

House Bill 948

By: Representatives Jasperse of the 11<sup>th</sup>, Harrell of the 106<sup>th</sup>, Powell of the 171<sup>st</sup>, Smyre of the 135<sup>th</sup>, Burns of the 159<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to selling  
2 and other trade practices, so as to prohibit county, municipal, and consolidated governments  
3 from banning the commercial sales of goods, products, or items regulated by the United  
4 States Department of Agriculture, the United States Food and Drug Administration, or the  
5 Georgia Department of Agriculture, which are sold at properly zoned retail establishments;  
6 to provide for definitions; to provide for related matters; to provide for an effective date; to  
7 repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to selling and other  
11 trade practices, is amended by adding a new article to read as follows:

12 "ARTICLE 35

13 10-1-920.

14 As used in this article, the term:

15 (1) 'Goods' shall have the same meaning as provided for in paragraph (1) of Code  
16 Section 11-2-105.

17 (2) 'Retail establishment' means a business establishment owned by an individual,  
18 partnership, corporation, association, or other business entity which sells goods or  
19 services at retail.

20 10-1-921.

21 No city, county, consolidated government, or other local governing authority of this state  
22 shall prohibit, ban, or otherwise restrict the sale by a retail establishment of goods,  
23 products, or items which are regulated by the United States Department of Agriculture, the

24 United States Food and Drug Administration, or the Georgia Department of Agriculture,  
25 unless otherwise authorized by statute, so long as such sales are in compliance with any  
26 such regulations or laws and such retail establishment is in compliance with applicable  
27 zoning regulations."

28 **SECTION 2.**

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

31 **SECTION 3.**

32 All laws and parts of laws in conflict with this Act are repealed.