HOUSE BILL NO. 403

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

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

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

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

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

(2) (a) Any person who violates this section shall be fined, upon conviction thereof, not less than Five Hundred Dollars ($500.00) and not more than One Thousand Dollars ($1,000.00) for each offense.

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

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

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

SECTION 3. This act shall take effect and be in force from and after July 1, 2001.