MISSISSIPPI LEGISLATURE  
REGULAR SESSION 2003  

By: Senator(s) Minor  
To: Judiciary  

SENATE BILL NO. 2506  

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

SECTION 1. (1) For purposes of this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:  

(a) "Sponsor" or "advertiser" means any person, corporation or legal entity who, for charitable purposes or to promote goodwill in the community, donates or contributes products, material, money or pays fees for advertising or displaying trademarks in order that an event may be held or conducted.  

(b) "Event" means a concert, benefit, fundraiser, auction or other occasion at which entertainment, food or beverages are provided.  

(2) A sponsor or advertiser of an event shall not be held vicariously liable for the negligence of another in connection with or as a consequence of his involvement as a sponsor or advertiser of an event if he does not exercise any control or supervision over any aspect of the event.  

(3) This section shall not confer immunity on a sponsor or advertiser of an event for willful acts or gross negligence, and a
sponsor or advertiser of an event shall not be considered to be a part of a joint venture or the principal of an agent, with regard to any other person, corporation or legal entity which is participating in the event in a capacity other than that of a sponsor or advertiser.

SECTION 2. A lawfully permitted wholesaler or distributor of light wine or beer shall not be liable for the lawful distribution of light wine or beer to a lawfully licensed retail permit holder. Further, there is no liability on a manufacturer or importer authorized by the State Tax Commission to sell light wine or beer in Mississippi for the lawful distribution of light wine or beer to a permitted wholesaler or distributor of light wine or beer.

SECTION 3. (1) Notwithstanding any other law to the contrary, no holder of an alcoholic beverages manufacturer's permit issued under Section 67-1-1 et seq., or any agent or employee of such holder, which lawfully sells alcoholic beverages to the State Tax Commission under Section 67-1-1 et seq., shall be liable to the commission or to any other person or to the estate, or survivors of any person, for any injury suffered, including wrongful death and property damage, because of the intoxication of a person to whom the alcoholic beverages were sold or served by a holder of an on-premises retailer's permit issued under Section 67-1-1 et seq., a holder of a package retailer's permit issued under Section 67-1-1 et seq., or a holder of a temporary retailer's permit issued under Section 67-1-1 et seq.

(2) Notwithstanding any other law to the contrary, no holder of a package retailer's permit issued under Section 67-1-1 et seq., or any agent or employee of such holder, which lawfully sells alcoholic beverages to a holder of an on-premises retailer's permit issued under Section 67-1-1 et seq., or a holder of a temporary retailer's permit issued under Section 67-1-1 et seq., shall be liable to such holder or to any other person or to the estate, or survivors of either, for any injury suffered off the
licensed premises of the holder of the on-premises retailer's
permit, or the holder of the temporary retailer's permit,
including wrongful death and property damage, because of the
intoxication of a person to whom the alcoholic beverages were sold
or served by the holder of the on-premises retailer's permit or
the holder of the temporary retailer's permit.

SECTION 4. This act shall take effect and be in force from
and after its passage.