

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

Senate Bill No. 2063

BY: Representative Scoggin

1 **AMEND** by inserting the following after line 769 and
2 renumbering the succeeding section accordingly:

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

5 67-3-9. Any * * * municipality in this state, * * * at an
6 election held for the purpose, under the election laws applicable
7 to such * * * municipality, may either prohibit or permit, except
8 as otherwise provided under Section 67-9-1, the sale and the
9 receipt, storage and transportation for the purpose of sale of
10 beer, light spirit product and light wine. An election to
11 determine whether such sale shall be permitted in * * *
12 municipalities wherein its sale is prohibited by law shall be
13 ordered by the * * * municipal council or mayor and board of



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

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



39 weight"; and the words "Against the legal sale of light wine of an
40 alcoholic content of not more than five percent (5%) by weight,
41 light spirit product of an alcoholic content of not more than six
42 percent (6%) by weight, and beer of an alcoholic content of not
43 more than eight percent (8%) by weight," next below. In making up
44 his or her ticket the voter shall make a cross (X) opposite the
45 words of his choice.

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



63 prohibiting the sale of such light wine, light spirit product and
64 beer in such * * * municipality.

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

68 **AMEND further the title** on line 6 by inserting the following
69 after the semicolon:

70 "TO AMEND SECTION 67-3-9, MISSISSIPPI CODE OF 1972, TO PROVIDE
71 THAT ANY MUNICIPALITY MAY, AT AN ELECTION HELD FOR THAT PURPOSE,
72 EITHER PROHIBIT OR PERMIT THE SALE AND THE RECEIPT, STORAGE AND
73 TRANSPORTATION FOR THE PURPOSE OF SALE, OF BEER AND LIGHT WINE;"

