

By: Representative Scoggin

To: Ways and Means

HOUSE BILL NO. 1001  
(As Passed the House)

1 AN ACT TO AMEND SECTION 67-3-9, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE THAT ANY MUNICIPALITY MAY, AT AN ELECTION HELD FOR THAT  
3 PURPOSE, EITHER PROHIBIT OR PERMIT THE SALE AND THE RECEIPT,  
4 STORAGE AND TRANSPORTATION FOR THE PURPOSE OF SALE, OF BEER AND  
5 LIGHT WINE; AND FOR RELATED PURPOSES.

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

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

9 67-3-9. Any \* \* \* municipality in this state, \* \* \* at an  
10 election held for the purpose, under the election laws applicable  
11 to such \* \* \* municipality, may either prohibit or permit, except  
12 as otherwise provided under Section 67-9-1, the sale and the  
13 receipt, storage and transportation for the purpose of sale of  
14 beer, light spirit product and light wine. An election to  
15 determine whether such sale shall be permitted in \* \* \*  
16 municipalities wherein its sale is prohibited by law shall be  
17 ordered by the \* \* \* municipal council or mayor and board of  
18 aldermen or other governing body of such \* \* \* municipality for  
19 such \* \* \* municipality only, upon the presentation of a petition



20 for such \* \* \* municipality to such governing board containing the  
21 names of twenty percent (20%) or fifteen hundred (1,500),  
22 whichever number is the lesser, of the duly qualified voters of  
23 such \* \* \* municipality asking for such election. In like manner,  
24 an election to determine whether such sale shall be prohibited  
25 in \* \* \* municipalities wherein its sale is permitted by law shall  
26 be ordered by the \* \* \* municipal council or mayor and board of  
27 aldermen or other governing board of such \* \* \* municipality for  
28 such \* \* \* municipality only, upon the presentation of a petition  
29 to such governing board containing the names of twenty percent  
30 (20%) of the duly qualified voters of such \* \* \* municipality  
31 asking for such election. No election on either question shall be  
32 held by any one (1) city more often than once in five (5) years.

33 Thirty (30) days' notice shall be given to the qualified  
34 electors of such \* \* \* municipality in the manner prescribed by  
35 law upon the question of either permitting or prohibiting such  
36 sale, and the notice shall contain a statement of the question to  
37 be voted on at the election. The tickets to be used in the  
38 election shall have the following words printed thereon: "For the  
39 legal sale of light wine of an alcoholic content of not more than  
40 five percent (5%) by weight, light spirit product of an alcoholic  
41 content of not more than six percent (6%) by weight, and beer of  
42 an alcoholic content of not more than eight percent (8%) by  
43 weight"; and the words "Against the legal sale of light wine of an  
44 alcoholic content of not more than five percent (5%) by weight,



45 light spirit product of an alcoholic content of not more than six  
46 percent (6%) by weight, and beer of an alcoholic content of not  
47 more than eight percent (8%) by weight," next below. In making up  
48 his or her ticket the voter shall make a cross (X) opposite the  
49 words of his choice.

50 If in the election a majority of the qualified electors  
51 voting in the election shall vote "For the legal sale of light  
52 wine of an alcoholic content of not more than five percent (5%) by  
53 weight, light spirit product of an alcoholic content of not more  
54 than six percent (6%) by weight, and beer of an alcoholic content  
55 of not more than eight percent (8%) by weight," then the \* \* \*  
56 municipal council or mayor and board of aldermen or other  
57 governing body shall pass the necessary order permitting the legal  
58 sale of such light wine, light spirit product and beer in  
59 such \* \* \* municipality. If in the election a majority of the  
60 qualified electors voting in the election shall vote "Against the  
61 legal sale of light wine of an alcoholic content of not more than  
62 five percent (5%) by weight, light spirit product of an alcoholic  
63 content of not more than six percent (6%) by weight, and beer of  
64 an alcoholic content of not more than eight percent (8%) by  
65 weight," then the \* \* \* municipal council or mayor and board of  
66 aldermen or other governing body shall pass the necessary order  
67 prohibiting the sale of such light wine, light spirit product and  
68 beer in such \* \* \* municipality.



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

72 **SECTION 2.** This act shall take effect and be in force from  
73 and after July 1, 2022.

