

Senate Bill 444

By: Senators Anavitarte of the 31st, Ginn of the 47th, Albers of the 56th, Harbison of the 15th, Dixon of the 45th 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 authorize retail dealers to offer discounts to consumers through premiums, coupons,  
3 or rebates on alcoholic beverages purchased for consumption off the premises; to provide a  
4 definition; to provide certain conditions and requirements for the offering of such discounts;  
5 to provide for related 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 adding a new Code section to read as follows:

10 "3-3-12.

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

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

15 (1) Such discount is not specific to any particular brand of alcoholic beverages or to any  
16 particular licensed premises owned or operated by the same retail dealer;

- 17 (2) All costs related to any such discount, including, but not limited to, printing,  
18 advertisement, redemption services, and the actual cost of the discount itself, shall be  
19 borne solely by the retail dealer;
- 20 (3) No manufacturer or wholesaler, or anyone acting on behalf of a manufacturer or  
21 wholesaler, has made any arrangement of any kind or character with the retail dealer in  
22 connection with the offering, use, or redemption of any discount; and
- 23 (4) The discount does not result in any alcoholic beverages being sold at a price less than  
24 the cost which such retail dealer paid for such alcoholic beverages. As used in this  
25 paragraph, cost shall include the wholesale price plus the local excise tax imposed, as  
26 reflected in invoices which the commissioner of revenue may require to be maintained  
27 on the site of such retail dealer's place of business."

28 **SECTION 2.**

29 All laws and parts of laws in conflict with this Act are repealed.