

House Bill 124

By: Representatives Harrell of the 106th, Taylor of the 79th, Powell of the 32nd, Fludd of the 64th, Cooke of the 18th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 3-3-7 of the Official Code of Georgia Annotated, relating to local
2 authorization and regulation of sales of alcoholic beverages on Sunday, so as to provide that
3 an election in which the votes cast are for disapproval of Sunday package sales by retailers
4 of malt beverages, wine, and distilled spirits shall not nullify the prior election results for
5 approval of Sunday package sales by retailers of malt beverages and wine; to provide for
6 related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 3-3-7 of the Official Code of Georgia Annotated, relating to local authorization
10 and regulation of sales of alcoholic beverages on Sunday, is amended by revising paragraph
11 (2) of subsection (q) as follows:

12 "(2) Any governing authority desiring to permit and regulate package sales by retailers
13 of malt beverages, wine, and distilled spirits on Sundays between the hours of 12:30 P.M.
14 and 11:30 P.M., pursuant to paragraph (1) of this subsection, shall so provide by proper
15 resolution or ordinance specifying the hours during such period when such package sales
16 may occur. Upon receipt of the resolution or ordinance, the election superintendent shall
17 issue the call for an election for the purpose of submitting the question of Sunday
18 package sales by retailers of malt beverages, wine, and distilled spirits to the electors of
19 that county or municipality for approval or rejection. The election superintendent shall
20 issue the call and shall conduct the election on a date and in the manner authorized under
21 Code Section 21-2-540. The election superintendent shall cause the date and purpose of
22 the election to be published once a week for four weeks immediately preceding the date
23 of the election in the official organ of the county. The ballot shall have written or printed
24 thereon the words:

25 '() YES Shall the governing authority of (name of county or municipality) be
 26 authorized to permit and regulate package sales by retailers of malt
 27 () NO beverages, wine, and distilled spirits on Sundays between the hours of 12:30
 28 P.M. and 11:30 P.M.?'

29 All persons desiring to vote for approval of package sales by retailers of malt beverages,
 30 wine, and distilled spirits on Sundays between the hours of 12:30 P.M. and 11:30 P.M.
 31 shall vote 'Yes,' and all persons desiring to vote for rejection of package sales by retailers
 32 of malt beverages, wine, and distilled spirits on Sundays between the hours of 12:30 P.M.
 33 and 11:30 P.M. shall vote 'No.' If more than one-half of the votes cast on the question are
 34 for approval of Sunday package sales by retailers of malt beverages, wine, and distilled
 35 spirits on Sundays between the hours of 12:30 P.M. and 11:30 P.M., the resolution or
 36 ordinance approving such Sunday package sales by retailers of malt beverages, wine, and
 37 distilled spirits shall become effective upon the date so specified in that resolution or
 38 ordinance. If more than one-half of the votes cast on the question are for disapproval of
 39 Sunday package sales by retailers of malt beverages, wine, and distilled spirits on
 40 Sundays between the hours of 12:30 P.M. and 11:30 P.M., such rejection shall not nullify
 41 the prior election results for approval of Sunday package sales by retailers of malt
 42 beverages and wine on Sundays between the hours of 12:30 P.M. and 11:30 P.M.
 43 pursuant to subsection (p) of this Code section. The expense of the election shall be
 44 borne by the county or municipality in which the election is held. The election
 45 superintendent shall canvass the returns, declare the result of the election, and certify the
 46 result to the Secretary of State."

47 **SECTION 2.**

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