

Senate Bill 174

By: Senators Ginn of the 47th, Gooch of the 51st, Martin of the 9th, Williams of the 19th and Williams of the 27th

A BILL TO BE ENTITLED
AN ACT

To amend Title 3 of the Official Code of Georgia Annotated, relating to alcoholic beverages, so as to provide for the operation of company stores by distillers and brewers at which the public can purchase limited quantities of the beverages produced by such distillers and brewers under limited conditions; to define a term; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 3 of the Official Code of Georgia Annotated, relating to alcoholic beverages, is amended in Article 1 of Chapter 4, relating to general provisions relating to distilled spirits, by adding a new Code section to read as follows:

"3-4-4.

(a) The General Assembly reaffirms the policy of this state regarding the strict enforcement of laws and regulations applicable to the manufacture or sale of distilled spirits, including, without limitation, those establishing the three-tier distribution system with prohibitions against ownership and employment interests between the three tiers but creates a limited exception for the operation of a company store as defined in this section.

(b) As used in this Code section, the term 'company store' means an area:

(1) Used by a distiller for promoting distilled spirits manufactured by such distiller through the selling of limited quantities of such distilled spirits for consumption off the premises;

(2) Located on the licensed premises of the distiller or on property located contiguous to such premises; and

(3) Owned or leased by the distiller or an affiliate of the distiller.

(c) A distiller licensed under this title may sell a maximum of 1.5 liters per person, per day of distilled spirits manufactured by such distiller to the public in a company store for consumption off the premises.

(d) The commissioner shall promulgate rules and regulations for the licensing of such company stores. Such company stores shall be licensed separately from the distiller as retail dealers and shall be subject to taxation as retail dealers of distilled spirits. The distilled spirits sold through the company store shall be obtained from a wholesale distributor as provided by law.

(e) Distilled spirits sold in a company store shall be sold at a price approximating retail prices generally charged for identical beverages in the county where such company store is located.

(f) In accordance with Code Section 3-2-1 and paragraph (3) of subsection (a) of Code Section 50-13-4, the department shall promulgate and enforce such rules and regulations as it may deem necessary to make effective the provisions of this Code section.

(g) Any distiller licensed in this state may conduct educational and promotional tours."

SECTION 2.

Said title is further amended in Article 1 of Chapter 5, relating to general provisions regarding malt beverages, by adding a new Code section to read as follows:

"3-5-6.

(a) The General Assembly reaffirms the policy of this state regarding the strict enforcement of laws and regulations applicable to the manufacture or sale of malt beverages, including, without limitation, those establishing the three-tier distribution system with prohibitions against ownership and employment interests between the three tiers but creates a limited exception for the operation of a company store as defined in this section.

(b) As used in this Code section, the term 'company store' means an area:

(1) Used by a brewer for promoting malt beverages manufactured by such brewer through the selling of limited quantities of such malt beverages for consumption off the premises;

(2) Located on the licensed premises of the brewer or on property located contiguous to such premises; and

(3) Owned or leased by the brewer or an affiliate of the brewer.

(c) A brewer licensed under this title may sell a maximum of 4.5 liters per person, per day of malt beverages manufactured by such brewer to the public in a company store for consumption off the premises.

(d) The commissioner shall promulgate rules and regulations for the licensing of such company stores. Such company stores shall be licensed separately from the brewer as retail dealers and shall be subject to taxation as a retail dealer of malt beverages. The malt

62 beverages sold through the company store shall be obtained from a wholesale distributor
63 as provided by law.
64 (e) Malt beverages sold in a company store shall be sold at a price approximating retail
65 prices generally charged for identical beverages in the county where such company store
66 is located.
67 (f) In accordance with Code Section 3-2-1 and paragraph (3) of subsection (a) of Code
68 Section 50-13-4, the department shall promulgate and enforce such rules and regulations
69 as it may deem necessary to make effective the provisions of this Code section.
70 (g) Any brewer licensed in this state may conduct educational and promotional tours."

71 **SECTION 3.**

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