

House Bill 787

By: Representatives Tanner of the 9th, Maxwell of the 17th, Stephens of the 164th, Kidd of the 145th, and Epps of the 144th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 8 of Chapter 4 of Title 3 of the Official Code of Georgia Annotated,
2 relating to tastings, so as to authorize limited retail sales of distilled spirits manufactured by
3 a craft distiller in a designated area on the premises of such distiller; to define certain terms;
4 to provide for the issuance of licenses for such retail sales; to require that the craft distiller
5 purchase the distilled spirits to be sold at retail from a licensed wholesaler; to specify the
6 price and quantity of distilled spirits that may be sold at retail by a craft distiller; to provide
7 for the conditions under which such retail sales may be conducted; to provide for the
8 collection of sales tax; to provide for related matters; to repeal conflicting laws; and for other
9 purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 style="text-align:center">**SECTION 1.**

12 Article 8 of Chapter 4 of Title 3 of the Official Code of Georgia Annotated, relating to
13 tastings, is amended by adding a new Code section to read as follows:

14 "3-4-181.

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

16 (1) 'Craft distiller' means a manufacturer of distilled spirits licensed pursuant to Code
17 Section 3-4-24 or 3-4-24.1 that produces on its licensed premises not more than 50,000
18 gallons of distilled spirits in a calendar year.

19 (2) 'Licensed premises' means a location in this state where the craft distiller is licensed
20 for the manufacturing, distilling, rectifying, or blending of distilled spirits.

21 (3) 'Retail sales' means sales of distilled spirits in unbroken packages at retail only to
22 consumers and not for resale.

23 (b) The commissioner shall, upon proper application therefor, issue a retail dealer's license
24 to a craft distiller authorizing such craft distiller to offer retail sales of distilled spirits on
25 its licensed premises in a designated retail sales area that may be the same area as the
26 designated tasting area for free tastings conducted pursuant to Code Section 3-4-180. Any

27 craft distiller licensed as a retail dealer shall only sell distilled spirits that are manufactured
28 by such craft distiller on the licensed premises where the retail sales are being conducted
29 and then subsequently purchased by the craft distiller from a licensed wholesaler pursuant
30 to Code Section 3-4-111. A craft distiller licensed as a retail dealer shall sell no more than
31 1.75 liters of distilled spirits to the same consumer per calendar day and shall sell such
32 distilled spirits at a price equal to or greater than the wholesale price paid by the craft
33 distiller to the licensed wholesaler for such product plus 20 percent.

34 (c) Any craft distiller conducting retail sales on its licensed premises pursuant to this Code
35 section shall pay applicable state and local sales tax on all retail sales. The craft distiller
36 shall maintain such sales tax reports, documentation, and other information as may be
37 required by the commissioner to ensure collection of all applicable taxes."

38 **SECTION 2.**

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