

By: Representative Barker

To: Ways and Means

HOUSE BILL NO. 1392

1 AN ACT TO AMEND SECTION 67-3-45, MISSISSIPPI CODE OF 1972, TO
 2 PROVIDE THAT A MANUFACTURER OF BEER WITH A MAXIMUM CAPACITY OF
 3 200,000 BARRELS ANNUALLY MAY OWN AND OPERATE A BREWPUB WITHIN THE
 4 SAME MUNICIPALITY AS ITS PRINCIPAL PLACE OF BUSINESS UPON A
 5 SEPARATE PREMISES, SO LONG AS BOTH FACILITIES FULLY COMPLY WITH
 6 ALL APPLICABLE STATE AND FEDERAL LAW AND THEIR OPERATION FULLY
 7 COMPORTS WITH THE EXISTING THREE-TIER SYSTEM OF DISTRIBUTION OF
 8 ALCOHOL EXISTING IN THIS STATE; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** Section 67-3-45, Mississippi Code of 1972, is
 11 amended as follows:

12 67-3-45. No manufacturer, distributor or wholesale dealer to
 13 whom or to which this chapter applies shall:

14 (a) Make any loan, directly or indirectly, or furnish
 15 any fixtures of any kind, directly or indirectly, to any retail
 16 dealer in light wines and/or beer;

17 (b) Have any interest, direct or indirect, in the
 18 business of or in the furnishings or fixtures or in the premises
 19 used by any such retail dealer in connection with his or its
 20 business;



21 (c) Have any lien on any such property of any such
22 retail dealer; or

23 (d) Sell light wines and/or beer to any such retail
24 dealer on credit.

25 This section shall not apply to a brewpub licensed pursuant
26 to Article 3, Chapter 71, Title 27, Mississippi Code of 1972, and
27 expressly permits any manufacturer of beer with a maximum capacity
28 of two hundred thousand (200,000) barrels annually to own and
29 operate a brewpub within the same municipality as its principal
30 place of business upon a separate premises, so long as both
31 facilities fully comply with all applicable state and federal law
32 and their operation fully comports with the existing three-tier
33 system of distribution of alcohol existing in Mississippi.

34 **SECTION 2.** This act shall take effect and be in force from
35 and after July 1, 2016.

