

**Adopted
AMENDMENT NO 2 TO AMENDMENT NO 1 PROPOSED TO**

Senate Bill No. 2253

BY: Representative Hood

1 **AMEND** on line 353 by striking "one thousand eight hundred
2 (1,800)" and inserting in lieu thereof "one thousand five hundred
3 (1,500)".

4 **AMEND further** on line 358 by striking the period and
5 inserting in lieu thereof the following:

6 "i

7 21. Any municipality with a population in
8 excess of two thousand (2,000) according to the latest federal
9 decennial census and in which is located a part of White's Creek
10 Lake and in which U.S. Highway 82 intersects with Mississippi
11 Highway 9 and located in a county that is partially bordered on
12 one (1) side by the Big Black River; however, the governing
13 authorities of such a municipality may by ordinance:



14 a. Specify the hours of operation of
15 facilities that offer alcoholic beverages for sale;

16 b. Specify the percentage of revenue
17 that facilities that offer alcoholic beverages for sale must
18 derive from the preparation, cooking and serving of meals and not
19 from the sale of beverages; and

20 c. Designate the areas in which
21 facilities that offer alcoholic beverages for sale may be
22 located."

23 **AMEND further** by inserting the following after line 564 and
24 renumbering the succeeding sections accordingly:

25 **SECTION *.** Section 67-1-16, Mississippi Code of 1972, is
26 amended as follows:

27 67-1-16. (1) (a) Before an area may be designated by the
28 governing authorities of a municipality as an area in which
29 facilities which are defined as qualified resort areas in Section
30 67-1-5(o)(iii)5 may be located, an election shall be held, under
31 the election laws applicable to the municipality, on the question
32 of whether qualified resort areas shall be allowed in the
33 municipality. An election to determine whether qualified resort
34 areas shall be allowed in the municipality shall be ordered by the
35 municipal governing authorities, upon presentation to the
36 governing authorities of a petition containing the names of at
37 least twenty percent (20%) of the duly qualified voters of the



38 municipality asking for the election. An election on the question
39 may not be held by the municipality more often than once each
40 year.

41 (b) Thirty (30) days' notice shall be given to the
42 qualified electors of the municipality, in the manner prescribed
43 by law, on the question of allowing qualified resort areas to be
44 established. The notice shall contain a statement of the question
45 to be voted on at the election. The ballots used in the election
46 shall have the following words printed thereon: "FOR THE
47 ESTABLISHMENT OF QUALIFIED RESORT AREAS," and next below, "AGAINST
48 THE ESTABLISHMENT OF QUALIFIED RESORT AREAS." In marking his
49 ballot, the voter shall make a cross (X) opposite the words of his
50 choice.

51 (c) Qualified resort areas may be established if a
52 majority of the qualified electors voting in the election vote for
53 such establishment. A qualified resort area may not be
54 established if a majority of the qualified electors voting in the
55 election vote against such establishment.

56 (2) (a) Before a municipality may be designated as a
57 qualified resort area as defined in Section 67-1-5(o)(iii)6, an
58 election shall be held, under the election laws applicable to the
59 municipality, on the question of whether the municipality shall be
60 a qualified resort area. An election to determine whether the
61 municipality shall be a qualified resort area shall be ordered by
62 the municipal governing authorities, upon presentation to the



63 governing authorities of a petition containing the names of at
64 least twenty percent (20%) of the duly qualified voters of the
65 municipality asking for the election. An election on the question
66 may not be held by the municipality more often than once each
67 year.

68 (b) Thirty (30) days' notice shall be given to the
69 qualified electors of the municipality, in the manner prescribed
70 by law, on the question of allowing qualified resort areas to be
71 established. The notice shall contain a statement of the question
72 to be voted on at the election. The ballots used in the election
73 shall have the following words printed thereon: "FOR THE
74 ESTABLISHMENT OF A QUALIFIED RESORT AREA," and next below,
75 "AGAINST THE ESTABLISHMENT OF A QUALIFIED RESORT AREA." In
76 marking his ballot, the voter shall make a cross (X) opposite the
77 words of his choice.

78 (c) The municipality may be established as a qualified
79 resort area if a majority of the qualified electors voting in the
80 election vote for such establishment. A qualified resort area may
81 not be established if a majority of the qualified electors voting
82 in the election vote against such establishment.

83 (3) (a) Before an area may be designated a qualified resort
84 area as defined in Section 67-1-5(o)(iii)7, an election shall be
85 held in the municipality in which the area is located under the
86 election laws applicable to the municipality, on the question of
87 whether the area shall be a qualified resort area. An election to



88 determine whether the area shall be a qualified resort area shall
89 be ordered by the municipal governing authorities, upon
90 presentation to the governing authorities of a petition containing
91 the names of at least twenty percent (20%) of the duly qualified
92 voters of the municipality asking for the election. An election
93 on the question may not be held by the municipality more often
94 than once each year.

95 (b) Thirty (30) days' notice shall be given to the
96 qualified electors of the municipality, in the manner prescribed
97 by law, on the question of allowing qualified resort areas to be
98 established. The notice shall contain a statement of the question
99 to be voted on at the election. The ballots used in the election
100 shall have the following words printed thereon: "FOR THE
101 ESTABLISHMENT OF A QUALIFIED RESORT AREA," and next below,
102 "AGAINST THE ESTABLISHMENT OF A QUALIFIED RESORT AREA." In
103 marking his ballot, the voter shall make a cross (X) opposite the
104 words of his choice.

105 (c) The area may be established as a qualified resort
106 area if a majority of the qualified electors voting in the
107 election vote for such establishment. A qualified resort area may
108 not be established if a majority of the qualified electors voting
109 in the election vote against such establishment.

110 (4) (a) Before an area may be designated a qualified resort
111 area as defined in Section 67-1-5(o)(iii)8, an election shall be
112 held in the area described in Section 67-1-5(o)(iii)8 under the



113 election laws applicable to counties, on the question of whether
114 the area shall be a qualified resort area. An election to
115 determine whether the area shall be a qualified resort area shall
116 be ordered by the board of supervisors, upon presentation to the
117 board of a petition containing the names of at least twenty
118 percent (20%) of the duly qualified voters of the area described
119 in Section 67-1-5(o)(iii)8 asking for the election. An election
120 on the question may not be held by the county more often than once
121 each year.

122 (b) Thirty (30) days' notice shall be given to the
123 qualified electors of the area, in the manner prescribed by law,
124 on the question of allowing qualified resort areas to be
125 established. The notice shall contain a statement of the question
126 to be voted on at the election. The ballots used in the election
127 shall have the following words printed thereon: "FOR THE
128 ESTABLISHMENT OF A QUALIFIED RESORT AREA," and next below,
129 "AGAINST THE ESTABLISHMENT OF A QUALIFIED RESORT AREA." In
130 marking his ballot, the voter shall make a cross (X) opposite the
131 words of his choice.

132 (c) The area may be established as a qualified resort
133 area if a majority of the qualified electors voting in the
134 election vote for such establishment. A qualified resort area may
135 not be established if a majority of the qualified electors voting
136 in the election vote against such establishment.



137 (5) (a) Before a municipality may be designated as a
138 qualified resort area as defined in Section 67-1-5(o)(iii)21, an
139 election shall be held, under the election laws applicable to the
140 municipality, on the question of whether the municipality shall be
141 a qualified resort area. An election to determine whether the
142 municipality shall be a qualified resort area shall be ordered by
143 the municipal governing authorities. An election on the question
144 may not be held by the municipality more often than once each
145 year.

146 (b) Thirty (30) days' notice shall be given to the
147 qualified electors of the municipality, in the manner prescribed
148 by law, on the question of allowing qualified resort areas to be
149 established. The notice shall contain a statement of the question
150 to be voted on at the election. The ballots used in the election
151 shall have the following words printed thereon: "FOR THE
152 ESTABLISHMENT OF A QUALIFIED RESORT AREA," and next below,
153 "AGAINST THE ESTABLISHMENT OF A QUALIFIED RESORT AREA." In
154 marking his ballot, the voter shall make a cross (X) opposite the
155 words of his choice.

156 (c) The municipality may be established as a qualified
157 resort area if a majority of the qualified electors voting in the
158 election vote for such establishment. A qualified resort area may
159 not be established if a majority of the qualified electors voting
160 in the election vote against such establishment.



161 **AMEND further** the title on line 10 by inserting the following
162 after the semicolon:
163 "TO AMEND SECTION 67-1-16, MISSISSIPPI CODE OF 1972, TO REQUIRE AN
164 ELECTION TO BE HELD BEFORE CERTAIN MUNICIPALITIES MAY BE
165 DESIGNATED A QUALIFIED RESORT AREA UNDER THE LOCAL OPTION
166 ALCOHOLIC BEVERAGE CONTROL LAW;"

