

State Report

Georgia

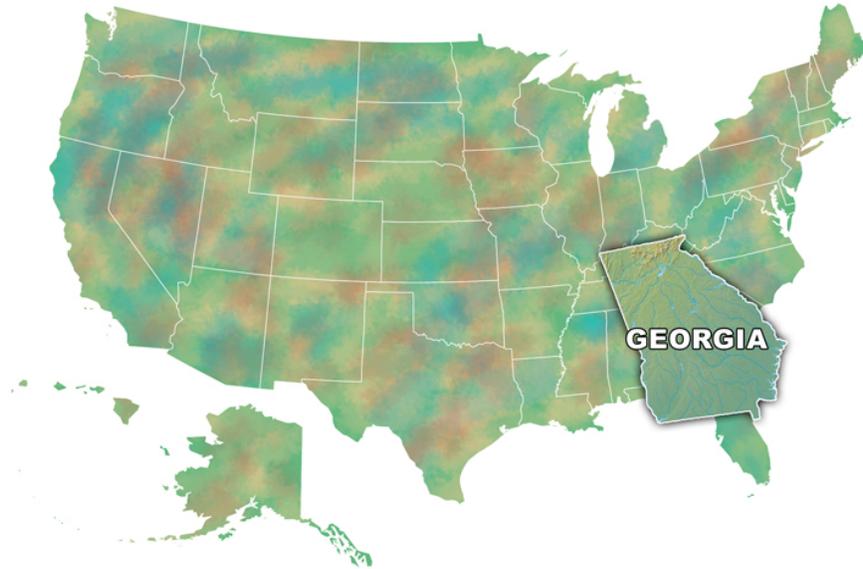
This state report is excerpted from:

The 2013 Report to Congress on the Prevention and Reduction of Underage Drinking

submitted to Congress by The U.S. Department of Health and Human Services.

To obtain more information and a copy of the full Report to Congress go to:

<https://www.stopalcoholabuse.gov>



Georgia

State Profile and Underage Drinking Facts*

State Population: 9,815,210
Population Ages 12–20: 1,214,000

	Percentage	Number
Ages 12–20		
Past-Month Alcohol Use	22.7	275,000
Past-Month Binge Alcohol Use	13.5	164,000
Ages 12–14		
Past-Month Alcohol Use	5.4	20,000
Past-Month Binge Alcohol Use	1.7	6,000
Ages 15–17		
Past-Month Alcohol Use	18.6	84,000
Past-Month Binge Alcohol Use	10.3	47,000
Ages 18–20		
Past-Month Alcohol Use	43.7	171,000
Past-Month Binge Alcohol Use	28.4	111,000
Alcohol-Attributable Deaths (under 21)		158
Years of Potential Life Lost (under 21)		9,548
	Percentage of All Traffic Fatalities	Number
Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC > 0.01	10.0	20

* See Appendix C for data sources.

Laws Addressing Minors in Possession of Alcohol

Underage Possession of Alcohol

Possession is prohibited with the following exception(s):

- Parent/guardian’s home AND
- Parent/guardian

Underage Consumption of Alcohol

Consumption is not explicitly prohibited.

Internal Possession by Minors

Internal possession is not explicitly prohibited.

Underage Purchase of Alcohol

Purchase is prohibited and there is NO ALLOWANCE for youth purchase for law enforcement purposes.

False Identification for Obtaining Alcohol

Provision(s) Targeting Minors

- Use of a false ID to obtain alcohol is a criminal offense.
- Penalty may include driver’s license suspension through a judicial procedure.

Provisions Targeting Retailers

- Licenses for drivers under age 21 are easily distinguishable from those for drivers age 21 and older.
- Retailers are permitted to seize apparently false IDs.
- Specific affirmative defense—the retailer inspected the false ID and came to a reasonable conclusion based on its appearance that it was valid.

Laws Targeting Underage Drinking and Driving

BAC Limits: Youth (Underage Operators of Noncommercial Motor Vehicles)

- BAC limit: 0.02
- BAC level at or above the limit is per se (conclusive) evidence of a violation
- Applies to drivers under age 21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose Laws”)

Use/lose penalties apply to minors under age 21.

Type(s) of Violation Leading to Driver’s License Suspension, Revocation, or Denial

- Underage purchase

Authority To Impose Driver’s License Sanction

- Mandatory

Length of Suspension/Revocation

- 180 days

Graduated Driver’s License

Learner Stage

- Minimum entry age: 15
- Minimum learner stage period: 12 months
- Minimum supervised driving requirement: 40 hours—6 of which must be at night

Intermediate Stage

- Minimum age: 16
- Unsupervised night driving
 - Prohibited after: 12 a.m.
 - No primary enforcement of the night-driving rule
- Passenger restrictions exist: First 6 months, immediate family only. Second 6 months, no more than one passenger under 21 who is not immediate family. After 1 year, no more than three passengers under 21 who are not immediate family.
 - No primary enforcement of the passenger-restriction rule

License Stage

- Minimum age to lift restrictions: 18

Laws Targeting Alcohol Suppliers

Furnishing Alcohol to Minors

Furnishing is prohibited with the following exception(s):

- Parent/guardian’s home AND
- Parent/guardian

Compliance Check Protocols

Age of Decoy

- Minimum: 17
- Maximum: 19

Appearance Requirements

- No facial hair

ID Possession

- Prohibited

Verbal Exaggeration of Age

- Prohibited

Decoy Training

- Not specified

Penalty Guidelines for Sales to Minors

- Time period/conditions: Not specified
- First offense: \$500–\$2,500 fine, 12-month probation, and/or up to 30-day suspension

Note: Mitigating and/or aggravating circumstances may be considered.

Responsible Beverage Service

No beverage service training requirement

Minimum Ages for Off-Premises Sellers

- Beer: Not specified
- Wine: Not specified
- Spirits: Not specified

Minimum Ages for On-Premises Sellers

- Beer: 18 for both servers and bartenders
- Wine: 18 for both servers and bartenders
- Spirits: 18 for both servers and bartenders

Distance Limitations for New Alcohol Outlets Near Universities and Schools***Colleges and Universities***

Limitations on outlet siting:

- Off-premises outlets: Yes—within 100 yards for wine and beer, within 200 yards for spirits.
- On-premises outlets: Yes—within 100 yards for wine and beer, within 200 yards for spirits.
- Local government has authority to override state restrictions.
- Alcohol products: Beer, wine, spirits.

Note: Exceptions are (1) hotels of more than 50 rooms; (2) bona fide private clubs.

Primary and Secondary Schools

Prohibitions against outlet siting:

- Off-premises outlets: Yes—within 100 yards for wine and beer, within 200 yards for spirits.
- On-premises outlets: Yes—within 100 yards for wine and beer, within 200 yards for spirits.
- Local government has authority to override state restrictions.
- Alcohol products: Beer, wine, spirits.

Note: Exceptions are (1) hotels of more than 50 rooms; (2) bona fide private clubs.

Dram Shop Liability

Statutory liability exists subject to the following conditions:

- Limitations on elements/standards of proof: Furnishing with knowledge that customer was a minor and would soon be operating a motor vehicle.

Social Host Liability Laws

Statutory liability exists subject to the following conditions:

- Limitations on elements/standards of proof: Furnishing with knowledge that customer was a minor and would soon be operating a motor vehicle.

Host Party Laws

No state-imposed liability for hosting underage drinking parties

Retailer Interstate Shipments of Alcohol

Retailer interstate shipments are prohibited for all types of beverages.

Direct Sales/Shipments of Alcohol by Producers

Direct sales/shipments from producers to consumers are permitted for wine with the following restrictions:

Age Verification Requirements

- Producer must verify age of purchaser.

State Approval/Permit Requirements

- Producer/shipper must obtain state permit.

Reporting Requirements

- Producer must record/report purchaser's name.

Shipping Label Statement Requirements

- Contains alcohol
- Recipient must be 21

Note: Wineries that hold a federal basic wine manufacturing permit, regardless of whether they are licensed by the state of Georgia, may also ship wines directly to consumers. The consumer must purchase the wine while physically present on the premises of the winery, and the winery must verify that the consumer is of the age to do so.

Keg Registration

- Keg definition: more than 2 gallons
- Prohibited:
 - Possessing an unregistered, unlabeled keg—maximum fine/jail: \$1,000/12 months
 - Destroying the label on a keg—maximum fine/jail: \$1,000/12 months
- Purchaser information collected:
 - Purchaser's name and address
 - Verified by a government-issued ID
 - Address where keg will be consumed
- Warning information to purchaser: Active—purchaser action required (e.g., signature)
- Deposit: Not required
- Provisions do not specifically address disposable kegs.

Note: Although Georgia does not require a retailer to record the number of a keg purchaser's ID, it does require the retailer to record the form of identification presented by the purchaser, as well as the purchaser's name, address, and date of birth.

Alcohol Pricing Policies

Home Delivery

- Beer: Prohibited
- Wine: Prohibited
- Spirits: Prohibited

Alcohol Tax

Beer (5 percent alcohol)

- Specific excise tax: \$1.01 per gallon

Reported tax rate is calculated for the rate imposed on 12-ounce containers. \$0.32 per gallon for malt beverages sold in barrels or bulk containers containing not more than 31 gallons, along with a \$0.39 per gallon tax per on containers 15.5 gallons or less.

Wine (12 percent alcohol)

- Specific excise tax: \$0.42 per gallon

\$1.10 per gallon imposed on the “importation for use, consumption, or final delivery” into the state of all wines with an alcohol content of 14 percent or less.

Spirits (40 percent alcohol)

- Specific excise tax: \$5.37 per gallon

\$1.89 per gallon on the “importation for use, consumption, or final delivery” into the state of all distilled spirits.

Drink Specials

No law

Wholesale Pricing

Pricing restrictions exist.

Beer (5 percent alcohol)

- Price posting requirements: Post and hold—180 days minimum
- Retailer credit: Not permitted—if retailer owns more than one business and payment is made from a central office, then credit not to exceed 5 days after delivery and invoice.

Wine (12 percent alcohol)

- Retailer credit: Not permitted

Spirits (40 percent alcohol)

- Price posting requirements: Post and hold—14 days minimum
- Retailer credit: Not permitted

Georgia State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i> Georgia Department of Revenue Alcohol and Tobacco Division	
<i>Methods by which local and state enforcement agencies coordinate their efforts to enforce laws prohibiting underage drinking:</i> Conducting joint underage compliance investigations	
Enforcement Strategies	
<i>State law enforcement agencies use:</i>	
Cops in Shops	No
Shoulder Tap Operations	Yes
Party Patrol Operations or Programs	Yes
Underage Alcohol–Related Fatality Investigations	Yes
<i>Local law enforcement agencies use:</i>	
Cops in Shops	No
Shoulder Tap Operations	Yes
Party Patrol Operations or Programs	Yes
Underage Alcohol–Related Fatality Investigations	Yes
<i>State has a program to investigate and enforce direct sales/shipment laws</i>	
Primary state agency responsible for enforcing laws addressing direct sales/shippments of alcohol to minors	Yes Georgia Department of Revenue Alcohol and Tobacco Division
Such laws are also enforced by local law enforcement agencies	Unknown
Enforcement Statistics	
<i>State collects data on the number of minors found in possession</i>	
Number of minors found in possession by state law enforcement agencies	Yes 0
Number pertains to the 12 months ending	06/30/2011
Data include arrests/citations issued by local law enforcement agencies	No
<i>State conducts underage compliance checks/decoy operations² to determine if alcohol retailers are complying with laws prohibiting sales to minors</i>	
Data are collected on these activities	Yes
Number of licensees checked for compliance by state agencies	4,337
Number of licensees that failed state compliance checks	753
Numbers pertain to the 12 months ending	06/30/2011
<i>Local agencies conduct underage compliance checks/decoy operations to determine if alcohol retailers are complying with laws prohibiting sales to minors</i>	
Data are collected on these activities	Yes No
Sanctions	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	
Number of fines imposed by the state ³	No Data not collected
Total amount in fines across all licensees	Data not collected
Numbers pertain to the 12 months ending	Data not collected
<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing minors</i>	
Number of suspensions imposed by the state ⁴	No Data not collected
Total days of suspensions across all licensees	Data not collected
Numbers pertain to the 12 months ending	Data not collected
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i>	
Number of license revocations imposed ⁵	No Data not collected
Numbers pertain to the 12 months ending	Data not collected

Additional Clarification

A breakdown of the fines imposed on all alcohol business is not available. However, the state collected a total of \$839,295 in fines against alcohol business overall for violations of the revenue regulations and/or state laws.

- ¹ Or having consumed or purchased per state statutes.
- ² Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors.
- ³ Does not include fines imposed by local agencies.
- ⁴ Does not include suspensions imposed by local agencies.
- ⁵ Does not include revocations imposed by local agencies.

**Underage Drinking Prevention Programs Operated or Funded by the State:
Programs SPECIFIC TO Underage Drinking**

Georgia Strategic Prevention System (GASPS)- Alcohol Initiative	
Number of youth served	0
Number of parents served	0
Number of caregivers served	0
Numbers pertain to the 12 months ending	10/1/2011
Program has been evaluated	No
Evaluation report is available	Yes
URL for evaluation report:	No data
URL for more program information:	http://www.ga-sps.org

Program description: To address the negative impact of alcohol use in Georgia, the state Office of Prevention Services and Programs (OPSP) has developed the Georgia Strategic Prevention System (GASPS). This initiative aims to affect population level change of behaviors and trends of alcohol use and abuse among youth and young adults ages 9 to 25. GASPS will use the SAMHSA Center for Substance Abuse Prevention (CSAP) Strategic Prevention Framework (SPF) model to develop and implement strategies aimed at population level change using the public health model approach. The objective of this initiative is to implement statewide primary prevention strategies (programs/practices/policies) that are consistent with needs as identified by epidemiological data with the following goals:

1. Reduce the early onset of alcohol use among 9- to 20-year-olds.
2. Reduce access to alcohol and binge drinking among 9- to 20-year-olds.
3. Reduce binge drinking and heavy drinking among 18- to 25-year-olds.

Currently, 40 contracted providers across the state are beginning this initiative.

Additional Information Related to Underage Drinking Prevention Programs

<i>State collaborates with federally recognized Tribal governments in the prevention of underage drinking</i>	No
Description of collaboration: Not applicable	
<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i>	No
Program description: Not applicable	
<i>State has adopted or developed best practice standards for underage drinking prevention programs</i>	In development
Best practice standards description: Not applicable	

Additional Clarification

None given

State Interagency Collaboration	
A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities	In development
Committee contact information: Not applicable	
Agencies/organizations represented on the committee: Not applicable	
A website or other public source exists to describe committee activities URL or other means of access:	No Not applicable

Underage Drinking Reports	
State has prepared a plan for preventing underage drinking in the last 3 years Prepared by: Georgia Strategic Prevention Framework State Incentive Grant Plan can be accessed via: http://www.ga-spf.org	Yes
State has prepared a report on preventing underage drinking in the last 3 years Prepared by: Not applicable Plan can be accessed via: Not applicable	No
Additional Clarification	
None given	

State Expenditures for the Prevention of Underage Drinking	
<i>Compliance checks/decoy operations in retail outlets:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>Checkpoints and saturation patrols:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>Community-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	No data
Estimate based on the 12 months ending	09/30/2011
<i>K-12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	No data
Estimate based on the 12 months ending	09/30/2011
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	No data
Estimate based on the 12 months ending	09/30/2011
<i>Programs that target youth in the juvenile justice system:</i>	
Estimate of state funds expended	No data
Estimate based on the 12 months ending	09/30/2011
<i>Programs that target youth in the child welfare system:</i>	
Estimate of state funds expended	No data
Estimate based on the 12 months ending	09/30/2011
<i>Other programs:</i>	
Programs or strategies included:	No data
Estimate of state funds expended	No data
Estimate based on the 12 months ending	09/30/2011

Funds Dedicated to Underage Drinking	
<i>State derives funds dedicated to underage drinking from the following revenue streams:</i>	
Taxes	No
Fines	No
Fees	No
Other	No data

Description of funding streams and how they are used:

No data

Additional Clarification

To address the negative impact of alcohol use in Georgia, the state Office of Prevention Services and Programs (OPSP) has developed the Georgia Strategic Prevention System (GASPS) alcohol initiative utilizing SAMHSA Substance Abuse Prevention and Treatment (SAPT) Block Grant funding. This initiative aims to impact population level change of behaviors and trends of alcohol use and abuse among youth and young adults ages 9 to 25 years. GASPS will use the SAMHSA/CSAP Strategic Prevention Framework (SPF) model to develop and implement strategies aimed at population level change using the public health model approach. The objective of this initiative is to implement statewide primary prevention strategies (programs/practices/policies) that are consistent with needs as identified by epidemiological data with the following goals:

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