

House Bill 175

By: Representatives Cox of the 108<sup>th</sup>, Maxwell of the 17<sup>th</sup>, and Chandler of the 105<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 2 of Chapter 3 of Title 3 of the Official Code of Georgia Annotated,  
2 relating to prohibited acts regarding alcoholic beverages, so as to permit counties and  
3 municipalities by resolution or ordinance to reduce the prohibited distances from school  
4 buildings and other sites in which eating establishments may sell beer and wine for  
5 consumption on the premises; to provide for related matters; to repeal conflicting laws; and  
6 for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 2 of Chapter 3 of Title 3 of the Official Code of Georgia Annotated, relating to  
10 prohibited acts regarding alcoholic beverages, is amended by revising Code Section 3-3-21,  
11 relating to sales of alcoholic beverages near churches, school buildings, or other sites, by  
12 adding a new subsection to read as follows:

13 "(f) Nothing in this Code section shall prohibit an eating establishment which is licensed  
14 for the sale of only wine and malt beverages for consumption on the premises from selling  
15 wine and malt beverages on the premises within a distance closer to a school building,  
16 school grounds, college campus, or housing authority property, where so permitted by  
17 resolution or ordinance of the county or municipal governing authority. For purposes of  
18 this subsection, the term 'eating establishment' means an establishment which derives at  
19 least 50 percent of its total annual gross food and beverage sales from the sale of prepared  
20 meals or food."

21 **SECTION 2.**

22 All laws and parts of laws in conflict with this Act are repealed.