

The Senate Committee on Regulated Industries and Utilities offered the following substitute to SB 444:

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 authorize retail dealers to offer discounts to consumers through premiums, coupons,
3 or rebates on alcoholic beverages purchased for consumption off the premises; to provide a
4 definition; to provide certain conditions and requirements for the offering of such discounts;
5 to provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

7
8 Title 3 of the Official Code of Georgia Annotated, relating to alcoholic beverages, is
9 amended by adding a new Code section to read as follows:

10 "3-3-12.

11 (a) As used in this Code section, the term 'discount' means a lower price offered through
12 the use of a premium, coupon, or rebate.

13 (b) Notwithstanding any other provision of law, any retail dealer may offer a discount on
14 alcoholic beverages sold for consumption off of the premises, provided that:

15 (1) Such discount is offered at all licensed premises owned or operated by the same retail
16 dealer;

- 17 (2) Such discount is not specific to any particular brand of alcoholic beverages;
18 (3) All costs related to any such discount, including, but not limited to, printing,
19 advertisement, redemption services, and the actual cost of the discount itself, are borne
20 solely by the retail dealer;
21 (4) No manufacturer or wholesaler, or anyone acting on behalf of a manufacturer or
22 wholesaler, has made any arrangement of any kind or character with the retail dealer in
23 connection with the offering, use, or redemption of any discount; and
24 (5) The discount does not result in any alcoholic beverages being sold at a price less than
25 the cost which such retail dealer paid for such alcoholic beverages. As used in this
26 paragraph, cost shall include the wholesale price plus the local excise tax imposed, as
27 reflected in invoices which the commissioner of revenue may require to be maintained
28 on the site of such retail dealer's place of business."

29

SECTION 2.

30 All laws and parts of laws in conflict with this Act are repealed.