

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 7 of Title 3 of the Official Code of Georgia Annotated,
2 relating to local authorization and regulation of the sale of distilled spirits by private clubs,
3 so as to repeal a population provision related to the issuance of alcoholic beverage licenses
4 to private clubs by governing authorities of certain counties and municipalities, privileges
5 conferred by such licenses, rules and regulations, and sale by wholesalers to licensees which
6 has been judicially found to be unconstitutional; to provide for related matters; to provide an
7 effective date; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 WHEREAS, Code Section 3-7-43 of the Official Code of Georgia Annotated has been
11 declared unconstitutional by the Georgia Supreme Court in *Regency Club v. Stuckey*,
12 253 Ga. 583, 324 S.E. 2d 166 (1984), on the basis that there is no rational relationship
13 between the population bracket established by such Code section which only Laurens County
14 falls within, and the right to vote on whether a local governing authority can issue alcoholic
15 beverage licenses to private clubs.

16 **SECTION 2.**

17 Article 3 of Chapter 7 of Title 3 of the Official Code of Georgia Annotated, relating to local
18 authorization and regulation of the sale of distilled spirits by private clubs, is amended by
19 repealing in its entirety Code Section 3-7-43, relating to the issuance of alcoholic beverage
20 licenses to private clubs by governing authorities of certain counties and municipalities,
21 privileges conferred by such licenses, rules and regulations, and sale by wholesalers to
22 licensees.

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SECTION 3.

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This Act shall become effective upon its approval by the Governor or upon its becoming law

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without such approval.

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SECTION 4.

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All laws and parts of laws in conflict with this Act are repealed.