

Senate Bill 456

By: Senators Bearden of the 30th, Anavitarte of the 31st, Robertson of the 29th, Summers of the 13th, Hickman of the 4th 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 provide for regulation of the manufacture, distribution, and sale of certain alcoholic
3 beverages; to provide for a definition; to provide for the state revenue commissioner to
4 promulgate certain rules and regulations; to authorize manufacturers of malt beverages to sell
5 the malt beverages they produce, subject to certain limitations and conditions; to increase the
6 daily maximum of malt beverages per individual per day of sales for consumption off the
7 premises; to permit small brewers to sell a limited quantity of malt beverages at wholesale;
8 to provide for related matters; to provide for effective dates; to repeal conflicting laws; and
9 for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Title 3 of the Official Code of Georgia Annotated, relating to alcoholic beverages, is
13 amended by adding a new paragraph to Code Section 3-1-2, relating to definitions, to read
14 as follows:

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15 “(20.1) 'Small brewer' means a brewer or brewpub whose sales of products to such
16 brewer's or brewpub's wholesaler licensed under this title, if any, do not exceed 15
17 percent of such wholesaler's total sales in the prior calendar year.”

18 **SECTION 2.**

19 Said title is further amended by revising subsection (b) of Code Section 3-5-24.1, relating to
20 exception to three-tier system, transfer of liquids, sales at brewer's licensed premises, taxing,
21 regulatory authority, and conditions or limitations, as follows:

22 “(b) A limited exception to the provisions of this title providing a three-tier system for the
23 distribution and sale of malt beverages shall exist to the extent that the license to
24 manufacture malt beverages in this state shall include the right to sell malt beverages to
25 individuals on the brewer's licensed premises for personal use and not for resale, subject
26 to the following terms and conditions:

27 (1) The brewer may only make sales of malt beverages to an individual while the
28 individual is physically on the brewer's licensed premises where the brewer produces malt
29 beverages;

30 (2) The brewer may make sales of malt beverages the brewer produces at the brewer's
31 licensed premises where the individual is purchasing the malt beverages;

32 (3) As long as the brewer and all of the brewer's licensed premises are under common
33 ownership, the brewer may make sales of malt beverages the brewer produces at any
34 licensed premises of the brewer and subsequently transfers in compliance with the
35 limitations and reporting obligations of subsection (c) of this Code section to the brewer's
36 licensed premises for sale where the individual is purchasing the malt beverages;

37 (4) The brewer may only make sales of malt beverages for which the brewer is the sole
38 owner of the brand and brand label;

39 (5) Sales for consumption on the premises are not subject to a daily maximum amount;

40 (6) Sales for consumption off the premises ~~shall not exceed a maximum of 288 ounces~~
 41 ~~of malt beverages per individual per day~~ are not subject to a daily maximum amount; and
 42 (7) The maximum amount of malt beverages the brewer may sell pursuant to this
 43 ~~subsection (b) of this Code section~~ in each calendar year shall be 6,000 barrels in the
 44 aggregate among all brewer's licensed premises making such sales."

45 SECTION 3.

46 Said title is further amended by adding a new Code section to read as follows:

47 "3-5-24.2.

48 (a) Notwithstanding the provisions of Code Section 3-5-24.1 and as a limited exception
 49 to the provisions of this title providing a three-tier system for the distribution and sale of
 50 malt beverages, the license to manufacture malt beverages in this state shall include for
 51 small brewers the right to:

52 (1) Sell per calendar year up to 1,000 barrels of malt beverages produced at the small
 53 brewer's licensed premises at wholesale to retailers licensed in this state that are located
 54 within the same county as the small brewer's licensed premises;

55 (2) Sell, deliver, and ship its malt beverages to other licensed brewers and brewpubs; and

56 (3) Acquire and receive deliveries and shipments of such malt beverages made by other
 57 licensed brewers and brewpubs.

58 (b) The commissioner shall promulgate and enforce such rules and regulations as he or she
 59 may deem reasonable and necessary to effectuate the provisions of this Code section."

60 SECTION 4.

61 Said title is further amended by revising Code Section 3-5-27, relating to malt beverages
 62 acquired by retail dealers from persons other than licensed wholesale dealers declared
 63 contraband, as follows:

64 "3-5-27.

65 Except as otherwise provided in this chapter, any Any malt beverage possessed, sold, or
66 offered for sale by a retail dealer which was purchased or otherwise acquired from any
67 person other than a wholesale dealer authorized to do business under this chapter is
68 declared to be contraband and shall be seized by the commissioner or the appropriate local
69 authorities and disposed of by the commissioner in the manner provided in this title."

70 **SECTION 5.**

71 For purposes of proposing rules and regulations, this Act shall become effective upon its
72 approval by the Governor or upon its becoming law without such approval. For all other
73 purposes, this Act shall become effective on July 1, 2026.

74 **SECTION 6.**

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