

By: Dedeaux, Holland

To: Ways and Means

HOUSE BILL NO. 1172

1 AN ACT TO AMEND SECTIONS 67-3-11 AND 97-31-21, MISSISSIPPI  
2 CODE OF 1972, TO ALLOW THE HOME BREWING OF BEER; AND FOR RELATED  
3 PURPOSES.

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

5 SECTION 1. Section 67-3-11, Mississippi Code of 1972, is  
6 amended as follows:

7 67-3-11. Every person shall have the right to make homemade  
8 wine or beer for domestic or household uses only, free of all  
9 restraint by this chapter or otherwise. The making or brewing of  
10 beer under this section shall be limited to two hundred (200)  
11 gallons of beer per person aged twenty-one (21) years or more in  
12 each household per year. No such election as provided for in  
13 Sections 67-3-7, 67-3-9 and 67-3-13 shall deprive any person of  
14 the right to make homemade wine or beer for domestic or household  
15 uses only.

16 SECTION 2. Section 97-31-21, Mississippi Code of 1972, is  
17 amended as follows:

18 97-31-21. (1) Except as otherwise provided in this section,  
19 it shall be unlawful for any person, firm or corporation to  
20 manufacture, or distill any vinous, malt, spirituous, or  
21 intoxicating liquor or drink which if drunk to excess will produce  
22 intoxication. \* \* \* This statute shall not prohibit citizens of  
23 this state from making wine from grapes or berries grown in this  
24 state or from brewing beer, at their respective homes and using  
25 and consuming the same in the home where made, by the family  
26 residing therein and dispensing same to guests within said home.

27 The making or brewing of beer under this section shall be limited  
28 to two hundred (200) gallons of beer per person, aged twenty-one  
29 (21) years or more, in each household per year. Any person  
30 convicted of violating this section shall be guilty of a felony  
31 and on conviction thereof shall serve a term in the State  
32 Penitentiary of not less than one (1) year, nor more than three  
33 (3) years for the first offense under this section, and for the  
34 second or any subsequent conviction under this section such person  
35 shall serve a term of not less than five (5) years, nor more than  
36 ten (10) years in the State Penitentiary.

37 SECTION 3. This act shall take effect and be in force from  
38 and after its passage.