

Senate Bill 55

By: Senators Parent of the 42nd, Butler of the 55th, Lucas of the 26th, Harrell of the 40th, Kennedy of the 18th and others

**AS PASSED SENATE**

A BILL TO BE ENTITLED

AN ACT

1 To amend Chapter 80 of Title 36 of the Official Code of Georgia Annotated, relating to  
2 general provisions relative to counties, municipal corporations, and other governmental  
3 entities, so as to prohibit the regulation of businesses of persons under 18 years of age; to  
4 provide for a short title; to provide for definitions; to provide for related matters; to provide  
5 for an effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 80 of Title 36 of the Official Code of Georgia Annotated, relating to general  
9 provisions relative to counties, municipal corporations, and other governmental entities, is  
10 amended by adding a new Code section to read as follows:

11 "36-80-29.

12 (a) This Code section shall be known and may be cited as the 'Georgia Lemonade Stand  
13 Act.'

14 (b) As used in this Code section, the term:

15 (1) 'Business' means any enterprise carried on for the purpose of gain or economic profit.

(2) 'Gross receipts' means all receipts from whatever sources derived before any deductions and does not include tips, gratuities, or other amounts customarily assumed to be intended for the person who has served the customer or client.

(c) A county, municipal corporation, or other governmental entity shall not require a license, permit, or any other form of regulation for a business that:

(1) Is operated solely by a person or persons under 18 years of age;

(2) Is located on private property with the permission of the property owner;

(3) Generates gross receipts of \$5,000.00 or less in a calendar year; and

(4) Sells nonconsumable goods or prepackaged foods or lemonade or other nonpotentially hazardous nonalcoholic beverages."

## **SECTION 2.**

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

## **SECTION 3.**

All laws and parts of laws in conflict with this Act are repealed.