

The Senate Committee on Regulated Industries and Utilities offered the following substitute to HB 843:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 3 of Title 3 of the Official Code of Georgia Annotated, relating to  
2 regulation of alcoholic beverages generally, so as to provide regulations for the sale of  
3 alcoholic beverages at certain locations; to authorize local governing authorities to allow  
4 Sunday sales at wine bars or wine shops; to provide for Sunday sales of alcoholic beverages  
5 for consumption on the premises in locally designated special entertainment districts; to  
6 authorize retail dealers to offer discounts to consumers through premiums, coupons, or  
7 rebates on alcoholic beverages purchased for consumption off the premises; to provide  
8 certain conditions and requirements for the offering of such discounts; to provide definitions;  
9 to provide for related matters; to provide for an effective date; to repeal conflicting laws; and  
10 for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **SECTION 1.**

13 Chapter 3 of Title 3 of the Official Code of Georgia Annotated, relating to regulation of  
14 alcoholic beverages generally, is amended in Code Section 3-3-7, relating to local  
15 authorization and regulation of sales of alcoholic beverages on Sunday, by adding two new  
16 subsections to read as follows:

17 “(s)(1) As used in this subsection, the term 'wine bar' or 'wine shop' means any premises  
18 at which a retailer licensed to sell wine pursuant to this title sells wine but not any other  
19 alcoholic beverages.

20 (2) Notwithstanding any other provisions of law, in all counties or municipalities in  
21 which the sale of wine is lawful on Sundays, the governing authority of the county or  
22 municipality, as appropriate, may by adoption of a resolution or ordinance authorize the  
23 sale of wine by a wine bar or wine shop on Sundays at all times that sales of wine by any  
24 other retailers are lawful on Sundays within the county or municipality in which the wine  
25 bar or wine shop is located.

26 (t)(1) As used in this subsection, the term 'special entertainment district' means  
27 contiguous properties upon which is located a festival marketplace and entertainment  
28 project which receives or has received financing in whole or in part by public funds and  
29 which contains a minimum of 200,000 square feet of gross leasable space for retail sales  
30 and entertainment purposes and which is located in the central business district of a  
31 municipality if more than 50 percent of such contiguous properties are owned or  
32 controlled by a governmental entity.

33 (2) Notwithstanding any other provisions of law, a municipality may, by resolution or  
34 ordinance, authorize in any locally designated special entertainment district the sale of  
35 alcoholic beverages for consumption on the premises:

36 (A) On Saturdays from 11:55 P.M. and the three hours immediately following such  
37 time; and

38 (B) On Sundays from 11:00 A.M. until 12:00 Midnight.”

39 **SECTION 2.**

40 Said chapter is further amended by adding a new Code section to read as follows:

41 "3-3-12.

42 (a) As used in this Code section, the term 'discount' means a lower price offered through  
43 the use of a premium, coupon, or rebate.

44 (b) Notwithstanding any other provision of law, any retail dealer may offer a discount on  
45 alcoholic beverages sold for consumption off of the premises, provided that:

46 (1) Such discount is offered at all licensed premises owned or operated by the same retail  
47 dealer;

48 (2) Such discount is not specific to any particular brand of alcoholic beverages;

49 (3) All costs related to any such discount, including, but not limited to, printing,  
50 advertisement, redemption services, and the actual cost of the discount itself, are borne  
51 solely by the retail dealer;

52 (4) No manufacturer or wholesaler, or anyone acting on behalf of a manufacturer or  
53 wholesaler, has made any arrangement of any kind or character with the retail dealer in  
54 connection with the offering, use, or redemption of any discount; and

55 (5) The discount does not result in any alcoholic beverages being sold at a price less than  
56 the cost which such retail dealer paid for such alcoholic beverages. As used in this  
57 paragraph, cost shall include the wholesale price plus the local excise tax imposed, as  
58 reflected in invoices which the commissioner of revenue may require to be maintained  
59 on the site of such retail dealer's place of business."

60 **SECTION 3.**

61 This Act shall become effective upon its approval by the Governor or upon its becoming law  
62 without such approval.

63 **SECTION 4.**

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