

By: Representative Ford

To: Ways and Means

HOUSE BILL NO. 418

1 AN ACT TO REENACT SECTION 67-3-22, MISSISSIPPI CODE OF 1972,
2 WHICH LIMITS THE AMOUNT OF LIGHT WINE AND BEER THAT BREWPUBS MAY
3 PRODUCE IN A CALENDAR YEAR AND PROVIDES THAT LIGHT WINE OR BEER
4 PRODUCED AT A BREWPUB SHALL NOT BE SOLD AT A PRICE LESS THAN IT
5 COST TO MANUFACTURE THE LIGHT WINE OR BEER AND THAT SUCH LIGHT
6 WINE OR BEER SHALL NOT BE SOLD AWAY FROM THE PREMISES OF THE
7 BREWPUB; TO AMEND REENACTED SECTION 67-3-22, MISSISSIPPI CODE OF
8 1972, TO EXTEND THE DATE OF REPEAL ON THAT SECTION FROM JULY 1,
9 2002, TO JULY 1, 2003; AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** Section 67-3-22, Mississippi Code of 1972, is
12 reenacted and amended as follows:

13 67-3-22. (1) The production limits for a brewpub shall be
14 based upon production as determined by the State Tax Commission
15 pursuant to Section 27-71-307, Mississippi Code of 1972, and shall
16 be limited as follows:

17 (a) A stand-alone restaurant or restaurant operated by
18 a hospitality operator with less than fifty (50) guest rooms in
19 the aggregate shall not manufacture more than forty thousand three
20 hundred (40,300) gallons of light wine or beer per calendar year.

21 (b) A restaurant operated by a hospitality operator
22 with fifty (50) or more guest rooms in the aggregate but less than
23 five hundred (500) guest rooms in the aggregate shall not
24 manufacture more than sixty thousand (60,000) gallons of light
25 wine or beer per calendar year.

26 (c) A restaurant operated by a hospitality operator
27 with five hundred (500) or more guest rooms in the aggregate but
28 less than one thousand (1,000) guest rooms in the aggregate shall
29 not manufacture more than seventy-five thousand (75,000) gallons
30 of light wine or beer per calendar year.



31 (d) A restaurant operated by a hospitality operator
32 with one thousand (1,000) or more guest rooms in the aggregate
33 shall not manufacture more than ninety-nine thousand (99,000)
34 gallons of light wine or beer per calendar year.

35 (2) Light wine or beer produced at a brewpub shall not be
36 sold at a price less than it cost to manufacture such light wine
37 or beer.

38 (3) Light wine or beer manufactured by a brewpub shall not
39 be sold away from the premises of such brewpub (as defined in
40 Section 27-71-301, Mississippi Code of 1972) and shall not be
41 packaged in any form that it may be carried away from the
42 premises; provided, however, that the final one hundred (100)
43 gallons of beer within a fermenting tank may be placed in kegs for
44 sale on the premises to facilitate transition from one fermenting
45 tank to another.

46 (4) A brewpub shall be required to offer for sale light wine
47 or beer that is normally carried on the inventory of wholesaler or
48 distributor of light wine or beer.

49 (5) As used in this section, the term "hospitality operator"
50 means a business that operates guest rooms that at any one time
51 will accommodate transient guests on a daily or weekly basis in
52 conjunction with a brewpub at one (1) location or facility.

53 (6) This section shall stand repealed from and after July 1,
54 2003.

55 **SECTION 2.** This act shall take effect and be in force from
56 and after July 1, 2002.

