

House Bill 210

By: Representatives Smith of the 18th, Carpenter of the 4th, Hagan of the 156th, Franklin of the 160th, Cannon of the 172nd, and others

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 revise provisions relating to retail dealers of alcoholic beverages; to authorize the
3 issuance or holding of a beneficial interest in additional retail dealer licenses; to require that
4 the new location of a licensee of such additional retail dealer license be located in the same
5 county as the location previously occupied; to increase the number of tasting events a retail
6 package liquor store may conduct; to provide an effective date; to provide for related matters;
7 to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Title 3 of the Official Code of Georgia Annotated, relating to alcoholic beverages is amended
11 by revising Code Section 3-4-21, relating to prohibition of holding or having beneficial
12 interest in more than two retail dealer licenses, as follows:

13 "3-4-21.

14 (a)(1) Except as provided in subsections (b) and (d) of this Code section, no ~~No~~ person
15 shall be issued or have a beneficial interest in, regardless of the degree of such interest,
16 ~~more than two retail dealer licenses, nor shall any person be permitted to have a~~

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17 ~~beneficial interest in more than two retail dealer licenses~~ issued under this chapter;
18 ~~regardless of the degree of such interest.~~

19 (b)(1) In addition to the two retail dealer licenses that a person may be issued or have a
20 beneficial interest in pursuant to subsection (a) of this Code section and subject to the
21 limitations provided in paragraph (2) of this subsection, a person may be issued or have
22 a beneficial interest in additional retail dealer licenses provided that the place of business
23 in connection with each such additional retail dealer license is located in a county that,
24 as of the most recent fiscal year, collected \$750 million or more in tax revenue. For
25 purposes of this paragraph, the determination of whether a county has, as of the most
26 recent fiscal year, collected \$750 million or more in tax revenue shall be made at the time
27 a person applies for such additional retail dealer license or at the time a person obtains
28 a beneficial interest in such additional retail dealer license and such additional retail
29 dealer license shall not be impacted by the amount of tax revenue collected by such
30 county in future fiscal years.

31 (2) The number of additional retail dealer licenses that a person may be issued or have
32 a beneficial interest in pursuant to paragraph (1) of this subsection shall be as follows:

33 (A) Prior to July 1, 2026, no person shall be issued more than one such additional retail
34 dealer license;

35 (B) Prior to July 1, 2027, no person shall be issued or have a beneficial interest in more
36 than two such additional retail dealer licenses;

37 (C) Prior to July 1, 2028, no person shall be issued or have a beneficial interest in more
38 than three such additional retail dealer licenses;

39 (D) Prior to July 1, 2029, no person shall be issued or have a beneficial interest in more
40 than four such additional retail dealer licenses;

41 (E) Prior to July 1, 2030, no person shall be issued or have a beneficial interest in more
42 than five such additional retail dealer licenses;

43 (F) Prior to July 1, 2031, no person shall be issued or have a beneficial interest in more
 44 than six such additional retail dealer licenses; and

45 (G) On and after July 1, 2032, no person shall be issued or have a beneficial interest
 46 in more than seven such additional retail dealer licenses.

47 ~~(b)~~(c) As used in For purposes of this Code section:

48 (1) The term 'person' shall include all members of a retail dealer licensee's family; and
 49 the term 'family' shall include any person related to the holder of the license within the
 50 first degree of consanguinity and affinity as computed according to the canon law.

51 (2) The beneficiaries of a trust shall be considered to have a beneficial interest in any
 52 business forming a part of the trust estate.

53 ~~(e)~~(d) Nothing contained in this Code section shall prohibit the reissuance of a valid retail
 54 dealer license if the license has been:

55 (1) Held prior to the creation of any of the above relationships by marriage; or

56 (2) Held prior to April 3, 1978."

57 **SECTION 2.**

58 Said title is further amended by revising Code Section 3-4-21.1, relating to requirement for
 59 retail license and application of existing license to new location, as follows:

60 "3-4-21.1.

61 (a) A separate retail license shall be required for each place of business.

62 (b) In cases where a retail licensee is moving ~~his~~ their package sales business to a different
 63 location, ~~he~~ such licensee shall be authorized to make application to have the license for
 64 the location previously occupied apply to the new location. Anything contained in Code
 65 Section 3-4-21 to the contrary notwithstanding, if the retail licensee complies with all other
 66 requirements of law, the commissioner shall authorize the existing license to apply to the
 67 new location; provided, however, that, if the retail license in connection with the location
 68 previously occupied is an additional retail dealer license issued pursuant to paragraph (1)

69 of subsection (b) of Code Section 3-4-21, such license shall only apply to the new location
70 if the new location is located in the same county as the location previously occupied."

71 **SECTION 3.**

72 Said title is further amended by revising Code Section 3-15-2, relating to terms and
73 conditions for limited tasting events, as follows:

74 "3-15-2.

75 Notwithstanding any other provision of this title, in all counties and municipalities in which
76 the sale of alcoholic beverages is lawful, retail package liquor stores shall be authorized to
77 conduct up to ~~52~~ 104 tasting events per calendar year, subject to the following terms and
78 conditions:

79 (1) A tasting event shall only take place on the licensed premises and only at times at
80 which such alcoholic beverages may be lawfully sold on such licensed premises;

81 (2) Only one tasting event per day may be held on the licensed premises and such tasting
82 event shall not exceed four hours;

83 (3) Only one type of alcoholic beverage may be served at a tasting event, either malt
84 beverages, wine, or distilled spirits; provided, however, that more than one brand of such
85 type of alcoholic beverage may be offered so long as not more than four packages are
86 open at any one time;

87 (4) If the tasting event is for malt beverages, a consumer shall not be served more than
88 eight ounces of malt beverages during such tasting event. If the tasting event is for wine,
89 a consumer shall not be served more than five ounces of wine during such tasting event.
90 If the tasting event is for distilled spirits, a consumer shall not be served more than one
91 and one-half ounces of distilled spirits during such tasting event;

92 (5) Only alcoholic beverages that the licensee is licensed to sell on the licensed premises
93 may be offered as part of a tasting event, and such alcoholic beverages shall be part of the
94 licensee's inventory;

- 95 (6) Only food that is lawful to sell on the licensed premises, under this title or under any
96 rules or regulations of the commissioner, may be served as part of a tasting event. Such
97 food shall be offered at no cost to the consumer;
- 98 (7) Any operator or employee of the licensee may refuse to provide any brand, type, or
99 quantity of alcoholic beverage to any consumer;
- 100 (8) The licensee shall notify the governing authority of the county or municipality in
101 which the licensed premises is located prior to holding a tasting event;
- 102 (9) Any broken package containing alcoholic beverages on the licensed premises that is
103 not licensed for retail sales for consumption on the premises shall be kept locked in a
104 secure room or cabinet by the operator of the licensed premises except when in use
105 during a tasting event;
- 106 (10) Representatives and salespersons of manufacturers or wholesalers may attend a
107 tasting event; provided, however, that such representatives and salespersons shall not host
108 the tasting event, pour any alcoholic beverage, or provide anything of value to any
109 consumer or to the licensee or an employee of a licensee; and
- 110 (11) Any other terms, conditions, and limitations as may be required or imposed by the
111 governing authority of the county or municipality in which the licensed premises is
112 located."

113 **SECTION 4.**

114 This Act shall become effective on July 1, 2025.

115 **SECTION 5.**

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