

By: Representative Harness

To: Ways and Means

HOUSE BILL NO. 340

1 AN ACT TO AMEND SECTION 67-1-83, MISSISSIPPI CODE OF 1972, TO  
2 ALLOW HOLDERS OF PACKAGE RETAILER'S PERMITS UNDER THE LOCAL OPTION  
3 ALCOHOLIC BEVERAGE CONTROL LAW TO SELL ALCOHOLIC BEVERAGES ON  
4 SUNDAY; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 67-1-83, Mississippi Code of 1972, is  
7 amended as follows:

8 67-1-83. (1) It shall be unlawful for any permittee or any  
9 employee or agent thereof to sell or furnish any alcoholic  
10 beverage to any person who is visibly intoxicated, or to any  
11 person who is known to habitually drink alcoholic beverages to  
12 excess, or to any person who is known to be an habitual user of  
13 narcotics or other habit-forming drugs. It shall also be unlawful  
14 for the holder of any package retailer's permit to sell any  
15 alcoholic beverages except by delivery in person to the purchaser  
16 at the place of business of the permittee, unless the holder of a  
17 package retailer's permit also holds a delivery service permit or  
18 uses a delivery service permittee to effect delivery.



19           (2) It shall be unlawful for any permittee or any employee  
20 or agent thereof to sell or furnish any alcoholic beverage to any  
21 person to whom the department has, after investigation, decided to  
22 prohibit the sale of those beverages because of an appeal to the  
23 department so to do by the husband, wife, father, mother, brother,  
24 sister, child, or employer of the person. The interdiction in  
25 those cases shall last until removed by the department, but no  
26 person shall be held to have violated this subsection unless he  
27 has been informed by the department, by registered letter, that it  
28 is forbidden to sell to that individual or unless that fact is  
29 otherwise known to the permittee or its employee or agent.

30           (3) It shall be unlawful for any holder of a package  
31 retailer's permit, or any employee or agent thereof, engaged  
32 solely in the business of package retail sales under this article  
33 to sell or furnish any alcoholic beverage before 10:00 a.m. and  
34 after 10:00 p.m. or to sell alcoholic beverages on \* \* \* Christmas  
35 Day.

36           (4) Any person who violates any of the provisions of this  
37 section shall be guilty of a misdemeanor and, upon conviction,  
38 shall be punished by a fine of not more than Five Hundred Dollars  
39 (\$500.00) or by imprisonment in the county jail for a term of not  
40 more than six (6) months, or by both that fine and imprisonment,  
41 in the discretion of the court. In addition to any other  
42 penalties prescribed by law, the commission may immediately revoke



43 the permit of any permittee who violates the provisions of this  
44 section.

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

