

House Bill 76 (COMMITTEE SUBSTITUTE)

By: Representatives Stephens of the 164<sup>th</sup>, Harrell of the 106<sup>th</sup>, and Dickerson of the 113<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 3 of the Official Code of Georgia Annotated, relating to alcoholic beverages,  
2 so as to specify that counties and municipalities may regulate alcohol licenses for retail  
3 package sales for consumption off the premises as to certain distances in a manner that is less  
4 but not more restrictive than those distances specified by the state; to provide for related  
5 matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Title 3 of the Official Code of Georgia Annotated, relating to alcoholic beverages, is  
9 amended by revising subsection (b) of Code Section 3-3-21, relating to sales of alcoholic  
10 beverages near churches, school buildings, or other sites, as follows:

11 "(b) Nothing contained in this Code section shall prohibit the licensing of the sale or  
12 distribution of alcoholic beverages by:

13 (1) Hotels of 50 rooms or more which have been in continuous operation for a period of  
14 at least five years preceding July 1, 1981;

15 (2) Bona fide private clubs, owning their own homes, subject to licensing under  
16 Chapter 7 of this title; ~~and~~

17 (3) Licensees for the retail sale of alcoholic beverages for consumption on the premises  
18 only who shall be subject to regulation as to distances from churches, schools, and  
19 colleges by counties and municipalities; and

20 (4) Licensees for retail sale packages of alcoholic beverages for consumption off the  
21 premises who shall be subject to regulation as to distances from colleges by counties and  
22 municipalities; provided, however, that such distances may be less restrictive than those  
23 provided in this Code section but shall not be more restrictive; and provided, further, that  
24 if such licensees are not regulated as to distances from colleges by a county or  
25 municipality, then the distances set forth in this Code section shall govern such licensees.

26 For purposes of this subsection, the term 'college' shall include, but shall not be limited to,  
27 all buildings, campuses, and grounds of a college."

28 **SECTION 2.**

29 All laws and parts of laws in conflict with this Act are repealed.