

By: Representative Ford

To: Ways and Means

HOUSE BILL NO. 772

1 AN ACT TO AMEND SECTION 67-3-74, MISSISSIPPI CODE OF 1972, TO  
2 EXTEND THE REPEALER ON THE AUTHORITY OF ALCOHOLIC BEVERAGE CONTROL  
3 OFFICERS TO ENFORCE LAWS REGULATING WINE AND BEER; AND FOR RELATED  
4 PURPOSES.

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

6 **SECTION 1.** Section 67-3-74, Mississippi Code of 1972, is  
7 amended as follows:

8 67-3-74. (1) In addition to peace officers within their  
9 jurisdiction, all enforcement officers of the Alcoholic Beverage  
10 Control Division of the State Tax Commission are authorized to  
11 enforce the provisions made unlawful by Sections 67-3-13, 67-3-15,  
12 67-3-53 and 67-3-70; provided, however, that the provisions  
13 prohibiting the sale of light wine or beer to persons under the  
14 age of twenty-one (21) years shall be enforced by the division as  
15 provided for in this section.

16 (2) (a) The Alcoholic Beverage Control Division shall  
17 investigate violations of the laws prohibiting the sale of light  
18 wine or beer to persons under the age of twenty-one (21) years  
19 upon receipt of a complaint or information from a person stating  
20 that they have knowledge of such violation.

21 (b) Upon receipt of such complaint or information, the  
22 Alcoholic Beverage Control Division shall notify the permit holder  
23 of the complaint by certified mail to the primary business office  
24 of such permit holder or by hand delivery of the complaint or  
25 information to the primary business office of such holder, except  
26 in cases where the complaint or information is received from any  
27 law enforcement officer.



28                   (c) If an enforcement officer of the Alcoholic Beverage  
29 Control Division enters the business of the holder of the permit  
30 to investigate a complaint and discovers a violation, the agent  
31 shall notify the person that committed the violation and the  
32 holder of the permit:

33                   (i) Within ten (10) days after such violation,  
34 Sundays and holidays excluded, if the business sells light wine or  
35 beer for on-premises consumption; and

36                   (ii) Within seventy-two (72) hours after such  
37 violation, Sundays and holidays excluded, if the business does not  
38 sell light wine or beer for on-premises consumption.

39                   (3) The provisions of this section shall be repealed on July  
40 1, 2004.

41                   **SECTION 2.** This act shall take effect and be in force from  
42 and after July 1, 2003.

