

Senate Bill 55

By: Senators Parent of the 42nd, Butler of the 55th, Lucas of the 26th, Harrell of the 40th, Kennedy of the 18th and others

AS PASSED

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 80 of Title 36 of the Official Code of Georgia Annotated, relating to
2 general provisions relative to counties, municipal corporations, and other governmental
3 entities, so as to prohibit requirements for a license, permit, or registration for businesses of
4 certain individuals under 18 years of age; to provide for a short title; to provide for
5 definitions; to provide for related matters; to provide for an effective date; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 80 of Title 36 of the Official Code of Georgia Annotated, relating to general
10 provisions relative to counties, municipal corporations, and other governmental entities, is
11 amended by adding a new Code section to read as follows:

12 "36-80-29.

13 (a) This Code section shall be known and may be cited as the 'Georgia Lemonade Stand
14 Act.'

15 (b) As used in this Code section, the term:

16 (1) 'Business' means any enterprise carried on for the purpose of gain or economic profit.

17 (2) 'Gross receipts' means all receipts from whatever sources derived before any
18 deductions and does not include tips, gratuities, or other amounts customarily assumed
19 to be intended for the individual who has served the customer or client.

20 (c) A county, municipal corporation, or other governmental entity shall not require a
21 license, permit, or registration for a business that:

22 (1) Is operated solely by an individual or individuals who are under 18 years of age and:

23 (A) Are enrolled in a public school, licensed private school, or licensed home study
24 program or a state approved adult education class if studying for a High School
25 Equivalency (HSE) diploma; or

26 (B) Have obtained a high school diploma or a High School Equivalency (HSE)
27 diploma;

28 (2) Is located on private property with the permission of the property owner;

29 (3) Generates gross receipts of \$5,000.00 or less in a calendar year; and

30 (4) Sells nonconsumable goods or prepackaged foods or lemonade or other
31 nonpotentially hazardous nonalcoholic beverages."

32 **SECTION 2.**

33 This Act shall become effective on July 1, 2023.

34 **SECTION 3.**

35 All laws and parts of laws in conflict with this Act are repealed.