

House Bill 825 (AS PASSED HOUSE AND SENATE)

By: Representatives Houston of the 170th, Greene of the 151st, Powell of the 171st, Watson of the 172nd, Shaw of the 176th, 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 permit fruit growers licensed as farm wineries to obtain a license authorizing the
3 production of distilled spirits and fortified wines pursuant to certain conditions; to limit the
4 number and location of tasting rooms a farm winery also licensed as a manufacturer of
5 distilled spirits is authorized to have; to provide for related matters; to provide for an
6 effective date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 SECTION 1.

9 Title 3 of the Official Code of Georgia Annotated, relating to alcoholic beverages, is
10 amended by revising subsection (c) of and adding a new subsection (f) to Code Section
11 3-4-24, relating to issuance of license to fruit growers to manufacture distilled spirits, storage
12 and disposition, limitations upon manufacture and sale, issuance of manufacturer's or
13 distiller's license in certain counties or municipalities, and educational and promotional tours,
14 as follows:

15 "(c) It is shall be unlawful for the licensee to sell or dispose of any such distilled spirits or
16 alcohol:

- 17 (1) In any municipality, county, or unincorporated area of a county in which the sale of
- 18 distilled spirits or alcohol is prohibited by this chapter; or
- 19 (2) To any person not holding an importer's, broker's, or wholesaler's license issued
- 20 pursuant to this chapter or by another state."

21 "(f) The commissioner may issue a license pursuant to this Code section to a fruit grower
22 licensed as a farm winery authorizing such fruit grower to manufacture distilled spirits and
23 fortified wines for sale exclusively through a licensed and designated wholesaler; provided,
24 however, that the farm winery has no more than one tasting room located on its licensed
25 premises. For purposes of this subsection, the term 'licensed premises' shall mean the

26 premises for which the farm winery license is issued or property located contiguous to the
27 farm winery and owned by the winery."

28 **SECTION 2.**

29 Title 3 is further amended by revising subsection (b) of Code Section 3-6-21.1, relating to
30 the licensing of farm wineries to engage in retail and wholesale sales, surety bonds, and
31 excise taxes, as follows:

32 "(b) The commissioner may authorize any Georgia farm winery to offer wine samples and
33 to make retail sales of its wine and the wine of any other Georgia farm winery in tasting
34 rooms at the winery and at five additional locations in ~~the~~ this state for consumption on the
35 premises and in closed packages for consumption off the premises; provided, however, that
36 notwithstanding any other provisions of this title to the contrary, if the licensee is also
37 issued a license pursuant to Code Section 3-4-24, the commissioner shall not authorize
38 more than one tasting room for such Georgia farm winery and shall require that such
39 tasting room shall be located on the licensed premises of the Georgia farm winery; and
40 provided, further, that the Georgia farm winery shall not sell its wine or the wine of any
41 other farm winery in more than one tasting room, and such tasting room shall be located
42 on the licensed premises of the Georgia farm winery. For purposes of this subsection, the
43 term 'licensed premises' shall mean the premises for which the farm winery license is
44 issued or property located contiguous to the farm winery and owned by the farm winery."

45 **SECTION 3.**

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

48 **SECTION 4.**

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