

NOT GERMANE

Senators Shafer of the 48th, Hill of the 32nd and McKoon of the 29th offered the following amendment:

1 *Amend SB 10 by deleting lines 1 and 2 and inserting in lieu thereof the following:*

2 To amend Chapter 3 of Title 3 of the Official Code of Georgia Annotated, relating to the
3 regulation of alcoholic beverages generally, so as to revise certain provisions relating to
4 when and to whom alcoholic beverages may be sold or furnished; to provide

5 *By adding the following after "procedures;" on line 10 the following:*

6 to provide for procedures and certain penalties for certain violations relating to the furnishing
7 to, purchase, of, or possession by persons under 21 years of age of alcoholic beverages;

8 *By deleting lines 15 and 16 and inserting in lieu thereof the following:*

9 Chapter 3 of Title 3 of the Official Code of Georgia Annotated, relating to the regulation of
10 alcoholic beverages generally, is amended by revising Code Section 3-3-7, relating to the
11 local authorization and regulation of sales of alcoholic beverages on Sunday, by

12 *By adding between lines 100 and 101 the following:*

13 **SECTION 2.**

14 Said chapter is further amended by revising Code Section 3-3-23.1, relating to procedures
15 and penalties upon certain violations of Code Section 3-3-23, by adding new subsections to
16 read as follows:

17 "(g) On the second time within a one-year period of time that a licensee under this title or
18 a person who is in the employ of a licensee under this title is convicted of providing any
19 alcoholic beverage to a person under 21 years of age in violation of paragraph (1) of
20 subsection (a) of Code Section 3-3-23, then such licensee's license or licenses under this
21 title and the license or licenses issued for the premises where such violation occurred shall
22 be suspended for a period of two weeks. Before the suspension of any license pursuant to
23 this subsection, the licensee or the holder of the license for the licensed premises shall be
24 afforded a hearing with an opportunity to present evidence and cross-examine opposing
25 witnesses.

26 (h) On the third time within a one-year period of time that a licensee under this title or a
27 person who is in the employ of a licensee under this title is convicted of providing any
28 alcoholic beverage to a person under 21 years of age in violation of paragraph (1) of
29 subsection (a) of Code Section 3-3-23, then such licensee's license or licenses under this
30 title and the license or licenses issued for the premises where such violation occurred shall

31 be suspended for a period of one month. Before the suspension of any license pursuant to
32 this subsection, the licensee or the holder of the license for the licensed premises shall be
33 afforded a hearing with an opportunity to present evidence and cross-examine opposing
34 witnesses.

35 (i) On the fourth time within a one-year period of time that a licensee under this title or a
36 person who is in the employ of a licensee under this title is convicted of providing any
37 alcoholic beverage to a person under 21 years of age in violation of paragraph (1) of
38 subsection (a) of Code Section 3-3-23, then such licensee's license or licenses under this
39 title and the license or licenses issued for the premises where such violation occurred shall
40 be suspended for a period of two months. Before the suspension of any license pursuant
41 to this subsection, the licensee or the holder of the license for the licensed premises shall
42 be afforded a hearing with an opportunity to present evidence and cross-examine opposing
43 witnesses.

44 (j) On the fifth time within a one-year period of time that a licensee under this title or a
45 person who is in the employ of a licensee under this title is convicted of providing any
46 alcoholic beverage to a person under 21 years of age in violation of paragraph (1) of
47 subsection (a) of Code Section 3-3-23, then such licensee's license or licenses under this
48 title and the license or licenses issued for the premises where such violation occurred shall
49 be suspended for a period of three months. Before the cancellation of any license pursuant
50 to this subsection, the licensee or the holder of the license for the licensed premises shall
51 be afforded a hearing with an opportunity to present evidence and cross-examine opposing
52 witnesses.

53 (k) On the sixth time within a one-year period of time that a licensee under this title or a
54 person who is in the employ of a licensee under this title is convicted of providing any
55 alcoholic beverage to a person under 21 years of age in violation of paragraph (1) of
56 subsection (a) of Code Section 3-3-23, then such licensee's license or licenses under this
57 title and the license or licenses issued for the premises where such violation occurred shall
58 be cancelled. Before the cancellation of any license pursuant to this subsection, the
59 licensee or the holder of the license for the licensed premises shall be afforded a hearing
60 with an opportunity to present evidence and cross-examine opposing witnesses. No license
61 to sell alcoholic beverages shall be issued to the licensee or for the licensed premises for
62 a period of one year from the date of the cancellation. For purposes of this subsection,
63 'licensed premises' means any premises in which alcoholic beverages are sold or dispensed
64 and shall include any premises which are required by law to be licensed to sell or dispense
65 alcoholic beverages.

66 (l) The suspensions set forth in subsections (g) through (k) may be superseded to the extent
67 that a county or municipality may impose a suspension of a greater length or an earlier

68 cancellation of the license of any licensee convicted of providing any alcoholic beverage
69 to a person under 21 years of age."

70 *By redesignating Section 2 on line 101 as Section 3.*