

**Adopted
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

Senate Bill No. 2804

BY: Committee

**Amend by striking all after the enacting clause and inserting
in lieu thereof the following:**

31 **SECTION 1.** (1) The holder of a delivery service permit
32 under Section 67-1-51:

33 (a) May contract with the holder of a package
34 retailer's permit under Section 67-1-51 or the holder of a beer,
35 light wine and light spirit product retail permit under Section
36 67-3-19 for the purpose of intrastate delivery of alcoholic
37 beverages or beer, light wine and light spirit product,
38 respectively;

39 (b) May deliver alcoholic beverages or beer, light wine
40 and light spirit product without a delivery contract, if the



41 permittee holds a package retailer's permit under Section 67-1-51
42 or a beer, light wine and light spirit product retail permit under
43 Section 67-3-19, respectively;

44 (c) May use its own employees or independent
45 contractors who are at least twenty-one (21) years of age to
46 deliver such alcoholic beverages, beer, light wine or light spirit
47 product under this section, provided all delivery agents are
48 trained and certified consistent with the training program
49 submitted to the division as required by subsection (2) (d) of this
50 section. If independent contractors are used, the delivery
51 service permittee must enter into a contract with the retailer as
52 required by subsection (2) (c) of this section;

53 (d) May facilitate orders by telephone, internet or
54 other electronic means for the sale and delivery of alcoholic
55 beverages, beer, light wine or light spirit product under this
56 section. The full amount of each order must be handled in a
57 manner that gives the retail permittee control over the ultimate
58 receipt of payment from the consumer. The retail permittee shall
59 remain responsible for the proper remittance of all applicable
60 taxes on the sale of the product;

61 (e) May deliver only sealed containers of alcoholic
62 beverages, beer, light wine or light spirit product to an
63 individual in Mississippi;



64 (f) Shall obtain from the customer a confirmation that
65 he or she is at least twenty-one (21) years of age at the time the
66 order is placed;

67 (g) Shall place a stamp, print or label on the outside
68 of the sealed package to indicate that the sealed package contains
69 alcoholic beverages, beer, light wine or light spirit product;

70 (h) Shall require the recipient, at the time of
71 delivery, to provide valid photo identification verifying he or
72 she is at least twenty-one (21) years of age and to sign for the
73 delivery;

74 (i) Shall possess identification scanning software
75 technology or a state-of-the-art alternative at the point of
76 delivery to verify the recipient is at least twenty-one (21) years
77 of age and to collect the recipient's name and date of birth.
78 Records relating to this verification shall be maintained for at
79 least ninety (90) days and shall be subject to review by the
80 division;

81 (j) Shall return all alcoholic beverages, beer, light
82 wine or light spirit product to the retailer if the recipient is
83 under the age of twenty-one (21) years, appears intoxicated, fails
84 to provide proof of identification, fails or refuses to sign for
85 delivery, fails to complete the identification verification
86 process or declines to accept delivery, or if any circumstances in
87 the delivery environment indicate illegal conduct, overconsumption



88 of alcohol, or an otherwise unsafe environment for the consumption
89 of alcohol;

90 (1) May not deliver any alcoholic beverage, beer, light
91 wine or light spirit product to any person located within a
92 jurisdiction that is dry for that product, as provided by the
93 division's wet-dry map;

94 (m) May not deliver any alcoholic beverage, beer, light
95 wine or light spirit product more than thirty (30) miles from the
96 retailer's licensed premises;

97 (n) Shall permit the division to perform an audit of
98 the licensee's records upon request and with sufficient
99 notification; and

100 (o) Shall be deemed to have consented to the
101 jurisdiction of the division or any law enforcement agency and the
102 Mississippi courts concerning enforcement of this section and any
103 related laws or rules.

104 (2) In order to receive a delivery service permit, an
105 applicant shall:

106 (a) File an application with the division;

107 (b) Pay the privilege license tax of Five Hundred
108 Dollars (\$500.00) as provided in Section 27-71-5;

109 (c) Provide to the division a sample contract that the
110 applicant intends to enter into with a retailer for the delivery
111 of alcoholic beverages, beer, light wine or light spirit product,
112 unless the applicant is the retailer;



113 (d) Submit to the division an outline of an internal or
114 external training and certification program for delivery service
115 personnel that addresses topics such as identifying underage
116 persons, intoxicated persons, and fake or altered identification;

117 (e) Provide an attestation that the applicant is at
118 least twenty-one (21) years of age and has not been convicted of a
119 felony in any state or federal courts;

120 (f) Shall provide proof of a general liability
121 insurance policy in an amount not less than One Million Dollars
122 (\$1,000,000.00) per occurrence; and

123 (g) Shall be properly registered to conduct business in
124 Mississippi.

125 (3) Nothing in this section shall be construed to require a
126 technology services company to obtain a delivery service permit if
127 the company does not employ or contract with delivery agents but
128 merely provides software or a digital network application that
129 connects consumers and licensed retailers for the delivery of
130 alcoholic beverages from the licensed retailer. However, the act
131 of connecting consumers to licensed retailers shall serve to grant
132 subject matter jurisdiction and personal jurisdiction to the State
133 of Mississippi.

134 (4) The division may enforce the requirements of this
135 section by the same administrative proceedings that apply to other
136 alcoholic beverage licenses or permits, including, without
137 limitation, any disciplinary action applicable to the package



138 retailer's permittee, retail permittee for beer, light wine or
139 light spirit product, or delivery service permittee resulting from
140 any unlawful sale to a minor.

141 (5) The division may enforce the requirements of this
142 section against the package retailer's permittee, retail permittee
143 for beer, light wine or light spirit product, or delivery service
144 permittee, and any employee or independent contractor of such
145 permittee. If a package retailer permittee or a retail permittee
146 for beer, light wine or light spirit product is also a delivery
147 permittee, a violation of alcohol law by its employee or
148 independent contractor during delivery will subject both the
149 retailer permit and the delivery service permit to disciplinary
150 action for the violation. Delivery to a minor shall be treated as
151 furnishing to a minor and shall result in any applicable
152 disciplinary action.

153 (6) Nothing in this section shall be construed to limit or
154 otherwise diminish the ability of the division to enforce the
155 provisions of Title 67, Chapters 1 and 3, Mississippi Code of
156 1972, with respect to the liability of any package retailer
157 permittee, retail permittee for beer, light wine or light spirit
158 product, or delivery service permittee engaging in delivery
159 activity authorized by this section.

160 (7) Nothing in this section shall be construed to authorize
161 the direct shipment of alcoholic beverages, light wine, beer or
162 light spirit product from any retailer, manufacturer or



163 distributor holding a permit under this chapter, or under Title
164 67, Chapter 3, Mississippi Code of 1972, to consumers in this
165 state.

166 **SECTION 2.** Section 67-1-51, Mississippi Code of 1972, is
167 amended as follows:

168 67-1-51. (1) Permits which may be issued by the department
169 shall be as follows:

170 (a) **Manufacturer's permit.** A manufacturer's permit
171 shall permit the manufacture, importation in bulk, bottling and
172 storage of alcoholic liquor and its distribution and sale to
173 manufacturers holding permits under this chapter in this state and
174 to persons outside the state who are authorized by law to purchase
175 the same, and to sell as provided by this chapter.

176 Manufacturer's permits shall be of the following classes:

177 Class 1. Distiller's and/or rectifier's permit, which shall
178 authorize the holder thereof to operate a distillery for the
179 production of distilled spirits by distillation or redistillation
180 and/or to operate a rectifying plant for the purifying, refining,
181 mixing, blending, flavoring or reducing in proof of distilled
182 spirits and alcohol.

183 Class 2. Wine manufacturer's permit, which shall authorize
184 the holder thereof to manufacture, import in bulk, bottle and
185 store wine or vinous liquor.



186 Class 3. Native wine producer's permit, which shall
187 authorize the holder thereof to produce, bottle, store and sell
188 native wines.

189 (b) **Package retailer's permit.** Except as otherwise
190 provided in this paragraph and Section 67-1-52, a package
191 retailer's permit shall authorize the holder thereof to operate a
192 store exclusively for the sale at retail in original sealed and
193 unopened packages of alcoholic beverages, including native wines,
194 not to be consumed on the premises where sold. Alcoholic
195 beverages shall not be sold by any retailer in any package or
196 container containing less than fifty (50) milliliters by liquid
197 measure. A package retailer's permit, with prior approval from
198 the department, shall authorize the holder thereof to sample new
199 product furnished by a manufacturer's representative or his
200 employees at the permitted place of business so long as the
201 sampling otherwise complies with this chapter and applicable
202 department regulations. Such samples may not be provided to
203 customers at the permitted place of business. In addition to the
204 sale at retail of packages of alcoholic beverages, the holder of a
205 package retailer's permit is authorized to sell at retail
206 corkscrews, wine glasses, soft drinks, ice, juices, mixers and
207 other beverages commonly used to mix with alcoholic beverages.
208 Nonalcoholic beverages sold by the holder of a package retailer's
209 permit shall not be consumed on the premises where sold.



210 (c) **On-premises retailer's permit.** Except as otherwise
211 provided in subsection (5) of this section, an on-premises
212 retailer's permit shall authorize the sale of alcoholic beverages,
213 including native wines, for consumption on the licensed premises
214 only; however, a patron of the permit holder may remove one (1)
215 bottle of wine from the licensed premises if: (i) the patron
216 consumed a portion of the bottle of wine in the course of
217 consuming a meal purchased on the licensed premises; (ii) the
218 permit holder securely reseals the bottle; (iii) the bottle is
219 placed in a bag that is secured in a manner so that it will be
220 visibly apparent if the bag is opened; and (iv) a dated receipt
221 for the wine and the meal is available. Additionally, as part of
222 a carryout order, a permit holder may sell one (1) bottle of wine
223 to be removed from the licensed premises for every two (2) entrees
224 ordered. Such a permit shall be issued only to qualified hotels,
225 restaurants and clubs, and to common carriers with adequate
226 facilities for serving passengers. In resort areas, whether
227 inside or outside of a municipality, the department, in its
228 discretion, may issue on-premises retailer's permits to such
229 establishments as it deems proper. An on-premises retailer's
230 permit when issued to a common carrier shall authorize the sale
231 and serving of alcoholic beverages aboard any licensed vehicle
232 while moving through any county of the state; however, the sale of
233 such alcoholic beverages shall not be permitted while such vehicle
234 is stopped in a county that has not legalized such sales. If an



235 on-premises retailer's permit is applied for by a common carrier
236 operating solely in the water, such common carrier must, along
237 with all other qualifications for a permit, (i) be certified to
238 carry at least one hundred fifty (150) passengers and/or provide
239 overnight accommodations for at least fifty (50) passengers and
240 (ii) operate primarily in the waters within the State of
241 Mississippi which lie adjacent to the State of Mississippi south
242 of the three (3) most southern counties in the State of
243 Mississippi and/or on the Mississippi River or navigable waters
244 within any county bordering on the Mississippi River.

245 (d) **Solicitor's permit.** A solicitor's permit shall
246 authorize the holder thereof to act as salesman for a manufacturer
247 or wholesaler holding a proper permit, to solicit on behalf of his
248 employer orders for alcoholic beverages, and to otherwise promote
249 his employer's products in a legitimate manner. Such a permit
250 shall authorize the representation of and employment by one (1)
251 principal only. However, the permittee may also, in the
252 discretion of the department, be issued additional permits to
253 represent other principals. No such permittee shall buy or sell
254 alcoholic beverages for his own account, and no such beverage
255 shall be brought into this state in pursuance of the exercise of
256 such permit otherwise than through a permit issued to a wholesaler
257 or manufacturer in the state.

258 (e) **Native wine retailer's permit.** Except as otherwise
259 provided in subsection (5) of this section, a native wine



260 retailer's permit shall be issued only to a holder of a Class 3
261 manufacturer's permit, and shall authorize the holder thereof to
262 make retail sales of native wines to consumers for on-premises
263 consumption or to consumers in originally sealed and unopened
264 containers at an establishment located on the premises of or in
265 the immediate vicinity of a native winery. When selling to
266 consumers for on-premises consumption, a holder of a native wine
267 retailer's permit may add to the native wine alcoholic beverages
268 not produced on the premises, so long as the total volume of
269 foreign beverage components does not exceed twenty percent (20%)
270 of the mixed beverage. Hours of sale shall be the same as those
271 authorized for on-premises permittees in the city or county in
272 which the native wine retailer is located.

273 (f) **Temporary retailer's permit.** Except as otherwise
274 provided in subsection (5) of this section, a temporary retailer's
275 permit shall permit the purchase and resale of alcoholic
276 beverages, including native wines, during legal hours on the
277 premises described in the temporary permit only.

278 Temporary retailer's permits shall be of the following
279 classes:

280 Class 1. A temporary one-day permit may be issued to bona
281 fide nonprofit civic or charitable organizations authorizing the
282 sale of alcoholic beverages, including native wine, for
283 consumption on the premises described in the temporary permit
284 only. Class 1 permits may be issued only to applicants



285 demonstrating to the department, by a statement signed under
286 penalty of perjury submitted ten (10) days prior to the proposed
287 date or such other time as the department may determine, that they
288 meet the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2)
289 and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59.
290 Class 1 permittees shall obtain all alcoholic beverages from
291 package retailers located in the county in which the temporary
292 permit is issued. Alcoholic beverages remaining in stock upon
293 expiration of the temporary permit may be returned by the
294 permittee to the package retailer for a refund of the purchase
295 price upon consent of the package retailer or may be kept by the
296 permittee exclusively for personal use and consumption, subject to
297 all laws pertaining to the illegal sale and possession of
298 alcoholic beverages. The department, following review of the
299 statement provided by the applicant and the requirements of the
300 applicable statutes and regulations, may issue the permit.

301 Class 2. A temporary permit, not to exceed seventy (70)
302 days, may be issued to prospective permittees seeking to transfer
303 a permit authorized in paragraph (c) of this subsection. A Class
304 2 permit may be issued only to applicants demonstrating to the
305 department, by a statement signed under the penalty of perjury,
306 that they meet the qualifications of Sections 67-1-5(1), (m), (n),
307 (o), (p) or (q), 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 and
308 67-1-59. The department, following a preliminary review of the



309 statement provided by the applicant and the requirements of the
310 applicable statutes and regulations, may issue the permit.

311 Class 2 temporary permittees must purchase their alcoholic
312 beverages directly from the department or, with approval of the
313 department, purchase the remaining stock of the previous
314 permittee. If the proposed applicant of a Class 1 or Class 2
315 temporary permit falsifies information contained in the
316 application or statement, the applicant shall never again be
317 eligible for a retail alcohol beverage permit and shall be subject
318 to prosecution for perjury.

319 Class 3. A temporary one-day permit may be issued to a
320 retail establishment authorizing the complimentary distribution of
321 wine, including native wine, to patrons of the retail
322 establishment at an open house or promotional event, for
323 consumption only on the premises described in the temporary
324 permit. A Class 3 permit may be issued only to an applicant
325 demonstrating to the department, by a statement signed under
326 penalty of perjury submitted ten (10) days before the proposed
327 date or such other time as the department may determine, that it
328 meets the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2)
329 and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59.
330 A Class 3 permit holder shall obtain all alcoholic beverages from
331 the holder(s) of a package retailer's permit located in the county
332 in which the temporary permit is issued. Wine remaining in stock
333 upon expiration of the temporary permit may be returned by the



334 Class 3 temporary permit holder to the package retailer for a
335 refund of the purchase price, with consent of the package
336 retailer, or may be kept by the Class 3 temporary permit holder
337 exclusively for personal use and consumption, subject to all laws
338 pertaining to the illegal sale and possession of alcoholic
339 beverages. The department, following review of the statement
340 provided by the applicant and the requirements of the applicable
341 statutes and regulations, may issue the permit. No retailer may
342 receive more than twelve (12) Class 3 temporary permits in a
343 calendar year. A Class 3 temporary permit shall not be issued to
344 a retail establishment that either holds a merchant permit issued
345 under paragraph (1) of this subsection, or holds a permit issued
346 under Chapter 3, Title 67, Mississippi Code of 1972, authorizing
347 the holder to engage in the business of a retailer of light wine
348 or beer.

349 (g) **Caterer's permit.** A caterer's permit shall permit
350 the purchase of alcoholic beverages by a person engaging in
351 business as a caterer and the resale of alcoholic beverages by
352 such person in conjunction with such catering business. No person
353 shall qualify as a caterer unless forty percent (40%) or more of
354 the revenue derived from such catering business shall be from the
355 serving of prepared food and not from the sale of alcoholic
356 beverages and unless such person has obtained a permit for such
357 business from the Department of Health. A caterer's permit shall
358 not authorize the sale of alcoholic beverages on the premises of



359 the person engaging in business as a caterer; however, the holder
360 of an on-premises retailer's permit may hold a caterer's permit.
361 When the holder of an on-premises retailer's permit or an
362 affiliated entity of the holder also holds a caterer's permit, the
363 caterer's permit shall not authorize the service of alcoholic
364 beverages on a consistent, recurring basis at a separate, fixed
365 location owned or operated by the caterer, on-premises retailer or
366 affiliated entity and an on-premises retailer's permit shall be
367 required for the separate location. All sales of alcoholic
368 beverages by holders of a caterer's permit shall be made at the
369 location being catered by the caterer, and, except as otherwise
370 provided in subsection (5) of this section, such sales may be made
371 only for consumption at the catered location. The location being
372 catered may be anywhere within a county or judicial district that
373 has voted to come out from under the dry laws or in which the sale
374 and distribution of alcoholic beverages is otherwise authorized by
375 law. Such sales shall be made pursuant to any other conditions
376 and restrictions which apply to sales made by on-premises retail
377 permittees. The holder of a caterer's permit or his employees
378 shall remain at the catered location as long as alcoholic
379 beverages are being sold pursuant to the permit issued under this
380 paragraph (g), and the permittee shall have at the location the
381 identification card issued by the Alcoholic Beverage Control
382 Division of the department. No unsold alcoholic beverages may be
383 left at the catered location by the permittee upon the conclusion



384 of his business at that location. Appropriate law enforcement
385 officers and Alcoholic Beverage Control Division personnel may
386 enter a catered location on private property in order to enforce
387 laws governing the sale or serving of alcoholic beverages.

388 (h) **Research permit.** A research permit shall authorize
389 the holder thereof to operate a research facility for the
390 professional research of alcoholic beverages. Such permit shall
391 authorize the holder of the permit to import and purchase limited
392 amounts of alcoholic beverages from the department or from
393 importers, wineries and distillers of alcoholic beverages for
394 professional research.

395 (i) **Alcohol processing permit.** An alcohol processing
396 permit shall authorize the holder thereof to purchase, transport
397 and possess alcoholic beverages for the exclusive use in cooking,
398 processing or manufacturing products which contain alcoholic
399 beverages as an integral ingredient. An alcohol processing permit
400 shall not authorize the sale of alcoholic beverages on the
401 premises of the person engaging in the business of cooking,
402 processing or manufacturing products which contain alcoholic
403 beverages. The amounts of alcoholic beverages allowed under an
404 alcohol processing permit shall be set by the department.

405 (j) **Hospitality cart permit.** A hospitality cart permit
406 shall authorize the sale of alcoholic beverages from a mobile cart
407 on a golf course that is the holder of an on-premises retailer's



408 permit. The alcoholic beverages sold from the cart must be
409 consumed within the boundaries of the golf course.

410 (k) **Special service permit.** A special service permit
411 shall authorize the holder to sell commercially sealed alcoholic
412 beverages to the operator of a commercial or private aircraft for
413 en route consumption only by passengers. A special service permit
414 shall be issued only to a fixed-base operator who contracts with
415 an airport facility to provide fueling and other associated
416 services to commercial and private aircraft.

417 (l) **Merchant permit.** Except as otherwise provided in
418 subsection (5) of this section, a merchant permit shall be issued
419 only to the owner of a spa facility, an art studio or gallery, or
420 a cooking school, and shall authorize the holder to serve
421 complimentary by the glass wine only, including native wine, at
422 the holder's spa facility, art studio or gallery, or cooking
423 school. A merchant permit holder shall obtain all wine from the
424 holder of a package retailer's permit.

425 (m) **Temporary alcoholic beverages charitable auction**
426 **permit.** A temporary permit, not to exceed five (5) days, may be
427 issued to a qualifying charitable nonprofit organization that is
428 exempt from taxation under Section 501(c)(3) or (4) of the
429 Internal Revenue Code of 1986. The permit shall authorize the
430 holder to sell alcoholic beverages for the limited purpose of
431 raising funds for the organization during a live or silent auction
432 that is conducted by the organization and that meets the following



433 requirements: (i) the auction is conducted in an area of the
434 state where the sale of alcoholic beverages is authorized; (ii) if
435 the auction is conducted on the premises of an on-premises
436 retailer's permit holder, then the alcoholic beverages to be
437 auctioned must be stored separately from the alcoholic beverages
438 sold, stored or served on the premises, must be removed from the
439 premises immediately following the auction, and may not be
440 consumed on the premises; (iii) the permit holder may not conduct
441 more than two (2) auctions during a calendar year; (iv) the permit
442 holder may not pay a commission or promotional fee to any person
443 to arrange or conduct the auction.

444 (n) **Event venue retailer's permit.** An event venue
445 retailer's permit shall authorize the holder thereof to purchase
446 and resell alcoholic beverages, including native wines, for
447 consumption on the premises during legal hours during events held
448 on the licensed premises if food is being served at the event by a
449 caterer who is not affiliated with or related to the permittee.
450 The caterer must serve at least three (3) entrees. The permit may
451 only be issued for venues that can accommodate two hundred (200)
452 persons or more. The number of persons a venue may accommodate
453 shall be determined by the local fire department and such
454 determination shall be provided in writing and submitted along
455 with all other documents required to be provided for an
456 on-premises retailer's permit. The permittee must derive the
457 majority of its revenue from event-related fees, including, but



458 not limited to, admission fees or ticket sales for live
459 entertainment in the building. "Event-related fees" do not
460 include alcohol, beer or light wine sales or any fee which may be
461 construed to cover the cost of alcohol, beer or light wine. This
462 determination shall be made on a per event basis. An event may
463 not last longer than two (2) consecutive days per week.

464 (o) **Temporary theatre permit.** A temporary theatre
465 permit, not to exceed five (5) days, may be issued to a charitable
466 nonprofit organization that is exempt from taxation under Section
467 501(c)(3) or (4) of the Internal Revenue Code and owns or operates
468 a theatre facility that features plays and other theatrical
469 performances and productions. Except as otherwise provided in
470 subsection (5) of this section, the permit shall authorize the
471 holder to sell alcoholic beverages, including native wines, to
472 patrons of the theatre during performances and productions at the
473 theatre facility for consumption during such performances and
474 productions on the premises of the facility described in the
475 permit. A temporary theatre permit holder shall obtain all
476 alcoholic beverages from package retailers located in the county
477 in which the permit is issued. Alcoholic beverages remaining in
478 stock upon expiration of the temporary theatre permit may be
479 returned by the permittee to the package retailer for a refund of
480 the purchase price upon consent of the package retailer or may be
481 kept by the permittee exclusively for personal use and



482 consumption, subject to all laws pertaining to the illegal sale
483 and possession of alcoholic beverages.

484 (p) **Charter ship operator's permit.** Subject to the
485 provisions of this paragraph (p), a charter ship operator's permit
486 shall authorize the holder thereof and its employees to serve,
487 monitor, store and otherwise control the serving and availability
488 of alcoholic beverages to customers of the permit holder during
489 private charters under contract provided by the permit holder. A
490 charter ship operator's permit shall authorize such action by the
491 permit holder and its employees only as to alcoholic beverages
492 brought onto the permit holder's ship by customers of the permit
493 holder as part of such a private charter. All such alcoholic
494 beverages must be removed from the charter ship at the conclusion
495 of each private charter. A charter ship operator's permit shall
496 not authorize the permit holder to sell, charge for or otherwise
497 supply alcoholic beverages to customers, except as authorized in
498 this paragraph (p). For the purposes of this paragraph (p),
499 "charter ship operator" means a common carrier that (i) is
500 certified to carry at least one hundred fifty (150) passengers
501 and/or provide overnight accommodations for at least fifty (50)
502 passengers, (ii) operates only in the waters within the State of
503 Mississippi, which lie adjacent to the State of Mississippi south
504 of the three (3) most southern counties in the State of
505 Mississippi, and (iii) provides charters under contract for tours
506 and trips in such waters.



507 (q) **Distillery retailer's permit.** The holder of a
508 Class 1 manufacturer's permit may obtain a distillery retailer's
509 permit. A distillery retailer's permit shall authorize the holder
510 thereof to sell at retail alcoholic beverages by the sealed and
511 unopened bottle from a retail location at the distillery for
512 off-premises consumption. The holder may only sell product
513 manufactured by the manufacturer at the distillery described in
514 the permit. The holder shall not sell at retail more than ten
515 percent (10%) of the alcoholic beverages produced annually at its
516 distillery. The holder shall not make retail sales of more than
517 two and twenty-five one-hundredths (2.25) liters, in the
518 aggregate, of the alcoholic beverages produced at its distillery
519 to any one (1) individual for consumption off the premises of the
520 distillery within a twenty-four-hour period. The hours of sale
521 shall be the same as those hours for package retailers under this
522 chapter. The holder of a distillery retailer's permit is not
523 required to purchase the alcoholic beverages authorized to be sold
524 by this paragraph from the department's liquor distribution
525 warehouse; however, if the holder does not purchase the alcoholic
526 beverages from the department's liquor distribution warehouse, the
527 holder shall pay to the department all taxes, fees and surcharges
528 on the alcoholic beverages that are imposed upon the sale of
529 alcoholic beverages shipped by the Alcoholic Beverage Control
530 Division of the Department of Revenue. In addition to alcoholic
531 beverages, the holder of a distillery retailer's permit may sell



532 at retail promotional products from the same retail location,
533 including shirts, hats, glasses, and other promotional products
534 customarily sold by alcoholic beverage manufacturers.

535 (r) **Festival Wine Permit.** Any wine manufacturer or
536 native wine producer permitted by Mississippi or any other state
537 is eligible to obtain a Festival Wine Permit. This permit
538 authorizes the entity to transport product manufactured by it to
539 festivals held within the State of Mississippi and sell sealed,
540 unopened bottles to festival participants. The holder of this
541 permit may provide samples at no charge to participants.
542 "Festival" means any event at which three (3) or more vendors are
543 present at a location for the sale or distribution of goods. The
544 holder of a Festival Wine Permit is not required to purchase the
545 alcoholic beverages authorized to be sold by this paragraph from
546 the department's liquor distribution warehouse. However, if the
547 holder does not purchase the alcoholic beverages from the
548 department's liquor distribution warehouse, the holder of this
549 permit shall pay to the department all taxes, fees and surcharges
550 on the alcoholic beverages sold at such festivals that are imposed
551 upon the sale of alcoholic beverages shipped by the Alcoholic
552 Beverage Control Division of the Department of Revenue.
553 Additionally, the entity shall file all applicable reports and
554 returns as prescribed by the department. This permit is issued
555 per festival and provides authority to sell for two (2)
556 consecutive days during the hours authorized for on-premises



557 permittees' sales in that county or city. The holder of the
558 permit shall be required to maintain all requirements set by Local
559 Option Law for the service and sale of alcoholic beverages. This
560 permit may be issued to entities participating in festivals at
561 which a Class 1 temporary permit is in effect.

562 This paragraph (r) shall stand repealed from and after July
563 1, 2023.

564 (s) **Delivery service permit.** Any individual, limited
565 liability company, corporation or partnership registered to do
566 business in this state is eligible to obtain a delivery service
567 permit. Subject to the provisions of Section 1 of this act, this
568 permit authorizes the permittee, or its employee or an independent
569 contractor acting on its behalf, to deliver alcoholic beverages,
570 beer, light wine and light spirit product from a licensed retailer
571 to a person in this state who is at least twenty-one (21) years of
572 age for the individual's use and not for resale. This permit does
573 not authorize the delivery of alcoholic beverages, beer, light
574 wine or light spirit product to the premises of a location with a
575 permit for the manufacture, distribution or retail sale of
576 alcoholic beverages, beer, light wine or light spirit product.
577 The holder of a package retailer's permit under Section 67-1-51 or
578 of a beer, light wine and light spirit product permit under
579 Section 67-3-19 is authorized to apply for a delivery service
580 permit as a privilege separate from its existing retail permit.



581 (2) Except as otherwise provided in subsection (4) of this
582 section, retail permittees may hold more than one (1) retail
583 permit, at the discretion of the department.

584 (3) Except as otherwise provided in this subsection, no
585 authority shall be granted to any person to manufacture, sell or
586 store for sale any intoxicating liquor as specified in this
587 chapter within four hundred (400) feet of any church, school,
588 kindergarten or funeral home. However, within an area zoned
589 commercial or business, such minimum distance shall be not less
590 than one hundred (100) feet.

591 A church or funeral home may waive the distance restrictions
592 imposed in this subsection in favor of allowing issuance by the
593 department of a permit, pursuant to subsection (1) of this
594 section, to authorize activity relating to the manufacturing, sale
595 or storage of alcoholic beverages which would otherwise be
596 prohibited under the minimum distance criterion. Such waiver
597 shall be in written form from the owner, the governing body, or
598 the appropriate officer of the church or funeral home having the
599 authority to execute such a waiver, and the waiver shall be filed
600 with and verified by the department before becoming effective.

601 The distance restrictions imposed in this subsection shall
602 not apply to the sale or storage of alcoholic beverages at a bed
603 and breakfast inn listed in the National Register of Historic
604 Places or to the sale or storage of alcoholic beverages in a
605 historic district that is listed in the National Register of



606 Historic Places, is a qualified resort area and is located in a
607 municipality having a population greater than one hundred thousand
608 (100,000) according to the latest federal decennial census.

609 (4) No person, either individually or as a member of a firm,
610 partnership, limited liability company or association, or as a
611 stockholder, officer or director in a corporation, shall own or
612 control any interest in more than one (1) package retailer's
613 permit, nor shall such person's spouse, if living in the same
614 household of such person, any relative of such person, if living
615 in the same household of such person, or any other person living
616 in the same household with such person own any interest in any
617 other package retailer's permit.

618 (5) (a) In addition to any other authority granted under
619 this section, the holder of a permit issued under subsection
620 (1)(c), (e), (f), (g), (l), (n) and/or (o) of this section may
621 sell or otherwise provide alcoholic beverages and/or wine to a
622 patron of the permit holder in the manner authorized in the permit
623 and the patron may remove an open glass, cup or other container of
624 the alcoholic beverage and/or wine from the licensed premises and
625 may possess and consume the alcoholic beverage or wine outside of
626 the licensed premises if: (i) the licensed premises is located
627 within a leisure and recreation district created under Section
628 67-1-101 and (ii) the patron remains within the boundaries of the
629 leisure and recreation district while in possession of the
630 alcoholic beverage or wine.



631 (b) Nothing in this subsection shall be construed to
632 allow a person to bring any alcoholic beverages into a permitted
633 premises except to the extent otherwise authorized by this
634 chapter.

635 **SECTION 3.** Section 67-1-37, Mississippi Code of 1972, is
636 amended as follows:

637 67-1-37. The Department of Revenue, under its duties and
638 powers with respect to the Alcoholic Beverage Control Division
639 therein, shall have the following powers, functions and duties:

640 (a) To issue or refuse to issue any permit provided for
641 by this chapter, or to extend the permit or remit in whole or any
642 part of the permit monies when the permit cannot be used due to a
643 natural disaster or act of God.

644 (b) To revoke, suspend or cancel, for violation of or
645 noncompliance with the provisions of this chapter, or the law
646 governing the production and sale of native wines, or any lawful
647 rules and regulations of the department issued hereunder, or for
648 other sufficient cause, any permit issued by it under the
649 provisions of this chapter. The department shall also be
650 authorized to suspend the permit of any permit holder for being
651 out of compliance with an order for support, as defined in Section
652 93-11-153. The procedure for suspension of a permit for being out
653 of compliance with an order for support, and the procedure for the
654 reissuance or reinstatement of a permit suspended for that
655 purpose, and the payment of any fees for the reissuance or



656 reinstatement of a permit suspended for that purpose, shall be
657 governed by Section 93-11-157 or Section 93-11-163, as the case
658 may be. If there is any conflict between any provision of Section
659 93-11-157 or Section 93-11-163 and any provision of this chapter,
660 the provisions of Section 93-11-157 or Section 93-11-163, as the
661 case may be, shall control.

662 (c) To prescribe forms of permits and applications for
663 permits and of all reports which it deems necessary in
664 administering this chapter.

665 (d) To fix standards, not in conflict with those
666 prescribed by any law of this state or of the United States, to
667 secure the use of proper ingredients and methods of manufacture of
668 alcoholic beverages.

669 (e) To issue rules regulating the advertising of
670 alcoholic beverages in the state in any class of media and
671 permitting advertising of the retail price of alcoholic beverages.

672 (f) To issue reasonable rules and regulations, not
673 inconsistent with the federal laws or regulations, requiring
674 informative labeling of all alcoholic beverages offered for sale
675 within this state and providing for the standards of fill and
676 shapes of retail containers of alcoholic beverages; however, such
677 containers shall not contain less than fifty (50) milliliters by
678 liquid measure.

679 (g) Subject to the provisions of subsection (3) of
680 Section 67-1-51, to issue rules and regulations governing the



681 issuance of retail permits for premises located near or around
682 schools, colleges, universities, churches and other public
683 institutions, and specifying the distances therefrom within which
684 no such permit shall be issued. The Alcoholic Beverage Control
685 Division shall not issue a package retailer's or on-premises
686 retailer's permit for the sale or consumption of alcoholic
687 beverages in or on the campus of any public school, community or
688 junior college, college or university.

689 (h) To adopt and promulgate, repeal and amend, such
690 rules, regulations, standards, requirements and orders, not
691 inconsistent with this chapter or any law of this state or of the
692 United States, as it deems necessary to control the manufacture,
693 importation, transportation, distribution, delivery and sale of
694 alcoholic liquor, whether intended for beverage or nonbeverage use
695 in a manner not inconsistent with the provisions of this chapter
696 or any other statute, including the native wine laws.

697 (i) To call upon other administrative departments of
698 the state, county and municipal governments, county and city
699 police departments and upon prosecuting officers for such
700 information and assistance as it may deem necessary in the
701 performance of its duties.

702 (j) To prepare and submit to the Governor during the
703 month of January of each year a detailed report of its official
704 acts during the preceding fiscal year ending June 30, including
705 such recommendations as it may see fit to make, and to transmit a



706 like report to each member of the Legislature of this state upon
707 the convening thereof at its next regular session.

708 (k) To inspect, or cause to be inspected, any premises
709 where alcoholic liquors intended for sale are manufactured,
710 stored, distributed or sold, and to examine or cause to be
711 examined all books and records pertaining to the business
712 conducted therein.

713 (l) To investigate the administration of laws in
714 relation to alcoholic liquors in this and other states and any
715 foreign countries, and to recommend from time to time to the
716 Governor and through him to the Legislature of this state such
717 amendments to this chapter, if any, as it may think desirable.

718 (m) To designate hours and days when alcoholic
719 beverages may be sold in different localities in the state which
720 permit such sale.

721 (n) To assign employees to posts of duty at locations
722 where they will be most beneficial for the control of alcoholic
723 beverages and to take any other action concerning persons employed
724 under this chapter as authorized by law and taken in accordance
725 with the rules, regulations and procedures of the State Personnel
726 Board.

727 (o) To enforce the provisions made unlawful by Chapter
728 3, Title 67 and Section 97-5-49.



729 (p) To delegate its authority under this chapter to the
730 Alcoholic Beverage Control Division, its director or any other
731 officer or employee of the department that it deems appropriate.

732 (q) To prescribe and charge a fee to defray the costs
733 of shipping alcoholic beverages, provided that such fee is
734 determined in a manner provided by the department by rules and/or
735 regulations adopted in accordance with the Mississippi
736 Administrative Procedures Law.

737 **SECTION 4.** Section 67-1-83, Mississippi Code of 1972, is
738 amended as follows:

739 67-1-83. (1) It shall be unlawful for any permittee or
740 other person to sell or furnish any alcoholic beverage to any
741 person who is visibly intoxicated, or to any person who is known
742 to habitually drink alcoholic beverages to excess, or to any
743 person who is known to be an habitual user of narcotics or other
744 habit-forming drugs. It shall also be unlawful for the holder of
745 any package retailer's permit to sell any alcoholic beverages
746 except by delivery in person to the purchaser at the place of
747 business of the permittee, unless the holder of a package
748 retailer's permit also holds a delivery service permit or uses a
749 delivery service permittee to effect delivery.

750 (2) It shall be unlawful for any permittee or other person
751 to sell or furnish any alcoholic beverage to any person to whom
752 the commission has, after investigation, decided to prohibit the
753 sale of those beverages because of an appeal to the commission so



754 to do by the husband, wife, father, mother, brother, sister,
755 child, or employer of the person. The interdiction in those cases
756 shall last until removed by the commission, but no person shall be
757 held to have violated this subsection unless he has been informed
758 by the commission, by registered letter, that it is forbidden to
759 sell to that individual or unless that fact is otherwise known to
760 the permittee or other person.

761 (3) Except as otherwise provided in this subsection, it
762 shall be unlawful for any holder of a package retailer's permit,
763 or any employee or agent thereof, engaged solely in the business
764 of package retail sales under this chapter to sell or furnish any
765 alcoholic beverage before 10:00 a.m. and after 10:00 p.m. or to
766 sell alcoholic beverages on Sunday and Christmas Day. However, a
767 holder of a package retailer's permit located in a municipality
768 may sell or furnish alcoholic beverages on Sunday if the governing
769 authorities of the municipality in which the permittee is located
770 authorize, by ordinance, holders of package retailer's permits to
771 sell or furnish alcoholic beverages on Sunday and provide the time
772 during which the sale or furnishing of alcoholic beverages may
773 take place, provided that such sale or furnishing of alcoholic
774 beverages may not take place before 10:00 a.m. or after 10:00 p.m.

775 (4) Any person who violates any of the provisions of this
776 section shall be guilty of a misdemeanor and, upon conviction,
777 shall be punished by a fine of not more than Five Hundred Dollars
778 (\$500.00) or by imprisonment in the county jail for a term of not



779 more than six (6) months, or by both that fine and imprisonment,
780 in the discretion of the court. In addition, the commission shall
781 immediately revoke the permit of any permittee who violates the
782 provisions of this section.

783 **SECTION 5.** Section 67-3-5, Mississippi Code of 1972, is
784 amended as follows:

785 67-3-5. (1) It shall be lawful, subject to the provisions
786 set forth in this chapter and in Section 67-1-51, in this state to
787 transport, store, sell, distribute, possess, receive, deliver
788 and/or manufacture light wine, light spirit product and beer, and
789 it is hereby declared that it is the legislative intent that this
790 chapter privileges the lawful sale and manufacture, within this
791 state, of such light wines, light spirit products and beer. In
792 determining if a wine product is "light wine," or contains an
793 alcoholic content of more than five percent (5%) by weight, or is
794 not an "alcoholic beverage" as defined in the Local Option
795 Alcoholic Beverage Control Law, Chapter 1 of Title 67, Mississippi
796 Code of 1972, the alcoholic content of such wine product shall be
797 subject to the same permitted tolerance as is allowed by the
798 labeling requirements for light wine provided for in Section
799 27-71-509.

800 (2) Subject to the provisions set forth in this chapter and
801 in Section 67-1-51, it shall be lawful in this state to transport,
802 store, sell, distribute, possess, receive, deliver and/or
803 manufacture beer of an alcoholic content of more than eight



804 percent (8%) by weight, if the beer is manufactured to be sold
805 legally in another state and is transported outside of this state
806 for retail sale.

807 **SECTION 6.** Section 67-3-25, Mississippi Code of 1972, is
808 amended as follows:

809 67-3-25. (1) Any permit issued authorizing the sale or
810 delivery of light wines, light spirit products and/or beer for
811 consumption shall be construed to authorize the sale or delivery
812 of light wines, light spirit products and/or beer by the bottle,
813 by the glass or by draught, and in or from the original package.

814 (2) The commissioner is authorized to establish, in his
815 discretion, dates for the expiration of permits issued under this
816 chapter.

817 (3) Except as otherwise provided in this section, permits
818 shall be issued for twelve (12) months and shall be renewed
819 annually on the first day of the month in which the permit
820 expires. The commissioner may issue temporary permits for less
821 than a full year. All permits shall show the effective date and
822 expiration date of the permit, the business location, individual
823 or business name and mailing address of the permittee.

824 **SECTION 7.** Section 27-71-5, Mississippi Code of 1972, is
825 amended as follows:

826 27-71-5. (1) Upon each person approved for a permit under
827 the provisions of the Alcoholic Beverage Control Law and
828 amendments thereto, there is levied and imposed for each location



829 for the privilege of engaging and continuing in this state in the
830 business authorized by such permit, an annual privilege license
831 tax in the amount provided in the following schedule:

- 832 (a) Except as otherwise provided in this subsection
833 (1), manufacturer's permit, Class 1, distiller's and/or
834 rectifier's\$4,500.00
- 835 (b) Manufacturer's permit, Class 2, wine
836 Manufacturer\$1,800.00
- 837 (c) Manufacturer's permit, Class 3, native wine
838 manufacturer per ten thousand (10,000) gallons or part thereof
839 produced\$ 10.00
- 840 (d) Native wine retailer's permit.....\$ 50.00
- 841 (e) Package retailer's permit, each.....\$ 900.00
- 842 (f) On-premises retailer's permit, except for clubs and
843 common carriers, each\$ 450.00
- 844 (g) On-premises retailer's permit for wine of more than
845 five percent (5%) alcohol by weight, but not more than twenty-one
846 percent (21%) alcohol by weight, each.....\$ 225.00
- 847 (h) On-premises retailer's permit for clubs...\$ 225.00
- 848 (i) On-premises retailer's permit for common carriers,
849 per car, plane, or other vehicle\$ 120.00
- 850 (j) Solicitor's permit, regardless of any other
851 provision of law, solicitor's permits shall be issued only in the
852 discretion of the department\$ 100.00



853	(k)	Filing fee for each application except for an	
854		employee identification card	\$ 25.00
855	(l)	Temporary permit, Class 1, each	\$ 10.00
856	(m)	Temporary permit, Class 2, each	\$ 50.00
857	(n)	(i) Caterer's permit	\$ 600.00
858		(ii) Caterer's permit for holders of on-premises	
859		retailer's permit	\$ 150.00
860	(o)	Research permit	\$ 100.00
861	(p)	Temporary permit, Class 3 (wine only)	\$ 10.00
862	(q)	Special service permit	\$ 225.00
863	(r)	Merchant permit	\$ 225.00
864	(s)	Temporary alcoholic beverages charitable auction	
865		permit	\$ 10.00
866	(t)	Event venue retailer's permit	\$ 225.00
867	(u)	Temporary theatre permit, each	\$ 10.00
868	(v)	Charter ship operator's permit	\$ 100.00
869	(w)	Distillery retailer's permit	\$ 450.00
870	(x)	Festival wine permit	\$ 10.00
871	(y)	<u>Delivery service permit</u>	<u>\$ 500.00</u>

872 If a person approved for a manufacturer's permit, Class 1,
873 distiller's permit produces a product with at least fifty-one
874 percent (51%) of the finished product by volume being obtained
875 from alcoholic fermentation of grapes, fruits, berries, honey
876 and/or vegetables grown and produced in Mississippi, and produces
877 all of the product by using not more than one (1) still having a



878 maximum capacity of one hundred fifty (150) liters, the annual
879 privilege license tax for such a permit shall be Ten Dollars
880 (\$10.00) per ten thousand (10,000) gallons or part thereof
881 produced. Bulk, concentrated or fortified ingredients used for
882 blending may be produced outside this state and used in producing
883 such a product.

884 In addition to the filing fee imposed by paragraph (k) of
885 this subsection, a fee to be determined by the Department of
886 Revenue may be charged to defray costs incurred to process
887 applications. The additional fees shall be paid into the State
888 Treasury to the credit of a special fund account, which is hereby
889 created, and expenditures therefrom shall be made only to defray
890 the costs incurred by the Department of Revenue in processing
891 alcoholic beverage applications. Any unencumbered balance
892 remaining in the special fund account on June 30 of any fiscal
893 year shall lapse into the State General Fund.

894 All privilege taxes imposed by this section shall be paid in
895 advance of doing business. The additional privilege tax imposed
896 for an on-premises retailer's permit based upon purchases shall be
897 due and payable on demand.

898 Paragraph (x) of this subsection shall stand repealed from
899 and after July 1, 2023.

900 (2) (a) There is imposed and shall be collected from each
901 permittee, except a common carrier, solicitor or a temporary
902 permittee, by the department, an additional license tax equal to



903 the amounts imposed under subsection (1) of this section for the
904 privilege of doing business within any municipality or county in
905 which the licensee is located.

906 (b) (i) In addition to the tax imposed in paragraph
907 (a) of this subsection, there is imposed and shall be collected by
908 the department from each permittee described in subsection (1)(f),
909 (g), (h), (m) and (t) of this section, an additional license tax
910 for the privilege of doing business within any municipality or
911 county in which the licensee is located in the amount of Two
912 Hundred Twenty-five Dollars (\$225.00) on purchases exceeding Five
913 Thousand Dollars (\$5,000.00) and Two Hundred Twenty-five Dollars
914 (\$225.00) for each additional purchase of Five Thousand Dollars
915 (\$5,000.00), or fraction thereof.

916 (ii) In addition to the tax imposed in paragraph
917 (a) of this subsection, there is imposed and shall be collected by
918 the department from each permittee described in subsection (1)(n)
919 and (r) of this section, an additional license tax for the
920 privilege of doing business within any municipality or county in
921 which the licensee is located in the amount of Two Hundred Fifty
922 Dollars (\$250.00) on purchases exceeding Five Thousand Dollars
923 (\$5,000.00) and Two Hundred Twenty-five Dollars (\$225.00) for each
924 additional purchase of Five Thousand Dollars (\$5,000.00), or
925 fraction thereof.

926 (iii) Any person who has paid the additional
927 privilege license tax imposed by this paragraph, and whose permit



928 is renewed, may add any unused fraction of Five Thousand Dollars
929 (\$5,000.00) purchases to the first Five Thousand Dollars
930 (\$5,000.00) purchases authorized by the renewal permit, and no
931 additional license tax will be required until purchases exceed the
932 sum of the two (2) figures.

933 (c) If the licensee is located within a municipality,
934 the department shall pay the amount of additional license tax
935 collected under this section to the municipality, and if outside a
936 municipality the department shall pay the additional license tax
937 to the county in which the licensee is located. Payments by the
938 department to the respective local government subdivisions shall
939 be made once each month for any collections during the preceding
940 month.

941 (3) When an application for any permit, other than for
942 renewal of a permit, has been rejected by the department, such
943 decision shall be final. Appeal may be made in the manner
944 provided by Section 67-1-39. Another application from an
945 applicant who has been denied a permit shall not be reconsidered
946 within a twelve-month period.

947 (4) The number of permits issued by the department shall not
948 be restricted or limited on a population basis; however, the
949 foregoing limitation shall not be construed to preclude the right
950 of the department to refuse to issue a permit because of the
951 undesirability of the proposed location.



952 (5) If any person shall engage or continue in any business
953 which is taxable under this section without having paid the tax as
954 provided in this section, the person shall be liable for the full
955 amount of the tax plus a penalty thereon equal to the amount
956 thereof, and, in addition, shall be punished by a fine of not more
957 than One Thousand Dollars (\$1,000.00), or by imprisonment in the
958 county jail for a term of not more than six (6) months, or by both
959 such fine and imprisonment, in the discretion of the court.

960 (6) It shall be unlawful for any person to consume alcoholic
961 beverages on the premises of any hotel restaurant, restaurant,
962 club or the interior of any public place defined in Chapter 1,
963 Title 67, Mississippi Code of 1972, when the owner or manager
964 thereof displays in several conspicuous places inside the
965 establishment and at the entrances of establishment a sign
966 containing the following language: NO ALCOHOLIC BEVERAGES
967 ALLOWED.

968 **SECTION 8.** If any section, paragraph, sentence, clause,
969 phrase or any part of this act is declared by a court of competent
970 jurisdiction to be invalid or of no effect, the remaining
971 sections, paragraphs, sentences, clauses, phrases or parts thereof
972 shall be in no manner affected thereby but shall remain in full
973 force and effect.

974 **SECTION 9.** Section 1 of this act shall be codified in Title
975 67, Chapter 1, Mississippi Code of 1972.



976 **SECTION 10.** This act shall take effect and be in force from
977 and after July 1, 2021, and shall stand repealed on June 30, 2021.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO CREATE A NEW SECTION IN TITLE 67, CHAPTER 1,
2 MISSISSIPPI CODE TO 1972, TO CREATE A DELIVERY SERVICE PERMIT TO
3 ALLOW THE HOLDER TO CONTRACT FOR THE DELIVERY OF ALCOHOLIC
4 BEVERAGES, BEER, LIGHT WINE OR LIGHT SPIRIT PRODUCT FROM A
5 LICENSED RETAILER TO A CONSUMER; TO ALLOW A LICENSED RETAILER TO
6 DELIVER ALCOHOLIC BEVERAGES, BEER, LIGHT WINE OR LIGHT SPIRIT
7 PRODUCT TO A CONSUMER IF THE RETAILER ALSO HOLDS A DELIVERY
8 SERVICE PERMIT; TO SPECIFY CONDITIONS OF DELIVERY PURSUANT TO THE
9 PERMIT; TO SET OUT APPLICATION REQUIREMENTS FOR THE PERMIT; TO
10 SPECIFY THE ENFORCEMENT POWERS OF THE ALCOHOLIC BEVERAGE CONTROL
11 DIVISION OF THE DEPARTMENT OF REVENUE; TO AMEND SECTION 67-1-51,
12 MISSISSIPPI CODE OF 1972, TO INCLUDE THE DELIVERY SERVICE PERMIT
13 AMONG THE ALCOHOL PERMITS ISSUED BY THE DEPARTMENT OF REVENUE; TO
14 PROVIDE THAT THE HOLDER OF A PACKAGE RETAILER'S PERMIT UNDER
15 SECTION 67-1-51 OR OF A BEER, LIGHT WINE AND LIGHT SPIRIT PRODUCT
16 PERMIT UNDER SECTION 67-3-19 IS AUTHORIZED TO APPLY FOR A DELIVERY
17 SERVICE PERMIT AS A PRIVILEGE SEPARATE FROM ITS EXISTING RETAIL
18 PERMIT; TO AMEND SECTION 67-1-37, TO CONFORM TO THE PROVISIONS OF
19 THIS ACT; TO AMEND SECTION 67-1-83, MISSISSIPPI CODE OF 1972, TO
20 CONFORM TO THE PROVISIONS OF THIS ACT; TO PROVIDE THAT A HOLDER OF
21 A PACKAGE RETAILER'S PERMIT LOCATED IN A MUNICIPALITY MAY SELL OR
22 FURNISH ALCOHOLIC BEVERAGES ON SUNDAY IF THE GOVERNING AUTHORITIES
23 OF THE MUNICIPALITY IN WHICH THE PERMITTEE IS LOCATED AUTHORIZE,
24 BY ORDINANCE, HOLDERS OF PACKAGE RETAILER'S PERMITS TO SELL OR
25 FURNISH ALCOHOLIC BEVERAGES ON SUNDAY AND PROVIDE THE TIME DURING
26 WHICH THE SALE OR FURNISHING OF ALCOHOLIC BEVERAGES MAY TAKE
27 PLACE; TO AMEND SECTIONS 67-3-5, 67-3-25 AND 27-71-5, MISSISSIPPI
28 CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR
29 RELATED PURPOSES.

