

By: Representative Zuber

To: Ways and Means

HOUSE BILL NO. 791

1 AN ACT TO AMEND SECTION 67-1-7, MISSISSIPPI CODE OF 1972, TO
2 REVISE WHERE HOLDERS OF CERTAIN MANUFACTURER'S PERMITS ISSUED
3 UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW MAY
4 MANUFACTURE AND DISTRIBUTE ALCOHOLIC BEVERAGES IN COUNTIES THAT
5 HAVE VOTED TO COME OUT FROM UNDER THE DRY LAW; AND FOR RELATED
6 PURPOSES.

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

8 **SECTION 1.** Section 67-1-7, Mississippi Code of 1972, is
9 amended as follows:

10 67-1-7. (1) Except as otherwise provided in Section 67-9-1
11 for the transportation and possession of limited amounts of
12 alcoholic beverages for the use of an alcohol processing
13 permittee, and subject to all of the provisions and restrictions
14 contained in this chapter, the manufacture, sale, distribution,
15 possession and transportation of alcoholic beverages shall be
16 lawful, subject to the restrictions hereinafter imposed, in those
17 counties and municipalities of this state in which, at a local
18 option election called and held for that purpose under the
19 provisions of this chapter, a majority of the qualified electors
20 voting in such election shall vote in favor thereof. Except as



21 otherwise provided in Section 67-1-51 for holders of a caterer's
22 permit and except for holders of a Class 1 manufacturer's permit
23 or a Class 2 manufacturer's permit, the manufacture, sale and
24 distribution of alcoholic beverages shall not be permissible or
25 lawful in counties except in (a) incorporated municipalities
26 located within such counties, (b) qualified resort areas within
27 such counties approved as such by the * * * Department of Revenue,
28 or (c) clubs within such counties, whether within a municipality
29 or not. The manufacture, sale, distribution and possession of
30 native wines shall be lawful in any location within any such
31 county except those locations where the manufacture, sale or
32 distribution is prohibited by law other than this section or by
33 regulations of the * * * department.

34 (2) Notwithstanding the foregoing, within any state park or
35 any state park facility that has been declared a qualified resort
36 area by the * * * department, and within any qualified resort area
37 as defined under Section 67-1-5(o)(iii), an on-premises retailer's
38 permit may be issued for the qualified resort area, and the
39 permittee may lawfully sell alcoholic beverages for consumption on
40 his licensed premises regardless of whether or not the county or
41 municipality in which the qualified resort area is located has
42 voted in favor of coming out from under the dry law, and it shall
43 be lawful to receive, store, sell, possess and consume alcoholic
44 beverages on the licensed premises, and to sell, distribute and
45 transport alcoholic beverages to the licensed premises.



46 **SECTION 2.** This act shall take effect and be in force from
47 and after July 1, 2018.

