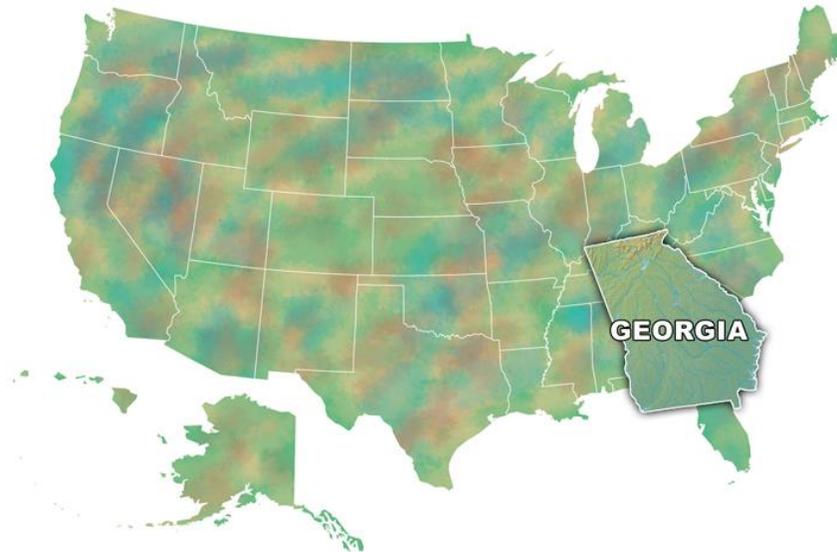


State Report

Georgia

This document is excerpted from:

The December 2015 Report to Congress on the Prevention and Reduction of Underage Drinking



Georgia

State Profile and Underage Drinking Facts*

State Population: 9,992,167

Population Ages 12–20: 1,254,000

	Percentage	Number
Ages 12–20		
Past-Month Alcohol Use	20.5	257,000
Past-Month Binge Alcohol Use	12.6	159,000
Ages 12–14		
Past-Month Alcohol Use	4.1	16,000
Past-Month Binge Alcohol Use	1.3	5,000
Ages 15–17		
Past-Month Alcohol Use	18.5	79,000
Past-Month Binge Alcohol Use	11.6	49,000
Ages 18–20		
Past-Month Alcohol Use	37.6	161,000
Past-Month Binge Alcohol Use	24.2	104,000
Alcohol-Attributable Deaths (under 21)		149
Years of Potential Life Lost (under 21)		9,030
	Percentage of All Traffic Fatalities	Number
Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC > 0.01	16	10

* 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.

Provision(s) 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, of which 6 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 of 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: 20

Appearance requirements

- Not specified

ID possession

- Prohibited except to obtain admission to facility

Verbal exaggeration of age

- Prohibited

Decoy training

- Recommended

Penalty Guidelines for Sales to Minors

No written guidelines

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. Local government has the authority to override state restrictions for wine and beer for grocery stores.
 - 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 include (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 include (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.

Home Delivery

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

Alcohol Pricing Policies

Alcohol Tax

Beer (5 percent alcohol)

- Specific excise tax: \$1.01 per gallon

Note: \$0.32 per gallon for malt beverages sold in barrels or bulk containers containing not more than 31 gallons, and \$0.39 per gallon on barrels or bulk containers of 15.5 gallons or less.

Wine (12 percent alcohol)

- Specific excise tax: \$0.42 per gallon
- Additional taxes: Georgia imposes an additional tax of \$1.10 per gallon 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: \$1.89 per gallon

Note: Georgia imposes an additional tax of \$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 (DOR) – Alcohol and Tobacco Division	
Enforcement Strategies	
<i>State law enforcement agencies use:</i>	
Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol–Related Fatality Investigations	No
<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	No
<i>State has a program to investigate and enforce direct sales/shipment laws</i>	
	Yes
Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors	Georgia DOR–Alcohol & Tobacco Div.
Such laws are also enforced by local law enforcement agencies	No
Enforcement Statistics	
<i>State collects data on the number of minors found in possession</i>	
	Yes
Number of minors found in possession by state law enforcement agencies	32
Number pertains to the 12 months ending	6/30/2013
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>	
	Yes
Data are collected on these activities	Yes
Number of retail licensees in state ³	18,031
Number of licensees checked for compliance by state agencies (including random checks)	3,832
Number of licensees that failed state compliance checks	298
Numbers pertain to the 12 months ending	6/30/2013
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Both on- and off-sale establishments
<i>State conducts random underage compliance checks/decoy operations</i>	
	Yes
Number of licensees subject to random state compliance checks/decoy operations	3,832
Number of licensees that failed random state compliance checks	298
<i>Local agencies conduct underage compliance checks/decoy operations to determine if alcohol retailers are complying with laws prohibiting sales to minors</i>	
	Yes
Data are collected on these activities	No
Number of licensees checked for compliance by local agencies	Not applicable
Number of licensees that failed local compliance checks	Not applicable
Numbers pertain to the 12 months ending	Not applicable
Sanctions	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	
	Yes
Number of fines imposed by the state ⁴	298
Total amount in fines across all licensees	\$194,000

Smallest fine imposed	\$500
Largest fine imposed	\$1,500
Numbers pertain to the 12 months ending	6/30/2013
<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of suspensions imposed by the state ⁵	11
Total days of suspensions across all licensees	55
Shortest period of suspension imposed (in days)	5
Longest period of suspension imposed (in days)	5
Numbers pertain to the 12 months ending	6/30/2013
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of license revocations imposed ⁶	0
Numbers pertain to the 12 months ending	6/30/2013
Additional Clarification	
The Georgia Department of Revenue Alcohol and Tobacco Division does not collect data or track fines on local enforcement. This agency tracks regulatory fines issued to businesses based on enforcement actions initiated by the agency.	

¹Or having consumed or purchased per state statutes.

²Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors.

³Excluding special licenses such as temporary, seasonal, and common carrier licenses.

⁴Does not include fines imposed by local agencies.

⁵Does not include suspensions imposed by local agencies.

⁶Does not include revocations imposed by local agencies.

Underage Drinking Prevention Programs Operated or Funded by the State	
Alcohol Prevention Project (APP)	
Program serves specific or general population	General population
Number of youth served	Not applicable
Number of parents served	Not applicable
Number of caregivers served	Not applicable
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	No data
<p>Program Description: To address the negative impact of alcohol use in Georgia, the state Office of Prevention Services and Programs (OPSP) has developed the Alcohol Prevention Project (APP). This project aims to affect population-level change of behaviors and trends of alcohol use and abuse among youth and young adults ages 9 to 25. APP will use the Substance Abuse and Mental Health Services Administration/Center for Substance Abuse Prevention 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/practice/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; and (3) reduce binge drinking and heavy drinking among 18- to 25-year-olds. Currently, 38 providers with 51 contracts across the state are completing this initiative.</p>	
Additional Underage Drinking Prevention Programs Operated or Funded by the State	
No data	
URL for more program information: No data	
Program description: No data	
Additional Clarification	
No data	

Additional Information Related to Underage Drinking Prevention Programs	
<i>State collaborates with federally recognized tribal governments in the prevention of underage drinking</i> Description of collaboration: Not applicable	No recognized tribal governments
<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i> Description of program: Not applicable	No
<i>State has adopted or developed best practice standards for underage drinking prevention programs</i> Agencies/organizations that established best practices standards: Federal agency(ies): U.S. Department of Health and Human Services Agency(ies) within your state: Department of Behavioral Health and Developmental Disabilities, Georgia State University Nongovernmental agency(ies): Other: Best practice standards description: Through the incorporation of the SPF into the alcohol initiative, the OPSP became strategic about prevention services and programs being provided in Georgia and looks to increase utilization of evidence-based programs, practices, and policies. This will allow OPSP to target our services, show outcomes in our communities, and ensure long-term sustainability of evidence-based substance use/abuse prevention efforts. This model requires target communities to develop and implement strategies aimed at population-level change using the public health model approach. By adopting the SPF process and the public health model, target communities would use a comprehensive approach to develop and implement sustainable outcome-based prevention strategies. OPSP will also be utilizing the <i>Surgeon General's Call To Action To Prevent and Reduce Underage Drinking</i> to assist in continuing to develop best practice standards.	Yes Yes Yes No No
Additional Clarification	
No data	

State Interagency Collaboration	
<i>A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities</i>	Yes
<i>Committee contact information:</i> Name: Margie Irizarry-DeLaCruz E-mail: 421daho421.irizarry-delacruz@dbhdd.ga.gov Address: 2 Peachtree NW, Atlanta, GA 30303 Phone: No data	
<i>Agencies/organizations represented on the committee:</i> Department of Behavioral Health and Developmental Disabilities Council on Alcohol and Drugs Maternal Substance Abuse and Child Development Project, Emory University Georgia State University Clinic for Education, Treatment, and Prevention of Addiction, Inc. (CEPTA) Georgia Department of Revenue, Alcohol and Tobacco Division Drug Enforcement Administration Carl Vinson Institute of Government, University of Georgia	
<i>A website or other public source exists to describe committee activities</i> URL or other means of access: Not applicable	No

Underage Drinking Reports	
<i>State has prepared a plan for preventing underage drinking in the last 3 years</i> Prepared by: Department of Behavioral Health and Developmental Disabilities/Office of Prevention Services and Programs Plan can be accessed via: http://www.ga-sps.org	Yes
<i>State has prepared a report on preventing underage drinking in the last 3 years</i> Prepared by: Not applicable	No

Plan can be accessed via: Not applicable
Additional Clarification
No data

State Expenditures for the Prevention of Underage Drinking	
<i>Compliance checks in retail outlets:</i>	
Estimate of state funds expended	\$150,000
Estimate based on the 12 months ending	6/30/2013
<i>Checkpoints and saturation patrols:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	No data
<i>Community-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	9/30/2014
<i>K–12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	9/30/2014
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	9/30/2014
<i>Programs that target youth in the juvenile justice system:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	9/30/2014
<i>Programs that target youth in the child welfare system:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	9/30/2014
<i>Other programs:</i>	
Programs or strategies included:	No data
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	9/30/2014

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
<i>Description of funding streams and how they are used:</i>	
Not applicable	

Additional Clarification
<p>To address the negative impact of alcohol use in Georgia, the OPSP has developed the Alcohol Prevention Project 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. APP will use the SAMHSA/CSAP Strategic Prevention Framework 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, and policies) that are consistent with needs as identified by epidemiological data with the following goals:</p> <ol style="list-style-type: none"> 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.