

By: Senator(s) Wiggins

To: Finance

SENATE BILL NO. 2830

1 AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO
 2 REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER
 3 THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW, TO INCLUDE ANY
 4 FACILITY USED BY A SOCCER CLUB AND LOCATED ON OLD HIGHWAY 11
 5 BETWEEN ONE-TENTH AND TWO-TENTHS OF A MILE FROM ITS INTERSECTION
 6 WITH OAK GROVE ROAD, IN A COUNTY IN WHICH U.S. HIGHWAY 98 AND
 7 MISSISSIPPI HIGHWAY 589 INTERSECT; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** Section 67-1-5, Mississippi Code of 1972, is
 10 amended as follows:

11 67-1-5. For the purposes of this chapter and unless
 12 otherwise required by the context:

13 (a) "Alcoholic beverage" means any alcoholic liquid,
 14 including wines of more than five percent (5%) of alcohol by
 15 weight, capable of being consumed as a beverage by a human being,
 16 but shall not include light wine, light spirit product and beer,
 17 as defined in Section 67-3-3, Mississippi Code of 1972, but shall
 18 include native wines and native spirits. The words "alcoholic
 19 beverage" shall not include ethyl alcohol manufactured or
 20 distilled solely for fuel purposes or beer of an alcoholic content



21 of more than eight percent (8%) by weight if the beer is legally
22 manufactured in this state for sale in another state.

23 (b) "Alcohol" means the product of distillation of any
24 fermented liquid, whatever the origin thereof, and includes
25 synthetic ethyl alcohol, but does not include denatured alcohol or
26 wood alcohol.

27 (c) "Distilled spirits" means any beverage containing
28 more than six percent (6%) of alcohol by weight produced by
29 distillation of fermented grain, starch, molasses or sugar,
30 including dilutions and mixtures of these beverages.

31 (d) "Wine" or "vinous liquor" means any product
32 obtained from the alcoholic fermentation of the juice of sound,
33 ripe grapes, fruits, honey or berries and made in accordance with
34 the revenue laws of the United States.

35 (e) "Person" means and includes any individual,
36 partnership, corporation, association or other legal entity
37 whatsoever.

38 (f) "Manufacturer" means any person engaged in
39 manufacturing, distilling, rectifying, blending or bottling any
40 alcoholic beverage.

41 (g) "Wholesaler" means any person, other than a
42 manufacturer, engaged in distributing or selling any alcoholic
43 beverage at wholesale for delivery within or without this state
44 when such sale is for the purpose of resale by the purchaser.



45 (h) "Retailer" means any person who sells, distributes,
46 or offers for sale or distribution, any alcoholic beverage for use
47 or consumption by the purchaser and not for resale.

48 (i) "State Tax Commission," "commission" or
49 "department" means the Department of Revenue of the State of
50 Mississippi, which shall create a division in its organization to
51 be known as the Alcoholic Beverage Control Division. Any
52 reference to the commission or the department hereafter means the
53 powers and duties of the Department of Revenue with reference to
54 supervision of the Alcoholic Beverage Control Division.

55 (j) "Division" means the Alcoholic Beverage Control
56 Division of the Department of Revenue.

57 (k) "Municipality" means any incorporated city or town
58 of this state.

59 (l) "Hotel" means an establishment within a
60 municipality, or within a qualified resort area approved as such
61 by the department, where, in consideration of payment, food and
62 lodging are habitually furnished to travelers and wherein are
63 located at least twenty (20) adequately furnished and completely
64 separate sleeping rooms with adequate facilities that persons
65 usually apply for and receive as overnight accommodations. Hotels
66 in towns or cities of more than twenty-five thousand (25,000)
67 population are similarly defined except that they must have fifty
68 (50) or more sleeping rooms. Any such establishment described in
69 this paragraph with less than fifty (50) beds shall operate one or



70 more regular dining rooms designed to be constantly frequented by
71 customers each day. When used in this chapter, the word "hotel"
72 shall also be construed to include any establishment that meets
73 the definition of "bed and breakfast inn" as provided in this
74 section.

75 (m) "Restaurant" means:

76 (i) A place which is regularly and in a bona fide
77 manner used and kept open for the serving of meals to guests for
78 compensation, which has suitable seating facilities for guests,
79 and which has suitable kitchen facilities connected therewith for
80 cooking an assortment of foods and meals commonly ordered at
81 various hours of the day; the service of such food as sandwiches
82 and salads only shall not be deemed in compliance with this
83 requirement. Except as otherwise provided in this paragraph, no
84 place shall qualify as a restaurant under this chapter unless
85 twenty-five percent (25%) or more of the revenue derived from such
86 place shall be from the preparation, cooking and serving of meals
87 and not from the sale of beverages, or unless the value of food
88 given to and consumed by customers is equal to twenty-five percent
89 (25%) or more of total revenue; or

90 (ii) Any privately owned business located in a
91 building in a historic district where the district is listed in
92 the National Register of Historic Places, where the building has a
93 total occupancy rating of not less than one thousand (1,000) and
94 where the business regularly utilizes ten thousand (10,000) square



95 feet or more in the building for live entertainment, including not
96 only the stage, lobby or area where the audience sits and/or
97 stands, but also any other portion of the building necessary for
98 the operation of the business, including any kitchen area, bar
99 area, storage area and office space, but excluding any area for
100 parking. In addition to the other requirements of this
101 subparagraph, the business must also serve food to guests for
102 compensation within the building and derive the majority of its
103 revenue from event-related fees, including, but not limited to,
104 admission fees or ticket sales to live entertainment in the
105 building, and from the rental of all or part of the facilities of
106 the business in the building to another party for a specific event
107 or function.

108 (n) "Club" means an association or a corporation:

109 (i) Organized or created under the laws of this
110 state for a period of five (5) years prior to July 1, 1966;

111 (ii) Organized not primarily for pecuniary profit
112 but for the promotion of some common object other than the sale or
113 consumption of alcoholic beverages;

114 (iii) Maintained by its members through the
115 payment of annual dues;

116 (iv) Owning, hiring or leasing a building or space
117 in a building of such extent and character as may be suitable and
118 adequate for the reasonable and comfortable use and accommodation
119 of its members and their guests;



120 (v) The affairs and management of which are
121 conducted by a board of directors, board of governors, executive
122 committee, or similar governing body chosen by the members at a
123 regular meeting held at some periodic interval; and

124 (vi) No member, officer, agent or employee of
125 which is paid, or directly or indirectly receives, in the form of
126 a salary or other compensation any profit from the distribution or
127 sale of alcoholic beverages to the club or to members or guests of
128 the club beyond such salary or compensation as may be fixed and
129 voted at a proper meeting by the board of directors or other
130 governing body out of the general revenues of the club.

131 The department may, in its discretion, waive the five-year
132 provision of this paragraph. In order to qualify under this
133 paragraph, a club must file with the department, at the time of
134 its application for a license under this chapter, two (2) copies
135 of a list of the names and residences of its members and similarly
136 file, within ten (10) days after the election of any additional
137 member, his name and address. Each club applying for a license
138 shall also file with the department at the time of the application
139 a copy of its articles of association, charter of incorporation,
140 bylaws or other instruments governing the business and affairs
141 thereof.

142 (o) "Qualified resort area" means any area or locality
143 outside of the limits of incorporated municipalities in this state
144 commonly known and accepted as a place which regularly and



145 customarily attracts tourists, vacationists and other transients
146 because of its historical, scenic or recreational facilities or
147 attractions, or because of other attributes which regularly and
148 customarily appeal to and attract tourists, vacationists and other
149 transients in substantial numbers; however, no area or locality
150 shall so qualify as a resort area until it has been duly and
151 properly approved as such by the department. The department may
152 not approve an area as a qualified resort area after July 1, 2018,
153 if any portion of such proposed area is located within two (2)
154 miles of a convent or monastery that is located in a county
155 traversed by Interstate 55 and U.S. Highway 98. A convent or
156 monastery may waive such distance restrictions in favor of
157 allowing approval by the department of an area as a qualified
158 resort area. Such waiver shall be in written form from the owner,
159 the governing body, or the appropriate officer of the convent or
160 monastery having the authority to execute such a waiver, and the
161 waiver shall be filed with and verified by the department before
162 becoming effective.

163 (i) The department may approve an area or locality
164 outside of the limits of an incorporated municipality that is in
165 the process of being developed as a qualified resort area if such
166 area or locality, when developed, can reasonably be expected to
167 meet the requisites of the definition of the term "qualified
168 resort area." In such a case, the status of qualified resort area
169 shall not take effect until completion of the development.



170 (ii) The term includes any state park which is
171 declared a resort area by the department; however, such
172 declaration may only be initiated in a written request for resort
173 area status made to the department by the Executive Director of
174 the Department of Wildlife, Fisheries and Parks, and no permit for
175 the sale of any alcoholic beverage, as defined in this chapter,
176 except an on-premises retailer's permit, shall be issued for a
177 hotel, restaurant or bed and breakfast inn in such park.

178 (iii) The term includes:

179 1. The clubhouses associated with the state
180 park golf courses at the Lefleur's Bluff State Park, the John Kyle
181 State Park, the Percy Quin State Park and the Hugh White State
182 Park;

183 2. The clubhouse and associated golf course,
184 tennis courts and related facilities and swimming pool and related
185 facilities where the golf course, tennis courts and related
186 facilities and swimming pool and related facilities are adjacent
187 to one or more planned residential developments and the golf
188 course and all such developments collectively include at least
189 seven hundred fifty (750) acres and at least four hundred (400)
190 residential units;

191 3. Any facility located on property that is a
192 game reserve with restricted access that consists of at least
193 three thousand (3,000) contiguous acres with no public roads and



194 that offers as a service hunts for a fee to overnight guests of
195 the facility;

196 4. Any facility located on federal property
197 surrounding a lake and designated as a recreational area by the
198 United States Army Corps of Engineers that consists of at least
199 one thousand five hundred (1,500) acres;

200 5. Any facility that is located in a
201 municipality that is bordered by the Pearl River, traversed by
202 Mississippi Highway 25, adjacent to the boundaries of the Jackson
203 International Airport and is located in a county which has voted
204 against coming out from under the dry law; however, any such
205 facility may only be located in areas designated by the governing
206 authorities of such municipality;

207 6. Any municipality with a population in
208 excess of ten thousand (10,000) according to the latest federal
209 decennial census that is located in a county that is bordered by
210 the Pearl River and is not traversed by Interstate Highway 20,
211 with a population in excess of forty-five thousand (45,000)
212 according to the latest federal decennial census; * * *

213 7. The West Pearl Restaurant Tax District as
214 defined in Chapter 912, Local and Private Laws of 2007;

215 8. a. Land that is located in any county in
216 which Mississippi Highway 43 and Mississippi Highway 25 intersect
217 and:



218 A. Owned by the Pearl River Valley
219 Water Supply District, and/or

220 B. Located within the Reservoir
221 Community District, zoned commercial, east of Old Fannin Road,
222 north of Regatta Drive, south of Spillway Road, west of Hugh Ward
223 Boulevard and accessible by Old Fannin Road, Spillway Road, Spann
224 Drive and/or Lake Vista Place, and/or

225 C. Located within the Reservoir
226 Community District, zoned commercial, west of Old Fannin Road,
227 south of Spillway Road and extending to the boundary of the
228 corporate limits of the City of Flowood, Mississippi;

229 b. The board of supervisors of such
230 county, with respect to B and C of item 8.a., may by resolution or
231 other order:

232 A. Specify the hours of operation
233 of facilities that offer alcoholic beverages for sale,

234 B. Specify the percentage of
235 revenue that facilities that offer alcoholic beverages for sale
236 must derive from the preparation, cooking and serving of meals and
237 not from the sale of beverages, and

238 C. Designate the areas in which
239 facilities that offer alcoholic beverages for sale may be located;

240 9. Any facility located on property that is a
241 game reserve with restricted access that consists of at least
242 eight hundred (800) contiguous acres with no public roads, that



243 offers as a service hunts for a fee to overnight guests of the
244 facility, and has accommodations for at least fifty (50) overnight
245 guests;

246 10. Any facility that:

247 a. Consists of at least six thousand
248 (6,000) square feet being heated and cooled along with an
249 additional adjacent area that consists of at least two thousand
250 two hundred (2,200) square feet regardless of whether heated and
251 cooled,

252 b. For a fee is used to host events such
253 as weddings, reunions and conventions,

254 c. Provides lodging accommodations
255 regardless of whether part of the facility and/or located adjacent
256 to or in close proximity to the facility, and

257 d. Is located on property that consists
258 of at least thirty (30) contiguous acres;

259 11. Any facility and related property:

260 a. Located on property that consists of
261 at least one hundred twenty-five (125) contiguous acres and
262 consisting of an eighteen (18) hole golf course, and/or located in
263 a facility that consists of at least eight thousand (8,000) square
264 feet being heated and cooled,

265 b. Used for the purpose of providing
266 meals and hosting events, and



267 c. Used for the purpose of teaching
268 culinary arts courses and/or turf management and grounds keeping
269 courses, and/or outdoor recreation and leadership courses;

270 12. Any facility and related property that:

271 a. Consist of at least eight thousand
272 (8,000) square feet being heated and cooled,

273 b. For a fee is used to host events,

274 c. Is used for the purpose of culinary
275 arts courses, and/or live entertainment courses and art
276 performances, and/or outdoor recreation and leadership courses;

277 13. The clubhouse and associated golf course
278 where the golf course is adjacent to one or more residential
279 developments and the golf course and all such developments
280 collectively include at least two hundred (200) acres and at least
281 one hundred fifty (150) residential units and are located a. in a
282 county that has voted against coming out from under the dry law;
283 and b. outside of but in close proximity to a municipality in such
284 county which has voted under Section 67-1-14, after January 1,
285 2013, to come out from under the dry law;

286 14. The clubhouse and associated eighteen
287 (18) hole golf course located in a municipality traversed by
288 Interstate Highway 55 and U.S. Highway 51 that has voted to come
289 out from under the dry law;

290 15. a. Land that is planned for mixed use
291 development and consists of at least two hundred (200) contiguous



292 acres with one or more planned residential developments
293 collectively planned to include at least two hundred (200)
294 residential units when completed, and also including a facility
295 that consists of at least four thousand (4,000) square feet that
296 is not part of such land but is located adjacent to or in close
297 proximity thereto, and which land is located:

298 A. In a county that has voted to
299 come out from under the dry law,

300 B. Outside the corporate limits of
301 any municipality in such county and adjacent to or in close
302 proximity to a golf course located in a municipality in such
303 county, and

304 C. Within one (1) mile of a state
305 institution of higher learning;

306 b. The board of supervisors of such
307 county may by resolution or other order:

308 A. Specify the hours of operation
309 of facilities that offer alcoholic beverages for sale,

310 B. Specify the percentage of
311 revenue that facilities that offer alcoholic beverages for sale
312 must derive from the preparation, cooking and serving of meals and
313 not from the sale of beverages, and

314 C. Designate the areas in which
315 facilities that offer alcoholic beverages for sale may be located;



316 16. Any facility with a capacity of five
317 hundred (500) people or more, to be used as a venue for private
318 events, on a tract of land in the Southwest Quarter of Section 33,
319 Township 2 South, Range 7 East, of a county where U.S. Highway 45
320 and U.S. Highway 72 intersect and that has not voted to come out
321 from under the dry law;

322 17. One hundred five (105) contiguous acres,
323 more or less, located in Hinds County, Mississippi, and in the
324 City of Jackson, Mississippi, whereon are constructed a variety of
325 buildings, improvements, grounds or objects for the purpose of
326 holding events thereon to promote agricultural and industrial
327 development in Mississippi;

328 18. Land that is owned by a state institution
329 of higher learning and:

330 a. Located entirely within a county that
331 has elected by majority vote not to permit the transportation,
332 storage, sale, distribution, receipt and/or manufacture of light
333 wine and beer pursuant to Section 67-3-7, and

334 b. Adjacent to but outside the
335 incorporated limits of a municipality that has elected by majority
336 vote to permit the sale, receipt, storage and transportation of
337 light wine and beer pursuant to Section 67-3-9.

338 If any portion of the land described in this item 18 has been
339 declared a qualified resort area by the department before July 1,



340 2020, then that qualified resort area shall be incorporated into
341 the qualified resort area created by this item 18;

342 19. Any facility and related property:

343 a. Used as a flea market or similar
344 venue during a weekend (Saturday and Sunday) immediately preceding
345 the first Monday of a month and having an annual average of at
346 least one thousand (1,000) visitors for each such weekend and five
347 hundred (500) vendors for Saturday of each such weekend, and

348 b. Located in a county that has not
349 voted to come out from under the dry law and outside of but in
350 close proximity to a municipality located in such county and which
351 municipality has voted to come out from under the dry law;

352 20. Blocks 1, 2 and 3 of the original town
353 square in any municipality with a population in excess of one
354 thousand five hundred (1,500) according to the latest federal
355 decennial census and which is located in:

356 a. A county traversed by Interstate 55
357 and Interstate 20, and

358 b. A judicial district that has not
359 voted to come out from under the dry law;

360 21. Any municipality with a population in
361 excess of two thousand (2,000) according to the latest federal
362 decennial census and in which is located a part of White's Creek
363 Lake and in which U.S. Highway 82 intersects with Mississippi



364 Highway 9 and located in a county that is partially bordered on
365 one (1) side by the Big Black River; * * *

366 22. A restaurant located on a two-acre tract
367 adjacent to a five-hundred-fifty-acre lake in the northeast corner
368 of a county traversed by U.S. Interstate 55 and U.S. Highway 84;

369 23. Any tracts of land in Oktibbeha County,
370 situated north of Bailey Howell Drive, Lee Boulevard and Old
371 Mayhew Road, east of George Perry Street and south of Mississippi
372 Highway 182, and not located on the property of a state
373 institution of higher learning; however, the board of supervisors
374 of such county may by resolution or other order:

375 a. Specify the hours of operation of
376 facilities that offer alcoholic beverages for sale;

377 b. Specify the percentage of revenue
378 that facilities that offer alcoholic beverages for sale must
379 derive from the preparation, cooking and serving of meals and not
380 from the sale of beverages; and

381 c. Designate the areas in which
382 facilities that offer alcoholic beverages for sale may be located;

383 24. A municipality in which Mississippi
384 Highway 27 and Mississippi Highway 28 intersect; * * *

385 25. A municipality through which run
386 Mississippi Highway 35 and Interstate 20; * * *

387 26. A municipality in which Mississippi
388 Highway 16 and Mississippi Highway 35 intersect; * * *



389 27. A municipality in which U.S. Highway 82
390 and Old Highway 61 intersect; * * *

391 28. A municipality in which Mississippi
392 Highway 8 meets Mississippi Highway 1; * * *

393 29. A municipality in which U.S. Highway 82
394 and Mississippi Highway 1 intersect; * * *

395 30. A municipality in which Mississippi
396 Highway 50 meets Mississippi Highway 9; * * *

397 31. An area bounded on the north by Pearl
398 Street, on the east by West Street, on the south by Court Street
399 and on the west by Farish Street, within a municipality bordered
400 on the east by the Pearl River and through which run Interstate 20
401 and Interstate 55; * * *

402 32. Any facility and related property that:

403 a. Is contracted for mixed-use
404 development improvements consisting of office and residential
405 space and a restaurant and lounge, partially occupying the
406 renovated space of a four-story commercial building which
407 previously served as a financial institution; and adjacent
408 property to the west consisting of a single-story office building
409 that was originally occupied by the Brotherhood of Carpenters and
410 Joiners of American Local Number 569; and

411 b. Is situated on a tract of land
412 consisting of approximately one and one-tenth (1.10) acres, and
413 the adjacent property to the west consisting of approximately 0.5



414 acres, located in a municipality which is the seat of county
415 government, situated south of Interstate 10, traversed by U.S.
416 Highway 90, partially bordered on one (1) side by the Pascagoula
417 River and having its most southern boundary bordered by the Gulf
418 of Mexico, with a population greater than twenty-two thousand
419 (22,000) according to the 2010 federal decennial census; however,
420 the governing authorities of such a municipality may by ordinance:

421 A. Specify the hours of operation
422 of facilities that offer alcoholic beverages for sale;

423 B. Specify the percentage of
424 revenue that facilities that offer alcoholic beverages for sale
425 must derive from the preparation, cooking and serving of meals and
426 not from the sale of beverages; and

427 C. Designate the areas within the
428 facilities in which alcoholic beverages may be offered for sale;

429 33. Any facility with a maximum capacity of
430 one hundred twenty (120) people that consists of at least three
431 thousand (3,000) square feet being heated and cooled, has a
432 commercial kitchen, has a pavilion that consists of at least nine
433 thousand (9,000) square feet and is located on land more
434 particularly described as follows:

435 All that part of the East Half of the Northwest Quarter of Section
436 21, Township 7 South, Range 4 East, Union County, Mississippi,
437 that lies South of Mississippi State Highway 348 right-of-way and
438 containing 19.48 acres, more or less.



439 ALSO,
440 The Northeast 38 acres of the Southwest Quarter of Section 21,
441 Township 7 South, Range 4 East, Union County, Mississippi.

442 ALSO,
443 The South 81 1/2 acres of the Southwest Quarter of Section 21,
444 Township 7 South, Range 4 East, Union County, Mississippi; * * *

445 34. A municipality in which U.S. Highway 51
446 and Mississippi Highway 16 intersect; * * * and

447 35. Any facility used by a soccer club and
448 located on Old Highway 11 between one-tenth (0.1) and two-tenths
449 (0.2) of a mile from its intersection with Oak Grove Road, in a
450 county in which U.S. Highway 98 and Mississippi Highway 589
451 intersect.

452 The status of these municipalities, districts, clubhouses,
453 facilities, golf courses and areas described in * * * this
454 paragraph (o)(iii) * * * as qualified resort areas does not
455 require any declaration of same by the department.

456 The governing authorities of a municipality described, in
457 whole or in part, in item 6, 21, 24, 25, 26, 27, 28, 29, 30, 31 or
458 34 of this paragraph (o)(iii) may by ordinance: specify the hours
459 of operation of facilities offering alcoholic beverages for sale;
460 specify the percentage of revenue that facilities offering
461 alcoholic beverages for sale must derive from the preparation,
462 cooking and serving of meals and not from the sale of beverages;



463 and designate the areas in which facilities offering alcoholic
464 beverages for sale may be located.

465 (p) "Native wine" means any product, produced in
466 Mississippi for sale, having an alcohol content not to exceed
467 twenty-one percent (21%) by weight and made in accordance with
468 revenue laws of the United States, which shall be obtained
469 primarily from the alcoholic fermentation of the juice of ripe
470 grapes, fruits, berries, honey or vegetables grown and produced in
471 Mississippi; provided that bulk, concentrated or fortified wines
472 used for blending may be produced without this state and used in
473 producing native wines. The department shall adopt and promulgate
474 rules and regulations to permit a producer to import such bulk
475 and/or fortified wines into this state for use in blending with
476 native wines without payment of any excise tax that would
477 otherwise accrue thereon.

478 (q) "Native winery" means any place or establishment
479 within the State of Mississippi where native wine is produced, in
480 whole or in part, for sale.

481 (r) "Bed and breakfast inn" means an establishment
482 within a municipality where in consideration of payment, breakfast
483 and lodging are habitually furnished to travelers and wherein are
484 located not less than eight (8) and not more than nineteen (19)
485 adequately furnished and completely separate sleeping rooms with
486 adequate facilities, that persons usually apply for and receive as
487 overnight accommodations; however, such restriction on the minimum



488 number of sleeping rooms shall not apply to establishments on the
489 National Register of Historic Places. No place shall qualify as a
490 bed and breakfast inn under this chapter unless on the date of the
491 initial application for a license under this chapter more than
492 fifty percent (50%) of the sleeping rooms are located in a
493 structure formerly used as a residence.

494 (s) "Board" shall refer to the Board of Tax Appeals of
495 the State of Mississippi.

496 (t) "Spa facility" means an establishment within a
497 municipality or qualified resort area and owned by a hotel where,
498 in consideration of payment, patrons receive from licensed
499 professionals a variety of private personal care treatments such
500 as massages, facials, waxes, exfoliation and hairstyling.

501 (u) "Art studio or gallery" means an establishment
502 within a municipality or qualified resort area that is in the sole
503 business of allowing patrons to view and/or purchase paintings and
504 other creative artwork.

505 (v) "Cooking school" means an establishment within a
506 municipality or qualified resort area and owned by a nationally
507 recognized company that offers an established culinary education
508 curriculum and program where, in consideration of payment, patrons
509 are given scheduled professional group instruction on culinary
510 techniques. For purposes of this paragraph, the definition of
511 cooking school shall not include schools or classes offered by
512 grocery stores, convenience stores or drugstores.



513 (w) "Campus" means property owned by a public school
514 district, community or junior college, college or university in
515 this state where educational courses are taught, school functions
516 are held, tests and examinations are administered or academic
517 course credits are awarded; however, the term shall not include
518 any "restaurant" or "hotel" that is located on property owned by a
519 community or junior college, college or university in this state,
520 and is operated by a third party who receives all revenue
521 generated from food and alcoholic beverage sales.

522 (x) "Native spirit" shall mean any beverage, produced
523 in Mississippi for sale, manufactured primarily by the
524 distillation of fermented grain, starch, molasses or sugar
525 produced in Mississippi, including dilutions and mixtures of these
526 beverages. In order to be classified as "native spirit" under the
527 provisions of this chapter, at least fifty-one percent (51%) of
528 the finished product by volume shall have been obtained from
529 distillation of fermented grain, starch, molasses or sugar grown
530 and produced in Mississippi.

531 (y) "Native distillery" shall mean any place or
532 establishment within this state where native spirit is produced in
533 whole or in part for sale.

534 **SECTION 2.** This act shall take effect and be in force from
535 and after its passage.

