

By: Representative Weathersby

To: Ways and Means

HOUSE BILL NO. 535
(As Sent to Governor)

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 AMEND SECTION
4 67-1-16, MISSISSIPPI CODE OF 1972, TO REQUIRE AN ELECTION TO BE
5 HELD BEFORE CERTAIN MUNICIPALITIES MAY BE DESIGNATED A QUALIFIED
6 RESORT AREA UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW;
7 TO AMEND SECTION 67-1-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE
8 THE GOVERNING AUTHORITIES FOR CERTAIN QUALIFIED RESORT AREAS TO
9 PROVIDE, BY ORDINANCE, THAT PACKAGE RETAILER'S PERMITS MAY BE
10 ISSUED IN THE APPLICABLE QUALIFIED RESORT AREAS AND THAT ALCOHOLIC
11 BEVERAGES MAY BE RECEIVED, STORED, SOLD, POSSESSED AND DISTRIBUTED
12 IN ACCORDANCE WITH SUCH PERMITS; AND FOR RELATED PURPOSES.

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

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

16 67-1-5. For the purposes of this article and unless
17 otherwise required by the context:

18 (a) "Alcoholic beverage" means any alcoholic liquid,
19 including wines of more than five percent (5%) of alcohol by
20 weight, capable of being consumed as a beverage by a human being,
21 but shall not include light wine, light spirit product and beer,
22 as defined in Section 67-3-3, Mississippi Code of 1972, but shall
23 include native wines and native spirits. The words "alcoholic



24 beverage" shall not include ethyl alcohol manufactured or
25 distilled solely for fuel purposes or beer of an alcoholic content
26 of more than eight percent (8%) by weight if the beer is legally
27 manufactured in this state for sale in another state.

28 (b) "Alcohol" means the product of distillation of any
29 fermented liquid, whatever the origin thereof, and includes
30 synthetic ethyl alcohol, but does not include denatured alcohol or
31 wood alcohol.

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

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

40 (e) "Person" means and includes any individual,
41 partnership, corporation, association or other legal entity
42 whatsoever.

43 (f) "Manufacturer" means any person engaged in
44 manufacturing, distilling, rectifying, blending or bottling any
45 alcoholic beverage.

46 (g) "Wholesaler" means any person, other than a
47 manufacturer, engaged in distributing or selling any alcoholic



48 beverage at wholesale for delivery within or without this state
49 when such sale is for the purpose of resale by the purchaser.

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

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

60 (j) "Division" means the Alcoholic Beverage Control
61 Division of the Department of Revenue.

62 (k) "Municipality" means any incorporated city or town
63 of this state.

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



73 (50) or more sleeping rooms. Any such establishment described in
74 this paragraph with less than fifty (50) beds shall operate one or
75 more regular dining rooms designed to be constantly frequented by
76 customers each day. When used in this article, the word "hotel"
77 shall also be construed to include any establishment that meets
78 the definition of "bed and breakfast inn" as provided in this
79 section.

80 (m) "Restaurant" means:

81 (i) A place which is regularly and in a bona fide
82 manner used and kept open for the serving of meals to guests for
83 compensation, which has suitable seating facilities for guests,
84 and which has suitable kitchen facilities connected therewith for
85 cooking an assortment of foods and meals commonly ordered at
86 various hours of the day; the service of such food as sandwiches
87 and salads only shall not be deemed in compliance with this
88 requirement. Except as otherwise provided in this paragraph, no
89 place shall qualify as a restaurant under this article unless
90 twenty-five percent (25%) or more of the revenue derived from such
91 place shall be from the preparation, cooking and serving of meals
92 and not from the sale of beverages, or unless the value of food
93 given to and consumed by customers is equal to twenty-five percent
94 (25%) or more of total revenue; or

95 (ii) Any privately owned business located in a
96 building in a historic district where the district is listed in
97 the National Register of Historic Places, where the building has a



98 total occupancy rating of not less than one thousand (1,000) and
99 where the business regularly utilizes ten thousand (10,000) square
100 feet or more in the building for live entertainment, including not
101 only the stage, lobby or area where the audience sits and/or
102 stands, but also any other portion of the building necessary for
103 the operation of the business, including any kitchen area, bar
104 area, storage area and office space, but excluding any area for
105 parking. In addition to the other requirements of this
106 subparagraph, the business must also serve food to guests for
107 compensation within the building and derive the majority of its
108 revenue from event-related fees, including, but not limited to,
109 admission fees or ticket sales to live entertainment in the
110 building, and from the rental of all or part of the facilities of
111 the business in the building to another party for a specific event
112 or function.

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

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

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

119 (iii) Maintained by its members through the
120 payment of annual dues;

121 (iv) Owning, hiring or leasing a building or space
122 in a building of such extent and character as may be suitable and



123 adequate for the reasonable and comfortable use and accommodation
124 of its members and their guests;

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

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

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



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

168 (i) The department may approve an area or locality
169 outside of the limits of an incorporated municipality that is in
170 the process of being developed as a qualified resort area if such
171 area or locality, when developed, can reasonably be expected to



172 meet the requisites of the definition of the term "qualified
173 resort area." In such a case, the status of qualified resort area
174 shall not take effect until completion of the development.

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

183 (iii) The term includes:

184 1. The clubhouses associated with the state
185 park golf courses at the Lefleur's Bluff State Park, the John Kyle
186 State Park, the Percy Quin State Park and the Hugh White State
187 Park;

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



196 3. Any facility located on property that is a
197 game reserve with restricted access that consists of at least
198 three thousand (3,000) contiguous acres with no public roads and
199 that offers as a service hunts for a fee to overnight guests of
200 the facility;

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

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

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

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



220 8. a. Land that is located in any county in
221 which Mississippi Highway 43 and Mississippi Highway 25 intersect
222 and:

223 A. Owned by the Pearl River Valley
224 Water Supply District, and/or

225 B. Located within the Reservoir
226 Community District, zoned commercial, east of Old Fannin Road,
227 north of Regatta Drive, south of Spillway Road, west of Hugh Ward
228 Boulevard and accessible by Old Fannin Road, Spillway Road, Spann
229 Drive and/or Lake Vista Place, and/or

230 C. Located within the Reservoir
231 Community District, zoned commercial, west of Old Fannin Road,
232 south of Spillway Road and extending to the boundary of the
233 corporate limits of the City of Flowood, Mississippi;

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

237 A. Specify the hours of operation
238 of facilities that offer alcoholic beverages for sale,

239 B. Specify the percentage of
240 revenue that facilities that offer alcoholic beverages for sale
241 must derive from the preparation, cooking and serving of meals and
242 not from the sale of beverages, and

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



245 9. Any facility located on property that is a
246 game reserve with restricted access that consists of at least
247 eight hundred (800) contiguous acres with no public roads, that
248 offers as a service hunts for a fee to overnight guests of the
249 facility, and has accommodations for at least fifty (50) overnight
250 guests;

251 10. Any facility that:

252 a. Consists of at least six thousand
253 (6,000) square feet being heated and cooled along with an
254 additional adjacent area that consists of at least two thousand
255 two hundred (2,200) square feet regardless of whether heated and
256 cooled,

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

259 c. Provides lodging accommodations
260 regardless of whether part of the facility and/or located adjacent
261 to or in close proximity to the facility, and

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

264 11. Any facility and related property:

265 a. Located on property that consists of
266 at least one hundred twenty-five (125) contiguous acres and
267 consisting of an eighteen-hole golf course, and/or located in a
268 facility that consists of at least eight thousand (8,000) square
269 feet being heated and cooled,



270 b. Used for the purpose of providing
271 meals and hosting events, and

272 c. Used for the purpose of teaching
273 culinary arts courses and/or turf management and grounds keeping
274 courses, and/or outdoor recreation and leadership courses;

275 12. Any facility and related property that:

276 a. Consist of at least eight thousand
277 (8,000) square feet being heated and cooled,

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

279 c. Is used for the purpose of culinary
280 arts courses, and/or live entertainment courses and art
281 performances, and/or outdoor recreation and leadership courses;

282 13. The clubhouse and associated golf course
283 where the golf course is adjacent to one or more residential
284 developments and the golf course and all such developments
285 collectively include at least two hundred (200) acres and at least
286 one hundred fifty (150) residential units and are located a. in a
287 county that has voted against coming out from under the dry law;
288 and b. outside of but in close proximity to a municipality in such
289 county which has voted under Section 67-1-14, after January 1,
290 2013, to come out from under the dry law;

291 14. The clubhouse and associated
292 eighteen-hole golf course located in a municipality traversed by
293 Interstate Highway 55 and U.S. Highway 51 that has voted to come
294 out from under the dry law;



295 15. a. Land that is planned for mixed-use
296 development and consists of at least two hundred (200) contiguous
297 acres with one or more planned residential developments
298 collectively planned to include at least two hundred (200)
299 residential units when completed, and also including a facility
300 that consists of at least four thousand (4,000) square feet that
301 is not part of such land but is located adjacent to or in close
302 proximity thereto, and which land is located:

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

305 B. Outside the corporate limits of
306 any municipality in such county and adjacent to or in close
307 proximity to a golf course located in a municipality in such
308 county, and

309 C. Within one (1) mile of a state
310 institution of higher learning;

311 b. The board of supervisors of such
312 county may by resolution or other order:

313 A. Specify the hours of operation
314 of facilities that offer alcoholic beverages for sale,

315 B. Specify the percentage of
316 revenue that facilities that offer alcoholic beverages for sale
317 must derive from the preparation, cooking and serving of meals and
318 not from the sale of beverages, and



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

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

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

333 18. Land that is owned by a state institution
334 of higher learning, and:

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

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



343 If any portion of the land described in this item 18 has been
344 declared a qualified resort area by the department before July 1,
345 2020, then that qualified resort area shall be incorporated into
346 the qualified resort area created by this item 18;

347 19. Any facility and related property:

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

353 b. Located in a county that has not
354 voted to come out from under the dry law and outside of but in
355 close proximity to a municipality located in such county and which
356 municipality has voted to come out from under the dry law;

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

361 a. A county traversed by Interstate 55
362 and Interstate 20, and

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

365 21. Any municipality with a population in
366 excess of two thousand (2,000) according to the latest federal
367 decennial census and in which is located a part of White's Creek



368 Lake and in which U.S. Highway 82 intersects with Mississippi
369 Highway 9 and located in a county that is partially bordered on
370 one (1) side by the Big Black River;

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

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

380 a. Specify the hours of operation of
381 facilities that offer alcoholic beverages for sale;

382 b. Specify the percentage of revenue
383 that facilities that offer alcoholic beverages for sale must
384 derive from the preparation, cooking and serving of meals and not
385 from the sale of beverages; and

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

388 24. A municipality in which Mississippi
389 Highway 27 and Mississippi Highway 28 intersect;

390 25. A municipality through which run
391 Mississippi Highway 35 and Interstate 20;



392 26. A municipality in which Mississippi
393 Highway 16 and Mississippi Highway 35 intersect;
394 27. A municipality in which U.S. Highway 82
395 and Old Highway 61 intersect;
396 28. A municipality in which Mississippi
397 Highway 8 meets Mississippi Highway 1;
398 29. A municipality in which U.S. Highway 82
399 and Mississippi Highway 1 intersect;
400 30. A municipality in which Mississippi
401 Highway 50 meets Mississippi Highway 9;
402 31. An area bounded on the north by Pearl
403 Street, on the east by West Street, on the south by Court Street
404 and on the west by Farish Street, within a municipality bordered
405 on the east by the Pearl River and through which run Interstate 20
406 and Interstate 55;
407 32. Any facility and related property that:
408 a. Is contracted for mixed-use
409 development improvements consisting of office and residential
410 space and a restaurant and lounge, partially occupying the
411 renovated space of a four-story commercial building which
412 previously served as a financial institution; and adjacent
413 property to the west consisting of a single-story office building
414 that was originally occupied by the Brotherhood of Carpenters and
415 Joiners of American Local Number 569; and



416 b. Is situated on a tract of land
417 consisting of approximately one and one-tenth (1.10) acres, and
418 the adjacent property to the west consisting of approximately 0.5
419 acres, located in a municipality which is the seat of county
420 government, situated south of Interstate 10, traversed by U.S.
421 Highway 90, partially bordered on one (1) side by the Pascagoula
422 River and having its most southern boundary bordered by the Gulf
423 of Mexico, with a population greater than twenty-two thousand
424 (22,000) according to the 2010 federal decennial census; however,
425 the governing authorities of such a municipality may by ordinance:

426 A. Specify the hours of operation
427 of facilities that offer alcoholic beverages for sale;

428 B. Specify the percentage of
429 revenue that facilities that offer alcoholic beverages for sale
430 must derive from the preparation, cooking and serving of meals and
431 not from the sale of beverages; and

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

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



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

444 ALSO,

445 The Northeast 38 acres of the Southwest Quarter of Section
446 21, Township 7 South, Range 4 East, Union County, Mississippi.

447 ALSO,

448 The South 81 1/2 acres of the Southwest Quarter of Section
449 21, Township 7 South, Range 4 East, Union County, Mississippi;

450 34. A municipality in which U.S. Highway 51
451 and Mississippi Highway 16 intersect;

452 35. A municipality in which Interstate 20
453 passes over Mississippi Highway 15;

454 36. Any municipality that is bordered in its
455 northwestern boundary by the Pearl River, traversed by U.S.
456 Highway 49 and Interstate 20, and is located in a county which has
457 voted against coming out from under the dry law;

458 37. A municipality in which Mississippi
459 Highway 28 and Mississippi Highway 29 North intersect;

460 38. An area bounded as follows within a
461 municipality through which run Interstate 22 and Mississippi
462 Highway 15: Beginning at a point at the intersection of Bankhead
463 Street and Tallahatchie Trails; then running to a point at the
464 intersection of Tallahatchie Trails and Interstate 22; then



465 running to a point at the intersection of Interstate 22 and Carter
466 Avenue; then running to a point at the intersection of Carter
467 Avenue and Camp Avenue; then running to a point at the
468 intersection of Camp Avenue and King Street; then running to a
469 point at the intersection of King Street and E. Main Street; then
470 running to a point at the intersection of E. Main Street and Camp
471 Avenue; then running to a point at the intersection of Camp Avenue
472 and Highland Street; then running to a point at the intersection
473 of Highland Street and Adams Street; then running to a point at
474 the intersection of Adams Street and Cleveland Street; then
475 running to a point at the intersection of Cleveland Street and N.
476 Railroad Avenue; then running to a point at the intersection of N.
477 Railroad Avenue and McGill Street; then running to a point at the
478 intersection of McGill Street and Snyder Street; then running to a
479 point at the intersection of Snyder Street and Bankhead Street;
480 then running to a point at the intersection of Bankhead Street and
481 Tallahatchie Trails and the point of the beginning;

482 39. A municipality through which run
483 Mississippi Highway 43 and U.S. Highway 80;

484 40. The coliseum in a municipality in which
485 U.S. Highway 72 passes over U.S. Highway 45;

486 41. A piece of property on the northeast
487 corner of the T-intersection where Builders Square Drive meets
488 Mississippi Highway 471;



489 42. The clubhouse and associated golf course,
490 tennis courts and related facilities and swimming pool and related
491 facilities located on Oaks Country Club Road less than one-half
492 (1/2) mile to the east of Mississippi Highway 15;

493 43. Any facility located on land more
494 particularly described as follows:

495 The East Half (E 1/2) of the Southwest Quarter (SW 1/4) of
496 Section 15, Township 3 North, Range 2 East; a 4 acre parcel in the
497 Southwest Corner of the Southwest Quarter (SW 1/4) of the
498 Southeast Quarter (SE 1/4), Section 15, Township 3 North, Range 2
499 East, running 210 feet east and west and 840 feet running north
500 and south; the Northeast Quarter (NE 1/4) of the Northwest Quarter
501 (NW 1/4) of Section 22, Township 3 North, Range 2 East, all in
502 Rankin County, Mississippi;

503 44. Any facility located on land more
504 particularly described as follows:

505 Beginning at a point 1915 feet west and 2171 feet north of
506 southeast corner, Section 11, Township 24 North, Range 2 West,
507 Second Judicial District, Tallahatchie County, Mississippi, which
508 point is the southwest corner of J.C. Section Lot mentioned in
509 deed recorded in Book 50, page 34, in the records of the Chancery
510 Clerk's Office at Sumner, in said District of said County; thence
511 South 80° West, 19 feet to the east boundary of United States
512 Highway 49-E, thence East along the east boundary of said Highway
513 270 feet to point of beginning of Lot to be conveyed; thence



514 southeast along the east boundary of said Highway 204 feet to a
515 concrete post at the intersection of the east boundary of said
516 Highway with the west boundary of gravel road from Sumner to Webb,
517 known as Oil Mill Road, thence Northwest along west boundary of
518 said Oil Mill Road 194 feet to center of driveway running
519 southwest from said Oil Mill Road to U.S. Highway 49-E; thence
520 South 66° West along center of said driveway 128 feet to point of
521 beginning, being situated in Northwest Quarter of Southeast
522 Quarter of Section 11, together with all improvements situated
523 thereon;

524 45. Any facility that:

525 a. Consists of at least five thousand
526 six hundred (5,600) square feet being heated and cooled along with
527 a lakeside patio that consists of at least two thousand two
528 hundred (2,200) square feet, regardless of whether such patio is
529 part of the facility and/or located adjacent to or in close
530 proximity to the facility;

531 b. Includes a caterer's kitchen and
532 green room for entertainment preparation;

533 c. For a fee is used to host events; and

534 d. Is located adjacent to or in close
535 proximity to an approximately nine (9) acre lake on property that
536 consists of at least one hundred twenty (120) acres in a county
537 traversed by Mississippi Highway 15 and U.S. Highway 278;



538 46. Any municipality with a population in
539 excess of one thousand (1,000) according to the 2010 federal
540 decennial census and which is located in a county that is
541 traversed by U.S. Highways 84 and 98 and has not voted to come out
542 from under the dry law;

543 47. The clubhouse and associated nine-hole
544 golf course, tennis courts and related facilities and swimming
545 pool and related facilities located on or near U.S. Highway 82
546 between Mississippi Highway 15 and Mississippi Highway 9;

547 48. The downtown square area bound by East
548 Service Drive, Commerce Street, Second Street and Court Street and
549 adjacent properties in a municipality through which run Interstate
550 55, U.S. Highway 51 and Mississippi Highway 306;

551 49. All parcels zoned for mixed-use
552 development located west of Mississippi Highway 589, more than
553 four hundred (400) feet north of Old Highway 24, east of
554 Parkers Creek and Black Creek, and south of J M Burge
555 Road; * * *

556 50. Any facility used by a soccer club and
557 located on Old Highway 11 between one-tenth (0.1) and two-tenths
558 (0.2) of a mile from its intersection with Oak Grove Road, in a
559 county in which U.S. Highway 98 and Mississippi Highway 589
560 intersect;

561 51. Any municipality in which U.S. Highway 49
562 and Mississippi Highway 469 intersect;



563 52. Any facility that is:
564 a. Owned by a Veterans of Foreign Wars
565 (VFW) organization that is a nonprofit corporation and registered
566 with the Mississippi Secretary of State;
567 b. Used by such organization for its
568 headquarters and other organization related purposes; and
569 c. Located outside of a municipality in
570 a county that has not voted to come out from under the dry law;

571 53. The following within a municipality in
572 which U.S. Highway 49 and U.S. 61 Highway intersect and through
573 which flows the Sunflower River:

574 a. An area bounded as follows: Starting
575 at the southern point of the intersection of Sunflower Avenue and
576 1st Street and going south along said avenue on its eastern side
577 to 8th Street, then going east along said street on its northern
578 side to West Tallahatchie Street, then going north along said
579 street on its western side to 4th Street/Martin Luther King
580 Boulevard, then going east along said street/boulevard on its
581 northern side to Desoto Avenue, then going north along said avenue
582 on its western side to 1st Street, then going west along said
583 street on its southern side to the point of beginning along the
584 southern side of Court Street;

585 b. Lots located at or near the
586 intersection of Madison Avenue, Walnut Street, and Riverside
587 Avenue that are in a commercial zone; and



588 c. Any facility located on the west side
589 of Sunflower Avenue to the Sunflower River between the southern
590 side of 6th Street and the northern side of 8th Street and which
591 is operated as and/or was operated as a hotel or lodging facility,
592 in consideration of payment, regardless of whether the facility
593 meets the criteria for the definition of the term "hotel" in
594 paragraph (1) of this section; and

595 d. Any facility located on the west side
596 of Sunflower Avenue to the Sunflower River between the southern
597 side of 3rd Street and the northern side of 4th Street/Martin
598 Luther King Boulevard and which is operated as and/or was operated
599 as a musical venue, in consideration of payment;

600 54. Any municipality in which Mississippi
601 Highway 340 meets Mississippi Highway 15;

602 55. Any municipality in which Mississippi
603 Highway 540 and Mississippi Highway 149 intersect;

604 56. Any municipality in which Mississippi
605 Highway 15 and Mississippi Highway 345/Main Street intersect;

606 57. The property and structures thereon at
607 the following locations within a municipality through which run
608 U.S. Highway 45 and Mississippi Highway 145 and in which
609 Mississippi Highway 370 and Mississippi Highway 145 intersect:
610 104 West Main Street, 106 West Main Street, 108 West Main Street,
611 110 West Main Street and 112 West Main Street;



612 58. Any municipality in which U.S. Highway 11
613 and Main Street intersect and which is located in a county having
614 two (2) judicial districts;

615 59. Any municipality in which Interstate 22
616 passes over Mississippi Highway 9;

617 60. Any facility located on land more
618 particularly described as follows:

619 A certain parcel of land being situated in the Southeast
620 1/4 of the Northeast 1/4 of Section 9, T3N-R3E, Rankin
621 County, Mississippi, and being more particularly
622 described as follows:

623 Commence at an existing 1/2" iron pin marking the
624 Southwest corner of the aforesaid Southeast 1/4 of the
625 Northeast 1/4 of Section 9, T3N-R3E and run thence North
626 00 degrees 06 minutes 13 seconds East along the East
627 line of the Southeast 1/4 of the Northeast 1/4 for a
628 distance of 33.18 feet to an existing 1/2" iron pin;
629 leaving said East line of the Southeast 1/4 of the
630 Northeast 1/4, run thence South 89 degrees 53 minutes 47
631 seconds East for a distance of 2.08 feet to an existing
632 1/2" iron pin; run thence North 00 degrees 22 minutes 19
633 seconds East for a distance of 561.90 feet to an
634 existing 1/2" iron pin; run thence North 00 degrees 16
635 minutes 18 seconds East for a distance of 76.42 feet to
636 a set 1/2" iron pin marking the POINT OF BEGINNING of



637 the parcel of land herein described; from said POINT OF
638 BEGINNING, continue thence North 00 degrees 16 minutes
639 18 seconds East along an existing fence for a distance
640 of 493.27 feet to an existing 1/2" iron pin; run thence
641 North 03 degrees 08 minutes 15 seconds East for a
642 distance of 170.22 feet to an existing 1/2" iron pin on
643 the North line of the aforesaid Southeast 1/4 of the
644 Northeast 1/4 of Section 9; run thence North 89 degrees
645 46 minutes 45 seconds East along said North line of the
646 Southeast 1/4 of the Northeast 1/4 of Section 9 for a
647 distance of 1,305.51 feet to an existing 1/2" iron pin
648 marking Northeast corner thereof; leaving said North
649 line of the Southeast 1/4 of the Northeast 1/4 of
650 Section 9, run thence South 00 degrees 08 minutes 35
651 seconds West along the East line of said Southeast 1/4
652 of the Northeast 1/4 of Section 9 for a distance of
653 663.19 feet to a set 1/2" iron pin; leaving said East
654 line of the Southeast 1/4 of the Northeast 1/4 of
655 Section 9, run thence South 89 degrees 46 minutes 45
656 seconds West for a distance of 1,315.51 feet to the
657 POINT OF BEGINNING, containing 20.00 acres, more or
658 less.

659 And Also: An easement for the purpose of ingress and
660 egress being situated in the Southeast 1/4 of the
661 Northeast 1/4 and in the Northeast 1/4 of the Southeast



662 1/4 of Section 9, T3N-R3E, Rankin County, Mississippi,
663 and being more particularly described as follows:
664 Begin at an existing 1/2" iron pin marking the Southwest
665 corner of the aforesaid Southeast 1/4 of the Northeast
666 1/4 of Section 9, T3N-R3E and run thence North 00
667 degrees 06 minutes 13 seconds East along the East line
668 of the Southeast 1/4 of the Northeast 1/4 for a distance
669 of 33.18 feet to an existing 1/2" iron pin; leaving said
670 East line of the Southeast 1/4 of the Northeast 1/4, run
671 thence South 89 degrees 53 minutes 47 seconds East for a
672 distance of 2.08 feet to an existing 1/2" iron pin; run
673 thence North 00 degrees 22 minutes 19 seconds East for a
674 distance of 561.90 feet to an existing 1/2" iron pin;
675 run thence North 00 degrees 16 minutes 18 seconds East
676 for a distance of 76.42 feet to a set 1/2" iron pin; run
677 thence North 89 degrees 46 minutes 45 seconds East for a
678 distance of 25.00 feet to a set 1/2" iron pin; run
679 thence South 00 degrees 16 minutes 18 seconds West for a
680 distance of 76.66 feet to a set 1/2" iron pin; run
681 thence South 00 degrees 22 minutes 19 seconds West for a
682 distance of 619.81 feet to a set 1/2" iron pin; run
683 thence South 89 degrees 43 minutes 01 seconds West for a
684 distance of 26.81 feet to a set 1/2" iron pin; run
685 thence North 00 degrees 06 minutes 13 seconds East along
686 the West line of the aforesaid Northeast 1/4 of the



687 Southeast 1/4 of Section 9 for a distance of 25.00 feet
688 to the POINT OF BEGINNING, containing 17,525.4 square
689 feet, more or less.

690 61. Any municipality bordered on the east by
691 the Pascagoula River and on the south by the Mississippi Sound;

692 62. The property and structures thereon
693 located at parcel numbers 4969 198 000; 4969 200 000; 4969 201
694 000; 4969 206 000; 4969 207 000; 4969 208 000; 4969 218 000; 4969
695 199; 4969 204 000 and 4969 204 001, all in Block 4 of the original
696 town square in any municipality with a population in excess of one
697 thousand five hundred (1,500) according to the latest federal
698 decennial census and which is located in:

699 a. A county traversed by Interstate 55
700 and Interstate 20, and

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

703 63. Any municipality in which Mississippi
704 Highway 12 meets Mississippi Highway 17;

705 64. Any municipality in which U.S. Highway 49
706 and Mississippi Highway 469 intersect;

707 65. The clubhouse and associated nine-hole
708 golf course and related facilities located on or near the eastern
709 corner of the point at which Golf Course Road meets Athens Road,
710 in a county in which Mississippi Highway 13 and Mississippi



711 Highway 28 intersect, with GPS coordinates of approximately
712 31.900370078041004, -89.7928067652611;

713 66. Any facility located at the
714 south-to-southwest corner of the intersection of Madison Street
715 and Bolton Brownsville Road, in a municipality in which Bolton
716 Brownsville Road passes over Interstate 20, with GPS coordinates
717 of approximately 32.349067271758955, -90.4596221146197;

718 67. Any facility located at the northwest
719 corner of the intersection of Depot Street and Madison Street, in
720 a municipality in which Bolton Brownsville Road passes over
721 Interstate 20, with GPS coordinates of approximately
722 32.34903152971068, -90.46047660172901;

723 68. Any facility located on Hinds Boulevard
724 approximately three-tenths (0.3) of a mile south of the point at
725 which Hinds Boulevard diverges from Clinton Road, in a
726 municipality whose northern boundary partially consists of Snake
727 Creek Road, and whose southern boundary partially consists of
728 Mississippi Highway 18, with GPS coordinates of approximately
729 32.26384517526713, -90.41586570183475;

730 69. Any facility located on Pleasant Grove
731 Drive approximately one and three-tenths (1.3) miles southeast of
732 its intersection with Harmony Drive, in a county through which run
733 Interstate 55 and U.S. Highway 84, with GPS coordinates of
734 approximately 31.512043770371907, -90.2506094382595;



735 70. Any facility located immediately north of
736 the intersection of two roads, both named Mason Clark Drive,
737 located between two-tenths (0.2) and three-tenths (0.3) of a mile
738 southwest of Mississippi Highway 57/63, with GPS coordinates of
739 approximately 31.135950529733048, -88.53068674585575;

740 71. Any facility located on Raj Road
741 approximately three-tenths (0.3) of a mile south of Mississippi
742 Highway 57/63, with GPS coordinates of approximately
743 31.139553708288418, -88.53411203512971; and

744 72. Any facility located on Raj Road
745 approximately one-tenth (0.1) of a mile south of Mississippi
746 Highway 57/63, with GPS coordinates of approximately
747 31.14184097577295, -88.53287700849411;

748 The status of these municipalities, districts, clubhouses,
749 facilities, golf courses and areas described in this paragraph
750 (o)(iii) as qualified resort areas does not require any
751 declaration of same by the department.

752 The governing authorities of a municipality described, in
753 whole or in part, in item 6, 21, 24, 25, 26, 27, 28, 29, 30, 31,
754 34, 35, 36, 37, 38, 39, 46 * * *, 48, 51, 53, 54, 55, 58, 59, 61,
755 63, 64, 66, 67 or 68 of this paragraph (o)(iii) may by ordinance,
756 with respect to the qualified resort area described in the same
757 item: specify the hours of operation of facilities offering
758 alcoholic beverages for sale; specify the percentage of revenue
759 that facilities offering alcoholic beverages for sale must derive



760 from the preparation, cooking and serving of meals and not from
761 the sale of beverages; and designate the areas in which facilities
762 offering alcoholic beverages for sale may be located.

763 (p) "Native wine" means any product, produced in
764 Mississippi for sale, having an alcohol content not to exceed
765 twenty-one percent (21%) by weight and made in accordance with
766 revenue laws of the United States, which shall be obtained
767 primarily from the alcoholic fermentation of the juice of ripe
768 grapes, fruits, berries, honey or vegetables grown and produced in
769 Mississippi; provided that bulk, concentrated or fortified wines
770 used for blending may be produced without this state and used in
771 producing native wines. The department shall adopt and promulgate
772 rules and regulations to permit a producer to import such bulk
773 and/or fortified wines into this state for use in blending with
774 native wines without payment of any excise tax that would
775 otherwise accrue thereon.

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

779 (r) "Bed and breakfast inn" means an establishment
780 within a municipality where in consideration of payment, breakfast
781 and lodging are habitually furnished to travelers and wherein are
782 located not less than eight (8) and not more than nineteen (19)
783 adequately furnished and completely separate sleeping rooms with
784 adequate facilities, that persons usually apply for and receive as



785 overnight accommodations; however, such restriction on the minimum
786 number of sleeping rooms shall not apply to establishments on the
787 National Register of Historic Places. No place shall qualify as a
788 bed and breakfast inn under this article unless on the date of the
789 initial application for a license under this article more than
790 fifty percent (50%) of the sleeping rooms are located in a
791 structure formerly used as a residence.

792 (s) "Board" shall refer to the Board of Tax Appeals of
793 the State of Mississippi.

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

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

803 (v) "Cooking school" means an establishment within a
804 municipality or qualified resort area and owned by a nationally
805 recognized company that offers an established culinary education
806 curriculum and program where, in consideration of payment, patrons
807 are given scheduled professional group instruction on culinary
808 techniques. For purposes of this paragraph, the definition of



809 cooking school shall not include schools or classes offered by
810 grocery stores, convenience stores or drugstores.

811 (w) "Campus" means property owned by a public school
812 district, community or junior college, college or university in
813 this state where educational courses are taught, school functions
814 are held, tests and examinations are administered or academic
815 course credits are awarded; however, the term shall not include
816 any "restaurant" or "hotel" that is located on property owned by a
817 community or junior college, college or university in this state,
818 and is operated by a third party who receives all revenue
819 generated from food and alcoholic beverage sales.

820 (x) "Native spirit" shall mean any beverage, produced
821 in Mississippi for sale, manufactured primarily by the
822 distillation of fermented grain, starch, molasses or sugar
823 produced in Mississippi, including dilutions and mixtures of these
824 beverages. In order to be classified as "native spirit" under the
825 provisions of this article, at least fifty-one percent (51%) of
826 the finished product by volume shall have been obtained from
827 distillation of fermented grain, starch, molasses or sugar grown
828 and produced in Mississippi.

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

832 (z) "Warehouse operator" shall have the meaning
833 ascribed in Section 67-1-201.



834 **SECTION 2.** Section 67-1-16, Mississippi Code of 1972, is
835 amended as follows:

836 67-1-16. (1) (a) Before an area may be designated by the
837 governing authorities of a municipality as an area in which
838 facilities which are defined as qualified resort areas in Section
839 67-1-5(o)(iii)5 may be located, an election shall be held, under
840 the election laws applicable to the municipality, on the question
841 of whether qualified resort areas shall be allowed in the
842 municipality. An election to determine whether qualified resort
843 areas shall be allowed in the municipality shall be ordered by the
844 municipal governing authorities, upon presentation to the
845 governing authorities of a petition containing the names of at
846 least twenty percent (20%) of the duly qualified voters of the
847 municipality asking for the election. An election on the question
848 may not be held by the municipality more often than once each
849 year.

850 (b) Thirty (30) days' notice shall be given to the
851 qualified electors of the municipality, in the manner prescribed
852 by law, on the question of allowing qualified resort areas to be
853 established. The notice shall contain a statement of the question
854 to be voted on at the election. The ballots used in the election
855 shall have the following words printed thereon: "FOR THE
856 ESTABLISHMENT OF QUALIFIED RESORT AREAS," and next below, "AGAINST
857 THE ESTABLISHMENT OF QUALIFIED RESORT AREAS." In marking his



858 ballot, the voter shall make a cross (X) opposite the words of his
859 choice.

860 (c) Qualified resort areas may be established if a
861 majority of the qualified electors voting in the election vote for
862 such establishment. A qualified resort area may not be
863 established if a majority of the qualified electors voting in the
864 election vote against such establishment.

865 (2) (a) Before a municipality may be designated as a
866 qualified resort area as defined in Section 67-1-5(o)(iii)6, an
867 election shall be held, under the election laws applicable to the
868 municipality, on the question of whether the municipality shall be
869 a qualified resort area. An election to determine whether the
870 municipality shall be a qualified resort area shall be ordered by
871 the municipal governing authorities, upon presentation to the
872 governing authorities of a petition containing the names of at
873 least twenty percent (20%) of the duly qualified voters of the
874 municipality asking for the election. An election on the question
875 may not be held by the municipality more often than once each
876 year.

877 (b) Thirty (30) days' notice shall be given to the
878 qualified electors of the municipality, in the manner prescribed
879 by law, on the question of allowing qualified resort areas to be
880 established. The notice shall contain a statement of the question
881 to be voted on at the election. The ballots used in the election
882 shall have the following words printed thereon: "FOR THE



883 ESTABLISHMENT OF A QUALIFIED RESORT AREA," and next below,
884 "AGAINST THE ESTABLISHMENT OF A QUALIFIED RESORT AREA." In
885 marking his ballot, the voter shall make a cross (X) opposite the
886 words of his choice.

887 (c) The municipality may be established as a qualified
888 resort area if a majority of the qualified electors voting in the
889 election vote for such establishment. A qualified resort area may
890 not be established if a majority of the qualified electors voting
891 in the election vote against such establishment.

892 (3) (a) Before an area may be designated a qualified resort
893 area as defined in Section 67-1-5(o)(iii)7, an election shall be
894 held in the municipality in which the area is located under the
895 election laws applicable to the municipality, on the question of
896 whether the area shall be a qualified resort area. An election to
897 determine whether the area shall be a qualified resort area shall
898 be ordered by the municipal governing authorities, upon
899 presentation to the governing authorities of a petition containing
900 the names of at least twenty percent (20%) of the duly qualified
901 voters of the municipality asking for the election. An election
902 on the question may not be held by the municipality more often
903 than once each year.

904 (b) Thirty (30) days' notice shall be given to the
905 qualified electors of the municipality, in the manner prescribed
906 by law, on the question of allowing qualified resort areas to be
907 established. The notice shall contain a statement of the question



908 to be voted on at the election. The ballots used in the election
909 shall have the following words printed thereon: "FOR THE
910 ESTABLISHMENT OF A QUALIFIED RESORT AREA," and next below,
911 "AGAINST THE ESTABLISHMENT OF A QUALIFIED RESORT AREA." In
912 marking his ballot, the voter shall make a cross (X) opposite the
913 words of his choice.

914 (c) The area may be established as a qualified resort
915 area if a majority of the qualified electors voting in the
916 election vote for such establishment. A qualified resort area may
917 not be established if a majority of the qualified electors voting
918 in the election vote against such establishment.

919 (4) (a) Before a municipality may be designated as a
920 qualified resort area as defined in item 21, 35 * * *, 36 or 51 of
921 Section 67-1-5(o)(iii), an election shall be held, under the
922 election laws applicable to the municipality, on the question of
923 whether the municipality shall be a qualified resort area. An
924 election to determine whether the municipality shall be a
925 qualified resort area shall be ordered by the municipal governing
926 authorities. An election on the question may not be held by the
927 municipality more often than once each year.

928 (b) Thirty (30) days' notice shall be given to the
929 qualified electors of the municipality, in the manner prescribed
930 by law, on the question of allowing qualified resort areas to be
931 established. The notice shall contain a statement of the question
932 to be voted on at the election. The ballots used in the election



933 shall have the following words printed thereon: "FOR THE
934 ESTABLISHMENT OF A QUALIFIED RESORT AREA," and next below,
935 "AGAINST THE ESTABLISHMENT OF A QUALIFIED RESORT AREA." In
936 marking his ballot, the voter shall make a cross (X) opposite the
937 words of his choice.

938 (c) The municipality may be established as a qualified
939 resort area if a majority of the qualified electors voting in the
940 election vote for such establishment. A qualified resort area may
941 not be established if a majority of the qualified electors voting
942 in the election vote against such establishment.

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

945 67-1-7. (1) Except as otherwise provided in Section 67-9-1
946 for the transportation and possession of limited amounts of
947 alcoholic beverages for the use of an alcohol processing
948 permittee, and subject to all of the provisions and restrictions
949 contained in this article, the manufacture, sale, distribution,
950 and transportation of alcoholic beverages shall be lawful, subject
951 to the restrictions hereinafter imposed, in those counties and
952 municipalities of this state in which, at a local option election
953 called and held for that purpose under the provisions of this
954 article, a majority of the qualified electors voting in such
955 election shall vote in favor thereof.

956 Beginning on April 16, 2021, except as otherwise provided in
957 Section 67-1-51 for holders of a caterer's permit, the



958 manufacture, sale and distribution of alcoholic beverages shall
959 not be permissible or lawful in counties except in (a)
960 incorporated municipalities located within such counties, (b)
961 qualified resort areas within such counties approved as such by
962 the department, or (c) clubs within such counties, whether within
963 a municipality or not. However, any permits issued by the
964 department between July 1, 2020, and April 15, 2021, for the
965 manufacture, sale and distribution of alcoholic beverages, whether
966 or not issued to permittees in such municipalities, qualified
967 resort areas or clubs, shall be eligible for renewal on or after
968 April 16, 2021.

969 The manufacture, sale, distribution and possession of native
970 wines or native spirits shall be lawful in any location within any
971 such county except those locations where the manufacture, sale or
972 distribution is prohibited by law other than this section or by
973 regulations of the department.

974 (2) Notwithstanding the foregoing, within any state park or
975 any state park facility that has been declared a qualified resort
976 area by the department, and within any qualified resort area as
977 defined under Section 67-1-5(o)(iii), an on-premises retailer's
978 permit may be issued for the qualified resort area, and the
979 permittee may lawfully sell alcoholic beverages for consumption on
980 his licensed premises regardless of whether or not the county or
981 municipality in which the qualified resort area is located has
982 voted in favor of coming out from under the dry law, and it shall



983 be lawful to receive, store, sell, possess and consume alcoholic
984 beverages on the licensed premises, and to sell, distribute and
985 transport alcoholic beverages to the licensed premises. Moreover,
986 the governing authorities of a municipality in which a qualified
987 resort area defined under Section 67-1-5(o)(iii)5, 7, * * * 21 or
988 46 is located, the Pearl River Valley Water Supply District Board
989 which governs the qualified resort area defined under Section
990 67-1-5(o)(iii)8.a.A, * * * the board of supervisors of the county
991 in which the qualified resort area defined under Section
992 67-1-5(o)(iii)8.a.B and C is located, and the board of supervisors
993 of the county in which the qualified resort area defined under
994 Section 67-1-5(o)(iii)44 is located, may, by ordinance or
995 resolution, provide that package retailer's permits may be issued
996 in the applicable qualified resort area, and that it shall be
997 lawful to receive, store, sell, possess and distribute alcoholic
998 beverages in accordance with such package retailer's permits.

999 **SECTION 4.** This act shall take effect and be in force from
1000 and after July 1, 2023.

