

By: Senator(s) Minor

To: Finance

SENATE BILL NO. 2903

1 AN ACT TO AMEND SECTION 67-3-22, MISSISSIPPI CODE OF 1972, TO
 2 REMOVE THE JULY 1, 2002, REPEAL PROVISION IN THE LAW THAT LIMITS
 3 THE AMOUNT OF LIGHT WINE OR BEER THAT BREWPUBS MAY PRODUCE IN A
 4 CALENDAR YEAR, PROVIDES THAT LIGHT WINE OR BEER PRODUCED AT A
 5 BREWPUB SHALL NOT BE SOLD AT A PRICE LESS THAN IT COST TO
 6 MANUFACTURE THE LIGHT WINE OR BEER, PROVIDES THAT LIGHT WINE OR
 7 BEER SHALL NOT BE SOLD OR CARRIED AWAY FROM THE PREMISES OF THE
 8 BREWPUB AND REQUIRES BREWPUBS TO OFFER FOR SALE LIGHT WINE OR BEER
 9 THAT IS NORMALLY CARRIED ON THE INVENTORY OR WHOLESALERS OR
 10 DISTRIBUTORS OF LIGHT WINE OR BEER; AND FOR RELATED PURPOSES.

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

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

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

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

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

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



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

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

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

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

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

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55 **SECTION 2.** This act shall take effect and be in force from
56 and after its passage.

