

By: Senator(s) Jolly

To: Tourism

SENATE BILL NO. 2395

1 AN ACT TO AMEND SECTION 67-3-9, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE CITIES, TOWNS OR VILLAGES THAT ARE COUNTY SEATS THAT
3 HAVE VOTED TO COME OUT FROM UNDER THE DRY LAW UNDER SECTION
4 67-1-14 TO CALL AND HOLD AN ELECTION ON WHETHER TO AUTHORIZE THE
5 LEGAL SALE OF LIGHT WINE AND BEER IN THE CITY, TOWN OR VILLAGE;
6 AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 67-3-9, Mississippi Code of 1972, is
9 amended as follows:

10 67-3-9. Any city in this state, having a population of not
11 less than two thousand five hundred (2,500) according to the
12 latest federal census; or any city in this state having a
13 population of not less than one thousand five hundred (1,500)
14 according to the latest federal census and located within three
15 (3) miles of a city or county that permits the sale, receipt,
16 storage and transportation for the purpose of sale of beer or
17 light wine; or in any city, town or village in this state that is
18 a county seat and has voted to come out from under the dry law
19 under Section 67-1-14; at an election held for the purpose, under
20 the election laws applicable to such city, may either prohibit or



21 permit, except as otherwise provided under Section 67-9-1, the
22 sale and the receipt, storage and transportation for the purpose
23 of sale of beer and light wine. An election to determine whether
24 such sale shall be permitted in cities wherein its sale is
25 prohibited by law shall be ordered by the city council or mayor
26 and board of aldermen or other governing body of such city for
27 such city only, upon the presentation of a petition for such city
28 to such governing board containing the names of twenty percent
29 (20%) of the duly qualified voters of such city asking for such
30 election. In like manner, an election to determine whether such
31 sale shall be prohibited in cities wherein its sale is permitted
32 by law shall be ordered by the city council or mayor and board of
33 aldermen or other governing board of such city for such city only,
34 upon the presentation of a petition to such governing board
35 containing the names of twenty percent (20%) of the duly qualified
36 voters of such city asking for such election. No election on
37 either question shall be held by any one (1) city more often than
38 once in five (5) years.

39 Thirty (30) days' notice shall be given to the qualified
40 electors of such city in the manner prescribed by law upon the
41 question of either permitting or prohibiting such sale, and the
42 notice shall contain a statement of the question to be voted on at
43 the election. The tickets to be used in the election shall have
44 the following words printed thereon: "For the legal sale of light
45 wine of an alcoholic content of not more than five percent (5%) by



46 weight and beer of an alcoholic content of not more than eight
47 percent (8%) by weight"; and the words "Against the legal sale of
48 light wine of an alcoholic content of not more than five percent
49 (5%) by weight and beer of an alcoholic content of not more than
50 eight percent (8%) by weight," next below. In making up his
51 ticket the voter shall make a cross (X) opposite the words of his
52 choice.

53 If in the election a majority of the qualified electors
54 voting in the election shall vote "For the legal sale of light
55 wine of an alcoholic content of not more than five percent (5%) by
56 weight and beer of an alcoholic content of not more than eight
57 percent (8%) by weight," then the city council or mayor and board
58 of aldermen or other governing body shall pass the necessary order
59 permitting the legal sale of such light wine and beer in such
60 city. If in the election a majority of the qualified electors
61 voting in the election shall vote "Against the legal sale of light
62 wine of an alcoholic content of not more than five percent (5%) by
63 weight and beer of an alcoholic content of not more than eight
64 percent (8%) by weight," then the city council or mayor and board
65 of aldermen or other governing body shall pass the necessary order
66 prohibiting the sale of such light wine and beer in such city.

67 All laws or parts of laws in conflict with this section are
68 hereby repealed to the extent of such conflict only, this section
69 being cumulative and supplementary.



70 **SECTION 2.** This act shall take effect and be in force from
71 and after July 1, 2019.

