

House Bill 539

By: Representative Kirby of the 114<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 2 of Chapter 4 of Title 3 of the Official Code of Georgia Annotated,  
2 relating to state license requirements and regulations for manufacture, distribution, and  
3 package sales of distilled spirits, so as to change the number of retail dealer licenses that a  
4 person may hold or have a beneficial interest in; to provide for related matters; to repeal  
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 2 of Chapter 4 of Title 3 of the Official Code of Georgia Annotated, relating to state  
9 license requirements and regulations for manufacture, distribution, and package sales of  
10 distilled spirits, is amended by revising Code Section 3-4-21, relating to prohibition of  
11 holding or having beneficial interest in more than two retail dealer licenses, as follows:

12 "3-4-21.

13 (a) No person shall be issued more than ~~two~~ 11 retail dealer licenses, nor shall any person  
14 be permitted to have a beneficial interest in more than ~~two~~ 11 retail dealer licenses issued  
15 under this chapter, regardless of the degree of such interest.

16 (b) For purposes of this Code section:

17 (1) The term 'person' shall include all members of a retail dealer licensee's family; and  
18 the term 'family' shall include any person related to the holder of the license within the  
19 first degree of consanguinity and affinity as computed according to the canon law.

20 (2) The beneficiaries of a trust shall be considered to have a beneficial interest in any  
21 business forming a part of the trust estate.

22 (c) Nothing contained in this Code section shall prohibit the reissuance of a valid retail  
23 dealer license if the license has been:

24 (1) Held prior to the creation of any of the above relationships by marriage; or

25 (2) Held prior to April 3, 1978."

26

**SECTION 2.**

27 All laws and parts of laws in conflict with this Act are repealed.