

The House Committee on Regulated Industries offers the following substitute to SB 150:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 3 of the Official Code of Georgia Annotated, relating to alcoholic beverages,  
2 so as to revise certain provisions regarding the sale of alcoholic beverages; to provide that  
3 counties and municipalities with approval of the local housing authority board of  
4 commissioners may provide certain exceptions relating to the sale of alcoholic beverages for  
5 consumption on the premises near housing authority property; to provide for the sale of wine  
6 and distilled spirits at public golf courses under certain circumstances; to provide for related  
7 matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 SECTION 1.

10 Title 3 of the Official Code of Georgia Annotated, relating to alcoholic beverages, is  
11 amended by revising subsection (e) of Code Section 3-3-21, relating to sales of alcoholic  
12 beverages near churches, school buildings, or 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 may provide  
23 for an exemption from this subsection for an applicant by adopting one of the two  
24 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, ordinance, or administrative order to  
 35 exempt such applicant from this subsection and provide for such sales by such  
 36 applicant; or

37 (B) Requiring the applicant to file an application with the county or municipality with  
 38 the written recommendation for approval of such application by the local housing  
 39 authority board of commissioners. The county or municipality shall be authorized by  
 40 resolution, ordinance, or administrative order to exempt such applicant from this  
 41 subsection and provide for such sales by such applicant."

42 **SECTION 2.**

43 Said title is further amended by revising Code Section 3-8-2, relating to the sale of malt  
 44 beverages at public golf courses operated by counties and municipalities, as follows:

45 "3-8-2.

46 ~~Any~~ The Department of Natural Resources or any county or municipality operating a  
 47 public golf course and offering food or drink for retail sale as an incident to the operation  
 48 of the golf course may ~~at its discretion~~ sell at retail malt beverages, wine, and distilled  
 49 spirits by the drink as an incident to the operation of the golf course upon obtaining a retail  
 50 consumption license; provided, however, that such sales shall not be permitted on any  
 51 portion of a golf course located within the licensing and regulatory jurisdiction of a county  
 52 or municipality in which such sales of alcoholic beverages are prohibited."

53 **SECTION 3.**

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