

By: Senator(s) Furniss

To: Judiciary

SENATE BILL NO. 2398

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, 2002.

