

ADOPTED

Representative Roberts of the 155th offers the following amendment:

1 *Amend HB 85 (LC 36 2597) by deleting lines 1 and 2 and inserting in lieu thereof the*
 2 *following:*

3 To amend Chapter 3 of Title 3 of the Official Code of Georgia Annotated, relating to the
 4 regulation of alcoholic beverages generally, so as to provide for local control of distance
 5 requirements for grocery stores as to the retail sale of wine and malt beverages for
 6 consumption off the premises only such that grocery stores shall be allowed to open in
 7 locations near school buildings and school grounds if so permitted by the local governing
 8 authority; to change

9 *By deleting lines 9 and 10 and inserting in lieu thereof the following:*

10 Chapter 3 of Title 3 of the Official Code of Georgia Annotated, relating to the regulation of
 11 alcoholic beverages generally, is amended by revising subsection (a) of Code Section 3-3-21,
 12 relating to sales of alcoholic beverages near churches, school buildings, or other sites, as
 13 follows:

14 "(a)(1) No person knowingly and intentionally may sell or offer to sell:

15 (A) Any distilled spirits in or within 100 yards of any church building or within 200
 16 yards of any school building, educational building, school grounds, or college campus;

17 (B) Any wine or malt beverages within 100 yards of any school building, school
 18 grounds, or college campus. This subparagraph shall not apply at any location for
 19 which a license has been issued prior to July 1, 1981, nor to the renewal of such license.
 20 Nor shall this subparagraph apply at any location for which a new license is applied for
 21 if the sale of wine and beer was lawful at such location at any time during the 12
 22 months immediately preceding such application. Nothing in this subparagraph shall
 23 prohibit a grocery store licensed for the retail sale of only wine and malt beverages for
 24 consumption off the premises from selling wine or malt beverages within 100 yards of
 25 any school building, school grounds, or college campus, where so permitted by
 26 resolution or ordinance of the county or municipality. As used in this subparagraph, the
 27 term 'grocery store' means a retail establishment which has at least 85 percent of its
 28 total retail floor space reserved for the sale of food and other nonalcoholic items,
 29 conducts all of its sales inside the building containing its retail floor space, and meets
 30 such other criteria as may be required by the local governing authority of the county or
 31 municipality; or

32 (C) Any distilled spirits, wine, or malt beverages within 100 yards of an alcoholic
 33 treatment center owned and operated by this state or any county or municipal

34 government therein. This paragraph shall not apply to any business having a license
35 in effect on July 1, 1981.

36 (2) As used in this subsection, the term 'school building' or 'educational building' shall
37 apply only to state, county, city, or church school buildings and to such buildings at such
38 other schools in which are taught subjects commonly taught in the common schools and
39 colleges of this state and which are public schools or private schools as defined in
40 subsection (b) of Code Section 20-2-690."

41 **SECTION 2.**

42 Said chapter is further amended by revising Code

43 *By deleting line 35 and inserting in lieu thereof the following:*

44 **SECTION 3.**