section to read as follows:

38 3-4-24.1.

- 39 (a) The commissioner may issue a license authorizing the manufacture of distilled spirits
 40 from agricultural products other than perishable fruits grown in this state.
- 41 (b) If any distilled spirits are manufactured as permitted by this Code section in any
 42 county, municipality, or county area exclusive of certain incorporated areas, as the case
 43 may be, in which the distilled spirits are not to be sold under the terms of this chapter, the
 44 licensee shall immediately store the distilled spirits or alcohol in a warehouse or
 45 warehouses designated by the commissioner to be sold or disposed of under the supervision
 46 of the commissioner in states, counties, or municipalities permitting the legal sale of
 47 distilled spirits or alcohol.
- 48 (c) It is unlawful for the licensee to sell or dispose of any such distilled spirits or alcohol:
 49 (1) In any municipality, county, or unincorporated area of a county in which the sale of
 50 distilled spirits or alcohol is prohibited by this chapter; or
 51 (2) To any person not holding a wholesale or retail license issued pursuant to this
 52 chapter.
- 53 (d) A manufacturer's or distiller's license may be issued pursuant to this Code section for
 54 the manufacture of distilled spirits from agricultural products other than perishable fruits
 55 in any county or municipality of this state that has approved either the package sale of
 56 distilled spirits or the sale of distilled spirits by the drink, or both, as provided in this
 57 chapter.
- 58 (e) A manufacturer or distiller issued a license pursuant to this Code section may provide
 59 promotional tours, but shall not provide tastings or samplings of distilled spirits at any
 60 time."

61

SECTION 3.

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