

By: Robinson (84th)

To: Ways and Means

HOUSE BILL NO. 326

1 AN ACT TO MAKE UNLAWFUL THE SALE OF ALCOHOLIC BEVERAGES,  
 2 LIGHT WINE OR BEER FROM ANY BUILDING OR STRUCTURE DESIGNED TO  
 3 ALLOW A MOTOR VEHICLE TO DRIVE BY, IN OR THROUGH A PORTION OF THE  
 4 BUILDING; TO CREATE AN EXCEPTION FOR THE SALE OF LIGHT WINE OR  
 5 BEER UNDER A VALID PRIVILEGE LICENSE IN CASES WHERE THE BUILDING  
 6 IS DESIGNED SOLELY FOR SUCH SALES; TO PROVIDE A PENALTY FOR  
 7 VIOLATIONS OF THIS ACT; AND FOR RELATED PURPOSES.

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

9 SECTION 1. (1) In addition to any other fines, penalties or  
 10 offenses provided by law, it shall be unlawful to:

11 (a) Sell any alcoholic beverage from any building or  
 12 structure designed to allow a motor vehicle to drive by, in or  
 13 through a portion of the building; or

14 (b) Sell any light wine or beer, or both, from any  
 15 building or structure designed to allow a motor vehicle to drive  
 16 by, in or through a portion of the building, unless (i) the  
 17 building is designed solely for light wine and beer sales, (ii)  
 18 the building is designed to require a motor vehicle to pass  
 19 completely through the building, and (iii) sales of light wine and  
 20 beer are permitted within the building by virtue of a valid  
 21 privilege license issued under Chapter 3, Title 67, Mississippi  
 22 Code of 1972.

23 (2) (a) Any person who violates this section shall be

24 fined, upon conviction thereof, not less than Five Hundred Dollars  
25 (\$500.00) and not more than One Thousand Dollars (\$1,000.00) for  
26 each offense.

27 (b) Any permittee licensed to sell alcoholic beverages  
28 or licensed to sell light wine or beer, or both, who violates the  
29 provisions of this section shall be punished, upon conviction  
30 thereof, by suspension of his permit or license for one (1) year.

31 Upon conviction of a second offense under the provisions of this  
32 section, the permit or license shall be revoked automatically and  
33 permanently.

34 SECTION 2. Section 1 of this act shall be codified as a  
35 separate Code section in Title 67, Mississippi Code of 1972.

36 SECTION 3. This act shall take effect and be in force from  
37 and after July 1, 2000.