

Senate Bill 240

By: Senator Hill of the 6th

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

To amend Article 1 of Chapter 9 of Title 3 of the Official Code of Georgia Annotated, relating to the sale of alcoholic beverages by passenger carriers, nonprofit organizations, and hotels and motels, so as to provide for the licensing of the production of distilled spirits for educational purposes by non-profit museums; to create a definition of non-profit museum; to provide a permit fee; to provide limitations of such permits; to waive certain alcohol tax and bond requirements for non-profit museums; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 9 of Title 3 of the Official Code of Georgia Annotated, relating to the sale of alcoholic beverages by passenger carriers, nonprofit organizations, and hotels and motels, is amended by adding a new Code section to read as follows:

"3-9-7.

(a) As used in this article, the term 'non-profit museum' means a museum whose mission includes educating the public about the local, state and national history of the United States of America, that is owned and operated by a bona fide nonprofit civic organization which holds title to improved real property with a structure listed on the National Register of Historic Places.

(b) Notwithstanding any other provision contained in this title or any other law the commissioner may issue a permit to produce distilled spirits to a non-profit museum, regardless of whether or not such non-profit museum holds an annual license to sell malt beverages, wine, or distilled spirits for consumption on the premises, upon the filing of an application and payment of an annual fee of \$100.00 by such non-profit museum, provided that:

(1) The non-profit museum shall not produce more than 800 liters of distilled spirits each calendar year;

(2) The non-profit museum is located in a county or municipality where the production of distilled spirits is authorized; and

(3) The production of distilled spirits, except as otherwise provided in this code section, shall be used for educational purposes only.

(c) The distilled spirits produced by the non-profit museum may be stored and aged on the premises of the non-profit museum only.

(d) The distilled spirits produced by the non-profit museum may only be used on the premises of the non-profit museum and may not be sold or offered for sale by the non-profit museum to importers, brokers, producers, wholesalers, retailers, or other retail consumption dealers of alcoholic beverages.

(e) The permit authorized by this code section, authorizes the non-profit museum to provide not more than one-half of an ounce as a complimentary sample of the distilled spirits produced at the non-profit museum, to a guest who has completed an educational tour of the distillery at the non-profit museum and is of legal drinking age provided that the non-profit museum may not impose a separate charge for the sample and further provided that the non-profit museum shall not provide, directly or indirectly, more than the one sample to a guest in one calendar day. Such sample shall be provided in a designated tasting area on the premises of the non-profit museum, and all open bottles shall be visible at all times.

(f) The distilled spirits produced by a non-profit museum shall be exempt from the taxes imposed by Code Section 3-4-60.

(g) A non-profit museum shall be exempt from the occupational license tax imposed by Code Section 3-4-20 and shall be exempt from the requirement to post a bond as required by Code Section 3-4-22."

SECTION 2.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 3.

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