

By: Senator(s) Minor

To: Finance

SENATE BILL NO. 2064

1 AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A RESPONSIBLE
2 ALCOHOL VENDOR PROGRAM DESIGNED TO TRAIN SERVERS EMPLOYED BY
3 PERSONS HOLDING A PERMIT TO SELL ALCOHOLIC BEVERAGES, BEER OR
4 LIGHT WINE FOR ON-PREMISES CONSUMPTION TO ASSIST IN THE
5 ELIMINATION OF THE SALE OF ALCOHOLIC BEVERAGES, BEER AND LIGHT
6 WINE TO UNDERAGE PERSONS AND TO ENCOURAGE THE RESPONSIBLE SALE OF
7 ALCOHOLIC BEVERAGES, BEER AND LIGHT WINE; TO PROVIDE THAT THE
8 STATE TAX COMMISSION SHALL OVERSEE THE PROGRAM; TO PROVIDE THAT
9 THE COMMISSION AND THE ATTORNEY GENERAL SHALL APPROVE ALL SERVER
10 TRAINING COURSES; TO PROVIDE THAT THE COMMISSION SHALL ISSUE
11 PERMITS TO APPROVED PROVIDERS; TO PROVIDE THAT APPROVED PROVIDERS
12 SHALL ISSUE SERVER CERTIFICATES TO SERVERS UPON SUCCESSFUL
13 COMPLETION OF A SERVER TRAINING COURSE; TO PROVIDE THAT IF A
14 VENDOR'S EMPLOYEE SELLS ALCOHOLIC BEVERAGES, BEER OR LIGHT WINE TO
15 UNDERAGE OR VISIBLY INTOXICATED PERSONS, THE VENDORS PERMIT SHALL
16 NOT BE SUSPENDED OR REVOKED BY THE COMMISSION FOR THE FIRST
17 OFFENSE COMMITTED ON THE PERMITTED PREMISES WITHIN A TWELVE-MONTH
18 PERIOD IF ALL SERVERS OF THE VENDOR POSSESS A VALID SERVER'S
19 CERTIFICATION AT THE TIME OF THE VIOLATION OR ALL SERVERS HAVE
20 APPLIED FOR SERVER'S CERTIFICATION WITHIN 30 DAYS AFTER COMMENCING
21 EMPLOYMENT, AND THE VENDOR WAS WITHOUT KNOWLEDGE OF THE VIOLATION
22 OR DID NOT PARTICIPATE IN OR COMMIT THE VIOLATION; TO PROVIDE THAT
23 IF THERE ARE SUBSEQUENT VIOLATIONS WITHIN THE TWELVE-MONTH PERIOD,
24 SERVER TRAINING SHALL NOT BE CONSIDERED AS A MITIGATING FACTOR; TO
25 PROVIDE FOR FEES FOR APPROVED PROVIDER PERMITS; TO AMEND SECTIONS
26 67-1-37, 67-1-71 AND 67-3-29, MISSISSIPPI CODE OF 1972, IN
27 CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

29 **SECTION 1.** This act shall be known and may be cited as the
30 "Responsible Alcohol Vendor Law" of the State of Mississippi.

31 **SECTION 2.** The purpose of this section is to eliminate the
32 sale of alcoholic beverages, beer and light wine to, and the
33 consumption of alcoholic beverages, beer and light wine by,
34 underage persons; to reduce intoxication and to reduce accidents,
35 injuries and death in the state which are related to intoxication;
36 and to encourage the responsible sale of alcoholic beverages, beer
37 and light wine by vendors throughout the state and provide for the
38 mitigation of administrative penalties against vendors who comply
39 with responsible practices in accordance with this act.



40 **SECTION 3.** As used in this act:

41 (a) "Commission" means the State Tax Commission.

42 (b) "Person" means and includes any individual,
43 partnership, corporation, association or other legal entity.

44 (c) "Vendor" means any person holding a permit to sell
45 alcoholic beverages, beer or light wine for on-premises
46 consumption.

47 (d) "Server" means any employee of a vendor who is
48 authorized to sell, serve or mix alcoholic beverages, beer or
49 light wine in the normal course of his or her employment.

50 (e) "Server certification" means the certificate issued
51 to a server upon completion of an approved server training course.

52 (f) "Approved provider" means a person approved by the
53 commission to provide server training courses.

54 (g) "Trainer" means an individual employed or
55 authorized by an approved training provider to conduct an alcohol
56 server education course wherein the successful completion of the
57 course by the student will result in the issuance of a server
58 certification.

59 **SECTION 4.** (1) The commission shall oversee the Responsible
60 Alcohol Vendor Program. Such program shall be designed to educate
61 vendors and their employees and customers about selling, serving
62 and consuming alcoholic beverages, beer and light wine in a
63 responsible manner. The commission shall:

64 (a) Approve server training courses for vendors and
65 servers; and

66 (b) Issue and renew approved provider permits.

67 Approved provider permits shall be considered a privilege
68 license and if not expired, suspended or revoked, remain valid
69 within the State of Mississippi.

70 (2) The commission and the Attorney General shall approve
71 all server training courses prior to implementation. The
72 commission shall issue permits to approved providers. The permits



73 for approved providers shall be valid for two (2) years. The
74 commission may promulgate rules and regulations setting forth
75 additional requirements for providers and/or individual trainers.

76 (3) Approved providers shall retain records of all persons
77 trained for a period of three (3) years after the date of such
78 training and shall make this information available to the
79 commission upon request or as required by regulation.

80 **SECTION 5.** Approved providers shall issue server
81 certificates to servers upon successful completion of a server
82 training course offered by an approved provider. Server
83 certificates shall be valid for a period of two (2) years from the
84 date of completion of the training course and shall be issued and
85 renewed by approved providers in accordance with the rules and
86 regulations promulgated by the commission.

87 **SECTION 6.** The commission may suspend or revoke an approved
88 provider's permit or impose a fine for noncompliance with this act
89 or for any violation of federal, state or local laws or
90 regulations. The procedure for the suspension, revocation or
91 denial of a permit, or for the imposition of fines, shall be the
92 same as are otherwise set forth in Chapter 1, Title 67,
93 Mississippi Code of 1972, for suspension or revocation of
94 alcoholic beverage permits.

95 **SECTION 7.** (1) If vendor's employee sells alcoholic
96 beverages, beer or light wine to an underage or visibly
97 intoxicated person, the vendor's permit shall not be suspended or
98 revoked by the commission for the first offense committed on the
99 permitted premises within a twelve-month period if:

100 (a) All servers of the vendor possessed a valid
101 server's certification at the time of the violation or all servers
102 had applied for server's certification within thirty (30) days
103 after commencing employment; and

104 (b) The vendor was without knowledge of the violation
105 or did not participate in or commit such violation.



106 (2) If there are subsequent violations at the permitted
107 premises within a twelve-month period, the commission shall not
108 consider server training in mitigation of a vendor's
109 administrative penalties or fines for the unlawful sale or service
110 of an alcoholic beverage, beer or light wine.

111 (3) The vendor shall have the burden of proof in showing
112 that his or her employees were trained or had applied for training
113 within thirty (30) days of commencing employment.

114 **SECTION 8.** The commission may promulgate rules and
115 regulations to effectuate the program in accordance with the
116 Mississippi Administrative Procedures Law, including, but not
117 limited to, rules and regulations related to the development,
118 establishment and maintenance of the program. The commission
119 shall effect the formation of an industry advisory council to
120 provide comment on the proposed initial rules and regulations.

121 **SECTION 9.** The commission may promulgate rules and
122 regulations regarding fees for approved provider permits to be
123 issued under this act. The commission may assess a permit fee not
124 to exceed Five Hundred Dollars (\$500.00) upon any person,
125 organization or entity seeking classification as an approved
126 provider. This permit shall remain valid for a period of two (2)
127 years, unless suspended or revoked by the commission. The
128 commission may renew an approved provider permit upon request and
129 assess a permit renewal fee not to exceed One Hundred Dollars
130 (\$100.00).

131 **SECTION 10.** Section 67-1-37, Mississippi Code of 1972, is
132 amended as follows:

133 **[Until July 1, 2003, this section will read as follows:]**

134 67-1-37. The State Tax Commission, under its duties and
135 powers with respect to the Alcoholic Beverage Control Division
136 therein, shall have the following powers, functions and duties:

137 (a) To issue or refuse to issue any permit provided for
138 by this chapter, or to extend the permit or remit in whole or any



139 part of the permit monies when the permit cannot be used due to a
140 natural disaster or Act of God.

141 (b) To revoke, suspend or cancel, for violation of or
142 noncompliance with the provisions of this chapter, or the law
143 governing the production and sale of native wines, or any lawful
144 rules and regulations of the commission issued hereunder, or for
145 other sufficient cause, any permit issued by it under the
146 provisions of this chapter; however, no such permit shall be
147 revoked, suspended or cancelled except after a hearing of which
148 the permit holder shall have been given reasonable notice and an
149 opportunity to be heard. The board shall be authorized to suspend
150 the permit of any permit holder for being out of compliance with
151 an order for support, as defined in Section 93-11-153. The
152 procedure for suspension of a permit for being out of compliance
153 with an order for support, and the procedure for the reissuance or
154 reinstatement of a permit suspended for that purpose, and the
155 payment of any fees for the reissuance or reinstatement of a
156 permit suspended for that purpose, shall be governed by Section
157 93-11-157 or Section 93-11-163, as the case may be. If there is
158 any conflict between any provision of Section 93-11-157 or Section
159 93-11-163 and any provision of this chapter, the provisions of
160 Section 93-11-157 or Section 93-11-163, as the case may be, shall
161 control.

162 (c) To prescribe forms of permits and applications for
163 permits and of all reports which it deems necessary in
164 administering this chapter.

165 (d) To fix standards, not in conflict with those
166 prescribed by any law of this state or of the United States, to
167 secure the use of proper ingredients and methods of manufacture of
168 alcoholic beverages.

169 (e) To issue rules regulating the advertising of
170 alcoholic beverages in the state in any class of media and
171 permitting advertising of the retail price of alcoholic beverages.



172 (f) To issue reasonable rules and regulations, not
173 inconsistent with the federal laws or regulations, requiring
174 informative labeling of all alcoholic beverages offered for sale
175 within this state and providing for the standards of fill and
176 shapes of retail containers of alcoholic beverages; however, such
177 containers shall not contain less than fifty (50) milliliters by
178 liquid measure.

179 (g) Subject to the provisions of subsection (3) of
180 Section 67-1-51, to issue rules and regulations governing the
181 issuance of retail permits for premises located near or around
182 schools, colleges, universities, churches and other public
183 institutions, and specifying the distances therefrom within which
184 no such permit shall be issued. The Alcoholic Beverage Control
185 Division shall not allow the sale or consumption of alcoholic
186 beverages in or on the campus of any public school or college, and
187 no alcoholic beverage shall be for sale or consumed at any public
188 athletic event at any grammar or high school or any college.

189 (h) To adopt and promulgate, repeal and amend, such
190 rules, regulations, standards, requirements and orders, not
191 inconsistent with this chapter or any law of this state or of the
192 United States, as it deems necessary to control the manufacture,
193 importation, transportation, distribution and sale of alcoholic
194 liquor, whether intended for beverage or nonbeverage use in a
195 manner not inconsistent with the provisions of this chapter or any
196 other statute, including the native wine laws.

197 (i) To call upon other administrative departments of
198 the state, county and municipal governments, county and city
199 police departments and upon prosecuting officers for such
200 information and assistance as it may deem necessary in the
201 performance of its duties.

202 (j) To prepare and submit to the Governor during the
203 month of January of each year a detailed report of its official
204 acts during the preceding fiscal year ending June 30, including



205 such recommendations as it may see fit to make, and to transmit a
206 like report to each member of the Legislature of this state upon
207 the convening thereof at its next regular session.

208 (k) To inspect, or cause to be inspected, any premises
209 where alcoholic liquors intended for sale are manufactured,
210 stored, distributed or sold, and to examine or cause to be
211 examined all books and records pertaining to the business
212 conducted therein.

213 (l) In the conduct of any hearing authorized to be held
214 by the commission, to hear testimony and take proof material for
215 its information in the discharge of its duties under this chapter;
216 to issue subpoenas, which shall be effective in any part of this
217 state, requiring the attendance of witnesses and the production of
218 books and records; to administer or cause to be administered
219 oaths; and to examine or cause to be examined any witness under
220 oath. Any court of record, or any judge thereof, may by order
221 duly entered require the attendance of witnesses and the
222 production of relevant books subpoenaed by the commission, and
223 such court or judge may compel obedience to its or his order by
224 proceedings for contempt.

225 (m) To investigate the administration of laws in
226 relation to alcoholic liquors in this and other states and any
227 foreign countries, and to recommend from time to time to the
228 Governor and through him to the Legislature of this state such
229 amendments to this chapter, if any, as it may think desirable.

230 (n) To designate hours and days when alcoholic
231 beverages may be sold in different localities in the state which
232 permit such sale.

233 (o) To assign employees to posts of duty at locations
234 where they will be most beneficial for the control of alcoholic
235 beverages, to remove, to dismiss, to suspend without pay, to act
236 as a trial board in hearings based upon charges against employees.
237 After twelve (12) months' service, no employee shall be removed,



238 dismissed, demoted or suspended without just cause and only after
239 being furnished with reasons for such removal, dismissal, demotion
240 or suspension, and upon request given a hearing in his own
241 defense.

242 (p) All hearings conducted by the commission shall be
243 open to the public, and, when deemed necessary, a written
244 transcript shall be made of the testimony introduced thereat.

245 (q) To adopt and promulgate rules and regulations for
246 suspension or revocation of identification cards of employees of
247 permittees for violations of the alcoholic beverage control laws,
248 rules or regulations.

249 (r) To enforce the provisions made unlawful by Sections
250 67-3-13, 67-3-15, 67-3-53 and 67-3-70.

251 (s) To adopt and promulgate rules and regulations for
252 Responsible Alcohol Vendor Law.

253 **[From and after July 1, 2003, this section will read as**
254 **follows:]**

255 67-1-37. The State Tax Commission, under its duties and
256 powers with respect to the Alcoholic Beverage Control Division
257 therein, shall have the following powers, functions and duties:

258 (a) To issue or refuse to issue any permit provided for
259 by this chapter, or to extend the permit or remit in whole or any
260 part of the permit monies when the permit cannot be used due to a
261 natural disaster or Act of God.

262 (b) To revoke, suspend or cancel, for violation of or
263 noncompliance with the provisions of this chapter, or the law
264 governing the production and sale of native wines, or any lawful
265 rules and regulations of the commission issued hereunder, or for
266 other sufficient cause, any permit issued by it under the
267 provisions of this chapter; however, no such permit shall be
268 revoked, suspended or cancelled except after a hearing of which
269 the permit holder shall have been given reasonable notice and an
270 opportunity to be heard. The board shall be authorized to suspend



271 the permit of any permit holder for being out of compliance with
272 an order for support, as defined in Section 93-11-153. The
273 procedure for suspension of a permit for being out of compliance
274 with an order for support, and the procedure for the reissuance or
275 reinstatement of a permit suspended for that purpose, and the
276 payment of any fees for the reissuance or reinstatement of a
277 permit suspended for that purpose, shall be governed by Section
278 93-11-157 or 93-11-163, as the case may be. If there is any
279 conflict between any provision of Section 93-11-157 or 93-11-163
280 and any provision of this chapter, the provisions of Section
281 93-11-157 or 93-11-163, as the case may be, shall control.

282 (c) To prescribe forms of permits and applications for
283 permits and of all reports which it deems necessary in
284 administering this chapter.

285 (d) To fix standards, not in conflict with those
286 prescribed by any law of this state or of the United States, to
287 secure the use of proper ingredients and methods of manufacture of
288 alcoholic beverages.

289 (e) To issue rules regulating the advertising of
290 alcoholic beverages in the state in any class of media and
291 permitting advertising of the retail price of alcoholic beverages.

292 (f) To issue reasonable rules and regulations, not
293 inconsistent with the federal laws or regulations, requiring
294 informative labeling of all alcoholic beverages offered for sale
295 within this state and providing for the standards of fill and
296 shapes of retail containers of alcoholic beverages; however, such
297 containers shall not contain less than fifty (50) milliliters by
298 liquid measure.

299 (g) Subject to the provisions of subsection (3) of
300 Section 67-1-51, to issue rules and regulations governing the
301 issuance of retail permits for premises located near or around
302 schools, colleges, universities, churches and other public
303 institutions, and specifying the distances therefrom within which



304 no such permit shall be issued. The Alcoholic Beverage Control
305 Division shall not allow the sale or consumption of alcoholic
306 beverages in or on the campus of any public school or college, and
307 no alcoholic beverage shall be for sale or consumed at any public
308 athletic event at any grammar or high school or any college.

309 (h) To adopt and promulgate, repeal and amend, such
310 rules, regulations, standards, requirements and orders, not
311 inconsistent with this chapter or any law of this state or of the
312 United States, as it deems necessary to control the manufacture,
313 importation, transportation, distribution and sale of alcoholic
314 liquor, whether intended for beverage or nonbeverage use in a
315 manner not inconsistent with the provisions of this chapter or any
316 other statute, including the native wine laws.

317 (i) To call upon other administrative departments of
318 the state, county and municipal governments, county and city
319 police departments and upon prosecuting officers for such
320 information and assistance as it may deem necessary in the
321 performance of its duties.

322 (j) To prepare and submit to the Governor during the
323 month of January of each year a detailed report of its official
324 acts during the preceding fiscal year ending June 30, including
325 such recommendations as it may see fit to make, and to transmit a
326 like report to each member of the Legislature of this state upon
327 the convening thereof at its next regular session.

328 (k) To inspect, or cause to be inspected, any premises
329 where alcoholic liquors intended for sale are manufactured,
330 stored, distributed or sold, and to examine or cause to be
331 examined all books and records pertaining to the business
332 conducted therein.

333 (l) In the conduct of any hearing authorized to be held
334 by the commission, to hear testimony and take proof material for
335 its information in the discharge of its duties under this chapter;
336 to issue subpoenas, which shall be effective in any part of this



337 state, requiring the attendance of witnesses and the production of
338 books and records; to administer or cause to be administered
339 oaths; and to examine or cause to be examined any witness under
340 oath. Any court of record, or any judge thereof, may by order
341 duly entered require the attendance of witnesses and the
342 production of relevant books subpoenaed by the commission, and
343 such court or judge may compel obedience to its or his order by
344 proceedings for contempt.

345 (m) To investigate the administration of laws in
346 relation to alcoholic liquors in this and other states and any
347 foreign countries, and to recommend from time to time to the
348 Governor and through him to the Legislature of this state such
349 amendments to this chapter, if any, as it may think desirable.

350 (n) To designate hours and days when alcoholic
351 beverages may be sold in different localities in the state which
352 permit such sale.

353 (o) To assign employees to posts of duty at locations
354 where they will be most beneficial for the control of alcoholic
355 beverages, to remove, to dismiss, to suspend without pay, to act
356 as a trial board in hearings based upon charges against employees.
357 After twelve (12) months' service, no employee shall be removed,
358 dismissed, demoted or suspended without just cause and only after
359 being furnished with reasons for such removal, dismissal, demotion
360 or suspension, and upon request given a hearing in his own
361 defense.

362 (p) All hearings conducted by the commission shall be
363 open to the public, and, when deemed necessary, a written
364 transcript shall be made of the testimony introduced thereat.

365 (q) To adopt and promulgate rules and regulations for
366 suspension or revocation of identification cards of employees of
367 permittees for violations of the alcoholic beverage control laws,
368 rules or regulations.



369 (r) To adopt and promulgate rules and regulations for
370 Responsible Alcohol Vendor Law.

371 **SECTION 11.** Section 67-1-71, Mississippi Code of 1972, is
372 amended as follows:

373 67-1-71. The commission may revoke or suspend any permit
374 issued by it for a violation by the permittee of any of the
375 provisions of this chapter or of the regulations promulgated under
376 it by the commission.

377 Permits must be revoked or suspended for the following
378 causes:

379 (a) Conviction of the permittee for the violation of
380 any of the provisions of this chapter;

381 (b) Willful failure or refusal by any permittee to
382 comply with any of the provisions of this chapter or of any rule
383 or regulation adopted pursuant thereto;

384 (c) The making of any materially false statement in any
385 application for a permit;

386 (d) Conviction of one (1) or more of the clerks, agents
387 or employees of the permittee, of any violation of this chapter
388 upon the premises covered by such permit within a period of time
389 as designated by the rules or regulations of the commission;

390 (e) The possession on the premises of any retail
391 permittee of any alcoholic beverages upon which the tax has not
392 been paid;

393 (f) The willful failure of any permittee to keep the
394 records or make the reports required by this chapter, or to allow
395 an inspection of such records by any duly authorized person;

396 (g) The suspension or revocation of a permit issued to
397 the permittee by the federal government, or conviction of
398 violating any federal law relating to alcoholic beverages;

399 (h) The failure to furnish any bond required by this
400 chapter within fifteen (15) days after notice from the commission;
401 and



402 (i) The conducting of any form of illegal gambling on
403 the premises of any permittee or on any premises connected
404 therewith or the presence on any such premises of any gambling
405 device with the knowledge of the permittee.

406 The provisions of paragraph (i) of this section shall not
407 apply to gambling or the presence of any gambling devices, with
408 knowledge of the permittee, on board a cruise vessel in the waters
409 within the State of Mississippi, which lie adjacent to the State
410 of Mississippi south of the three (3) most southern counties in
411 the State of Mississippi, or on any vessel as defined in Section
412 27-109-1 whenever such vessel is on the Mississippi River or
413 navigable waters within any county bordering on the Mississippi
414 River. The commission may, in its discretion, issue on-premises
415 retailer's permits to a common carrier of the nature described in
416 this paragraph.

417 In exercising its authority under this section, the
418 commission shall recognize the defense created for permittees
419 certified under the Responsible Alcohol Vendor Law.

420 No permit shall be revoked except after a hearing by the
421 commission with reasonable notice to the permittee and an
422 opportunity for him to appear and defend.

423 In addition to the causes specified in this section and other
424 provisions of this chapter, the commission shall be authorized to
425 suspend the permit of any permit holder for being out of
426 compliance with an order for support, as defined in Section
427 93-11-153. The procedure for suspension of a permit for being out
428 of compliance with an order for support, and the procedure for the
429 reissuance or reinstatement of a permit suspended for that
430 purpose, and the payment of any fees for the reissuance or
431 reinstatement of a permit suspended for that purpose, shall be
432 governed by Section 93-11-157 or 93-11-163, as the case may be.
433 If there is any conflict between any provision of Section
434 93-11-157 or 93-11-163 and any provision of this chapter, the



435 provisions of Section 93-11-157 or 93-11-163, as the case may be,
436 shall control.

437 **SECTION 12.** Section 67-3-29, Mississippi Code of 1972, is
438 amended as follows:

439 67-3-29. (1) The commissioner shall revoke any permit
440 granted by authority of this chapter to any person who shall
441 violate any of the provisions of this chapter or the revenue laws
442 of this state relating to engaging in transporting, storing,
443 selling, distributing, possessing, receiving or manufacturing of
444 wines or beers, or any person who shall hereafter be convicted of
445 the unlawful sale of intoxicating liquor, or any person who shall
446 allow or permit any form of illegal gambling or immorality on the
447 premises described in such permit. The commissioner shall not
448 revoke or suspend a permit of a retailer for the sale of light
449 wine or beer to a person under the age of twenty-one (21) years
450 until there has been a conviction of the permit holder or an
451 employee of the permit holder for such violation.

452 (2) If any person exercising any privilege taxable under the
453 provisions of Chapter 71 of Title 27, Mississippi Code of 1972,
454 shall willfully neglect or refuse to comply with the provisions of
455 such chapter, or any rules or regulations promulgated by the
456 commissioner under authority of such chapter, or the provisions of
457 this chapter, the commissioner shall be authorized to revoke the
458 permit theretofore issued to such person, after giving to such
459 person ten (10) days notice of the intention of the commissioner
460 to revoke such permit. The commissioner may, however, suspend
461 such permit instead of revoking same if, in his opinion,
462 sufficient cause is shown for a suspension rather than revocation.
463 Any person whose permit shall have been revoked by the
464 commissioner shall be thereafter prohibited from exercising any
465 privilege under the provisions of Chapter 71 of Title 27,
466 Mississippi Code of 1972, for a period of two (2) years from the
467 date of such revocation. The commissioner may, however, for good



468 cause shown, grant a new permit upon such conditions as the
469 commissioner may prescribe. Any person whose permit shall have
470 been suspended by the commissioner shall be prohibited from
471 exercising any privilege under the provisions of Chapter 71 of
472 Title 27, Mississippi Code of 1972, during the period of such
473 suspension. Failure of such person to comply with the terms of
474 the suspension shall be cause for revocation of his permit, in
475 addition to the other penalties provided by law.

476 (3) In addition to the reasons specified in this section and
477 other provisions of this chapter, the commissioner shall be
478 authorized to suspend the permit of any permit holder for being
479 out of compliance with an order for support, as defined in Section
480 93-11-153. The procedure for suspension of a permit for being out
481 of compliance with an order for support, and the procedure for the
482 reissuance or reinstatement of a permit suspended for that
483 purpose, and the payment of any fees for the reissuance or
484 reinstatement of a permit suspended for that purpose, shall be
485 governed by Section 93-11-157 or Section 93-11-163, as the case
486 may be. If there is any conflict between any provision of Section
487 93-11-157 or Section 93-11-163 and any provision of this chapter,
488 the provisions of Section 93-11-157 or 93-11-163, as the case may
489 be, shall control.

490 (4) In exercising its authority under this section, the
491 commission shall recognize the defense created for permittees
492 certified under the Responsible Alcohol Vendor Law.

493 **SECTION 13.** This act shall take effect and be in force from
494 and after July 1, 2003.

