

By: Furniss

To: Judiciary

SENATE BILL NO. 2303

1 AN ACT TO AMEND SECTION 67-3-53, MISSISSIPPI CODE OF 1972, TO  
2 PROHIBIT THE HOLDER OF A PERMIT AUTHORIZING THE RETAIL SALE OF  
3 BEER OR LIGHT WINE FROM ALLOWING THE CONSUMPTION OF BEER OR LIGHT  
4 WINE ON THE RETAIL PREMISES AFTER THE HOURS IT IS LEGALLY OPEN FOR  
5 BUSINESS; AND FOR RELATED PURPOSES.

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

7 SECTION 1. Section 67-3-53, Mississippi Code of 1972, is  
8 amended as follows:

9 67-3-53. In addition to any act declared to be unlawful by  
10 this chapter, or by Sections 27-71-301 through 27-71-347, and  
11 Sections 67-3-17, 67-3-27, 67-3-29 and 67-3-57, it shall be  
12 unlawful for the holder of a permit authorizing the sale of beer  
13 or light wine at retail or for the employee of the holder of such  
14 a permit:

15 (a) To sell, give or permit to be consumed in or upon  
16 any licensed premises any beer or light wine between the hours of  
17 midnight and seven o'clock the following morning or during any  
18 time the licensed premises may be required to be closed by  
19 municipal ordinance or order of the board of supervisors;  
20 provided, however, in areas where the sale of alcoholic beverages  
21 is legal under the provisions of the Local Option Alcoholic  
22 Beverage Control Law and the hours for selling such alcoholic

23 beverages have been extended beyond midnight for on-premises  
24 permittees under Section 67-1-37, the hours for selling beer or  
25 light wines are likewise extended in areas where the sale of beer  
26 and light wines is legal in accordance with the provisions of this  
27 chapter.

28 (b) To sell, give or furnish any beer or light wine to  
29 any person visibly or noticeably intoxicated, or to any insane  
30 person, or to any habitual drunkard, or to any person under the  
31 age of twenty-one (21) years.

32 (c) To permit in the premises any lewd, immoral or  
33 improper entertainment, conduct or practices.

34 (d) To permit loud, boisterous or disorderly conduct of  
35 any kind upon the premises or to permit the use of loud musical  
36 instruments if either or any of the same may disturb the peace and  
37 quietude of the community wherein such business is located.

38 (e) To permit persons of ill repute, known criminals,  
39 prostitutes or minors to frequent the licensed premises, except  
40 minors accompanied by parents or guardians, or under proper  
41 supervision.

42 (f) To permit or suffer illegal gambling or the  
43 operation of illegal games of chance upon the licensed premises.

44 (g) To receive, possess or sell on the licensed  
45 premises any beverage of any kind or character containing more  
46 than five percent (5%) of alcohol by weight unless the licensee  
47 also possesses an on-premises permit under the Local Option  
48 Alcoholic Beverage Control Law.

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