

Senate Bill 114

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

AS PASSED

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 change certain provisions relating to the sale or disposal of
 8 certain distilled spirits or alcohol; to provide for certain educational and promotional tours;
 9 to provide for related matters; to repeal conflicting laws; and for other purposes.

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

11 **SECTION 1.**

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

18 "3-4-24.

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

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

26 of the commissioner in states, counties, or municipalities permitting the legal sale of
27 distilled spirits or alcohol.

28 (c) It is unlawful for the licensee to sell or dispose of any such distilled spirits or alcohol:

29 (1) In any municipality, county, or unincorporated area of a county in which the sale of
30 distilled spirits or alcohol is prohibited by this chapter; or

31 (2) To any person not holding ~~a wholesale or retail~~ an importer's, broker's, or
32 wholesaler's license issued pursuant to this chapter or by another state.

33 (d) ~~No~~ A manufacturer's or distiller's license ~~shall~~ may be issued pursuant to this Code
34 section to a fruit grower for the manufacture of distilled spirits in any county or
35 municipality of this state that has ~~not~~ approved either the package sale of distilled spirits
36 or the sale of distilled spirits by the drink, or both, as provided in this chapter.

37 (e) A manufacturer or distiller issued a license pursuant to this Code section may provide
38 educational and promotional tours."

39 **SECTION 2.**

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

41 3-4-24.1.

42 (a) The commissioner may issue a license authorizing the manufacture of distilled spirits
43 from agricultural products other than perishable fruits grown in this state.

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

51 (c) It is unlawful for the licensee to sell or dispose of any such distilled spirits or alcohol:

52 (1) In any municipality, county, or unincorporated area of a county in which the sale of
53 distilled spirits or alcohol is prohibited by this chapter; or

54 (2) To any person not holding an importer's, broker's, or wholesaler's license issued
55 pursuant to this chapter or by another state.

56 (d) A manufacturer's or distiller's license may be issued pursuant to this Code section for
57 the manufacture of distilled spirits from agricultural products other than perishable fruits
58 in any county or municipality of this state that has approved either the package sale of
59 distilled spirits or the sale of distilled spirits by the drink, or both, as provided in this
60 chapter.

61 (e) A manufacturer or distiller issued a license pursuant to this Code section may provide
62 educational and promotional tours."

63 **SECTION 3.**

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