

By: Ford

To: Ways and Means

HOUSE BILL NO. 253

1 AN ACT TO AMEND SECTION 67-3-52, MISSISSIPPI CODE OF 1972,
2 WHICH PROHIBITS A PERSON HOLDING A PERMIT TO SELL BEER OR LIGHT
3 WINE AT RETAIL FROM OBTAINING THE BEER OR LIGHT WINE FROM ANY
4 SOURCE OUTSIDE OF THE STATE OF MISSISSIPPI, TO EXTEND THE REPEALER
5 FROM JULY 1, 2000 TO JULY 1, 2001; AND FOR RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 SECTION 1. Section 67-3-52, Mississippi Code of 1972, is
8 amended as follows:

9 67-3-52. It shall be unlawful for any person holding a
10 permit authorizing the sale of beer or light wine at retail to
11 obtain such beer or light wine from any source outside of the
12 State of Mississippi. Any person who violates the provisions of
13 this section, upon conviction thereof, shall be punished by a fine
14 of not more than One Thousand Dollars (\$1,000.00) or by
15 imprisonment in the county jail for not more than six (6) months,
16 or by both such fine and imprisonment, in the discretion of the
17 court. Any person convicted of violating this section, or any
18 rules or regulations promulgated by the commissioner with regard
19 to the unlawful acts described in this section, shall forfeit his
20 permit. Any person whose permit has been forfeited pursuant to
21 this section shall not be eligible for a permit issued by the
22 commissioner for a period of five (5) years after the date of such
23 forfeiture. In addition, no permit shall be issued for the same
24 location, for which an offender has forfeited a permit pursuant to
25 this section, to a spouse, offspring or sibling of the offender
26 when to do so would circumvent the purposes of this section. The
27 commissioner may assess a retailer who violates this section the

28 amount of excise taxes due on the unlawfully imported beer or
29 light wine, together with a penalty in the amount of four (4)
30 times the state excise taxes due or One Hundred Dollars (\$100.00)
31 per case, whichever is greater.

32 This section shall stand repealed from and after July 1,
33 2001.

34 SECTION 2. This act shall take effect and be in force from
35 and after July 1, 2000.