

MOOT

Senators Cowsert of the 46th, Shafer of the 48th, Mullis of the 53rd, Gooch of the 51st and Kennedy of the 18th offers the following amendment:

1 *Amend the AM 37 0355 to the Senate Committee on Regulated Industries and Utilities*
2 *substitute to SB 226 (LC 36 3320S) by deleting lines 1 through the end and inserting in lieu*
3 *thereof the following:*

4 *"Amend the Senate Committee on Regulated Industries and Utilities substitute to SB 226*
5 *(LC 36 3320S) by inserting between "beverages;" and "to" on line 2 the following:*

6 *to provide that in each county or municipality in which the sale of alcoholic beverages for*
7 *consumption on the premises is lawful, the governing authority of such county or*
8 *municipality may authorize the sale of alcoholic beverages for consumption on the premises*
9 *on Sundays between 10:30 A.M. and 12:00 Midnight, if approved by referendum; to provide*
10 *procedures; to specify that rejection shall not nullify prior election results for approval of the*
11 *sale of alcoholic beverages for consumption on the premises on Sundays;*

12 *By inserting between "wineries;" and "to" on line 3 the following:*

13 *to provide for payment of the expense of a referendum election; to provide for farm wineries*
14 *to sell wine earlier than 12:30 P.M. on Sundays under certain circumstances;*

15 *By inserting between lines 8 and 9 the following:*

16 *amended by adding a new subsection to Code Section 3-3-7, relating to local authorization*
17 *and regulation of sales of alcoholic beverages on Sunday, as follows:*

18 "(s)(1) Notwithstanding other laws, in each county or municipality in which the sale of
19 alcoholic beverages is lawful for consumption on the premises, the governing authority
20 of the county or municipality, as appropriate, may authorize the sale of alcoholic
21 beverages for consumption on the premises on Sundays from 10:30 A.M. until 12:00
22 Midnight, if such Sunday sales are approved by referendum as provided in paragraph (2)
23 of this subsection.

24 (2) Any governing authority desiring to permit and regulate the sale of alcoholic
25 beverages for consumption on the premises on Sundays from 10:30 A.M. until 12:00
26 Midnight, pursuant to paragraph (1) of this subsection, shall so provide by proper
27 resolution or ordinance specifying the hours during such period when such sales may
28 occur. Upon receipt of the resolution or ordinance, the election superintendent shall issue
29 the call for an election for the purpose of submitting the question the sale of alcoholic
30 beverages for consumption on the premises on Sundays from 10:30 A.M. until 12:00

Midnight to the electors of that county or municipality for approval or rejection. The election superintendent shall issue the call and shall conduct the election on a date and in the manner authorized under Code Section 21-2-540. The election superintendent shall cause the date and purpose of the election to be published once a week for four weeks immediately preceding the date of the election in the official organ of the county. The ballot shall have written or printed thereon the words:

- YES Shall the governing authority of (name of county or municipality) be authorized to permit and regulate the sale of alcoholic beverages for consumption on the premises on Sundays between the hours of 10:30 A.M. until and 12:00 Midnight?

NO

All persons desiring to vote for approval of the sale of alcoholic beverages for consumption on the premises on Sundays from 10:30 A.M. until 12:00 Midnight shall vote 'Yes,' and all persons desiring to vote for rejection of the sale of alcoholic beverages for consumption on the premises on Sundays from 10:30 A.M. until 12:00 Midnight shall vote 'No.' If more than one-half of the votes cast on the question are for approval of the sale of alcoholic beverages for consumption on the premises on Sundays from 10:30 A.M. until 12:00 Midnight, the resolution or ordinance approving such sales shall become effective upon the date so specified in that resolution or ordinance. If more than one-half of the votes cast on the question are for disapproval of the sale of alcoholic beverages for consumption on the premises on Sundays from 10:30 A.M. until 12:00 Midnight, such rejection shall not nullify the prior election results for approval of the sale of alcoholic beverages for consumption on the premises on Sundays pursuant to any provision of this title nor shall such rejection nullify any resolution or ordinance allowing such sales on Sundays at certain times, facilities, or locations as otherwise authorized under this title.

(3) The expense of the election shall be borne by the county or municipality in which the election is held. The election superintendent shall canvass the returns, declare the result of the election, and certify the result to the Secretary of State."

SECTION 2.

Said title is further

By redesignating Sections 2 and 3 as Sections 4 and 5, respectively, and inserting between lines 69 and 70 the following:

SECTION 3.

Said title is further amended by revising Code Section 3-6-21.2, relating to Sunday sales on farm wineries, off-site sales, and sales in special entertainment districts, as follows:

65 "3-6-21.2.

66 Notwithstanding any other provisions of this title to the contrary, in all counties in which
67 the sale of wine is lawful by a farm winery and in all municipalities in which the sale of
68 wine is lawful by a farm winery, a farm winery which is licensed to sell its wine in a tasting
69 room or other licensed farm winery facility within the county or municipality, as the case
70 may be, for consumption on the premises or in closed packages for consumption off the
71 premises shall be authorized to sell its wine and the wine of any other Georgia farm winery
72 licensee on Sundays from 12:30 P.M. until 12:00 Midnight ~~in the in a~~ tasting room or other
73 licensed farm winery facility, to the same extent as its county or municipal license would
74 otherwise permit; provided, however, that if such sales of wine on Sundays are lawful at
75 a time earlier than 12:30 P.M. within the county or municipality in which the licensed
76 premises of the Georgia farm winery is located, the Georgia farm winery shall be
77 authorized to sell its wine and the wine of any other Georgia farm winery licensee
78 beginning at such earlier time. Nothing in this Code section shall be construed so as to
79 authorize a farm winery to sell wine as provided in this Code section on any other premises
80 which are not actually located on the property where such farm wine is produced, except
81 in special entertainment districts designated by the local governing authority of the county
82 or municipality, as applicable.""