

By: Representative Harness

To: Ways and Means

HOUSE BILL NO. 339

1 AN ACT TO AMEND SECTION 67-1-7, MISSISSIPPI CODE OF 1972, TO
 2 AUTHORIZE THE GOVERNING AUTHORITIES FOR CERTAIN QUALIFIED RESORT
 3 AREAS TO PROVIDE, BY ORDINANCE, THAT PACKAGE RETAILER'S PERMITS
 4 MAY BE ISSUED IN THE APPLICABLE QUALIFIED RESORT AREAS AND THAT
 5 ALCOHOLIC BEVERAGES MAY BE RECEIVED, STORED, SOLD, POSSESSED AND
 6 DISTRIBUTED IN ACCORDANCE WITH SUCH PERMITS; AND FOR RELATED
 7 PURPOSES.

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

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

11 67-1-7. (1) Except as otherwise provided in Section 67-9-1
 12 for the transportation and possession of limited amounts of
 13 alcoholic beverages for the use of an alcohol processing
 14 permittee, and subject to all of the provisions and restrictions
 15 contained in this article, the manufacture, sale, distribution,
 16 and transportation of alcoholic beverages shall be lawful, subject
 17 to the restrictions hereinafter imposed, in those counties and
 18 municipalities of this state in which, at a local option election
 19 called and held for that purpose under the provisions of this



20 article, a majority of the qualified electors voting in such
21 election shall vote in favor thereof.

22 Beginning on April 16, 2021, except as otherwise provided in
23 Section 67-1-51 for holders of a caterer's permit, the
24 manufacture, sale and distribution of alcoholic beverages shall
25 not be permissible or lawful in counties except in (a)
26 incorporated municipalities located within such counties, (b)
27 qualified resort areas within such counties approved as such by
28 the department, or (c) clubs within such counties, whether within
29 a municipality or not. However, any permits issued by the
30 department between July 1, 2020, and April 15, 2021, for the
31 manufacture, sale and distribution of alcoholic beverages, whether
32 or not issued to permittees in such municipalities, qualified
33 resort areas or clubs, shall be eligible for renewal on or after
34 April 16, 2021.

35 The manufacture, sale, distribution and possession of native
36 wines or native spirits shall be lawful in any location within any
37 such county except those locations where the manufacture, sale or
38 distribution is prohibited by law other than this section or by
39 regulations of the department.

40 (2) Notwithstanding the foregoing, within any state park or
41 any state park facility that has been declared a qualified resort
42 area by the department, and within any qualified resort area as
43 defined under Section 67-1-5(o)(iii), an on-premises retailer's
44 permit may be issued for the qualified resort area, and the



45 permittee may lawfully sell alcoholic beverages for consumption on
46 his licensed premises regardless of whether or not the county or
47 municipality in which the qualified resort area is located has
48 voted in favor of coming out from under the dry law, and it shall
49 be lawful to receive, store, sell, possess and consume alcoholic
50 beverages on the licensed premises, and to sell, distribute and
51 transport alcoholic beverages to the licensed premises. Moreover,
52 the governing authorities of a municipality in which a qualified
53 resort area defined under Section 67-1-5(o)(iii)5, 7 * * *, 21 or
54 46 is located, the Pearl River Valley Water Supply District Board
55 which governs the qualified resort area defined under Section
56 67-1-5(o)(iii)8.a.A, and the board of supervisors of the county in
57 which the qualified resort area defined under Section
58 67-1-5(o)(iii)8.a.B and C is located, may, by ordinance or
59 resolution, provide that package retailer's permits may be issued
60 in the applicable qualified resort area, and that it shall be
61 lawful to receive, store, sell, possess and distribute alcoholic
62 beverages in accordance with such package retailer's permits.

63 **SECTION 2.** This act shall take effect and be in force from
64 and after July 1, 2023.

