

Senate Bill 286

By: Senators Murphy of the 27th, Gooch of the 51st, Ginn of the 47th, Miller of the 49th,
Wilkinson of the 50th and others

AS PASSED

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 change the maximum percent by volume of wine to that which is currently allowed
3 under federal law; to change the definition of certain terms; to authorize wineries to buy and
4 use certain products to manufacture particular types of wine; to provide for related matters;
5 to provide for an effective date; 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 revising paragraphs (8), (9), (14), and (24) of Code Section 3-1-2, relating to
10 definitions relative to alcoholic beverages, as follows:

11 "(8) 'Distilled spirits' means any alcoholic beverage obtained by distillation or containing
12 more than ~~21~~ 24 percent alcohol by volume, ~~including, but not limited to, all fortified~~
13 ~~wines.~~

14 (9) 'Fortified wine' means any alcoholic beverage containing not more than ~~21~~ 24 percent
15 alcohol by volume made from fruits, berries, or grapes either by natural fermentation or
16 by natural fermentation with brandy added. The term includes, but is not limited to,
17 brandy."

18 "(14) 'Manufacturer' means any maker, producer, or bottler of an alcoholic beverage.
19 The term also means:

20 (A) In the case of distilled spirits, any person engaged in distilling, rectifying, or
21 blending any distilled spirits; provided, however, that a vintner that blends wine with
22 distilled spirits to produce a fortified wine shall not be considered a manufacturer of
23 distilled spirits;

24 (B) In the case of malt beverages, any brewer; and

25 (C) In the case of wine, any vintner."

26 "(24) 'Wine' means any alcoholic beverage containing not more than ~~21~~ 24 percent
 27 alcohol by volume made from fruits, berries, or grapes either by natural fermentation or
 28 by natural fermentation with brandy added. The term includes, but is not limited to, all
 29 sparkling wines, champagnes, combinations of such beverages, vermouths, special
 30 natural wines, rectified wines, and like products. The term does not include cooking wine
 31 mixed with salt or other ingredients so as to render it unfit for human consumption as a
 32 beverage. A liquid shall first be deemed to be a wine at that point in the manufacturing
 33 process when it conforms to the definition of wine contained in this Code section."

34 **SECTION 2.**

35 Said title is further amended by revising paragraph (1) of Code Section 3-6-1, relating to
 36 definitions relative to wine, as follows:

37 "(1) 'Dessert wine' means a wine having an alcoholic strength of more than 14 percent
 38 alcohol by volume but not more than ~~21~~ 24 percent alcohol by volume."

39 **SECTION 3.**

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

41 "3-6-21.5.

42 A winery may purchase distilled spirits directly from a manufacturer of distilled spirits and
 43 blend with wine manufactured by the winery to produce fortified wine. Such distilled
 44 spirits shall not be used by the winery for any other purpose or used to create any other
 45 type of alcoholic beverage or product."

46 **SECTION 4.**

47 Said title is further amended by revising Code Section 3-6-25, relating to wine acquired from
 48 anyone other than a wholesale dealer authorized to do business declared contraband, as
 49 follows:

50 "3-6-25.

51 Any Except as provided in Code Sections 3-6-21.1 through 3-6-21.3 and Code
 52 Section 3-6-21.5, wine possessed, sold, or offered for sale by a retail dealer which was
 53 purchased or otherwise acquired from any person other than a wholesale dealer authorized
 54 to do business under this chapter is declared to be contraband and shall be seized and
 55 disposed of by the commissioner in the manner provided in this title."

56 **SECTION 5.**

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

59

SECTION 6.

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