

By: Representative Shanks

To: Education

HOUSE BILL NO. 1633

1 AN ACT TO REENACT SECTIONS 37-109-1 THROUGH 37-109-9,
2 MISSISSIPPI CODE OF 1972, WHICH ARE THE MISSISSIPPI DUAL
3 ENROLLMENT/DUAL CREDIT SCHOLARSHIP PROGRAM ACT OF 2023; TO AMEND
4 SECTION 37-109-11, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF
5 THE REPEALER ON THE MISSISSIPPI DUAL ENROLLMENT/DUAL CREDIT
6 SCHOLARSHIP PROGRAM ACT OF 2023; TO BRING FORWARD SECTIONS
7 27-71-5, 27-71-7, 27-71-15, 27-71-29, 67-1-41, 67-1-45, 67-1-51,
8 67-1-53, 67-1-55, 67-1-57, 67-1-73, 97-31-47 AND 97-31-49,
9 MISSISSIPPI CODE OF 1972, WHICH RELATE TO ALCOHOLIC BEVERAGES, FOR
10 THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

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

12 **SECTION 1.** Section 37-109-1, Mississippi Code of 1972, is
13 reenacted as follows:

14 37-109-1. Sections 37-109-1 through 37-109-9, Mississippi
15 Code of 1972, shall be known and may be cited as the "Mississippi
16 Dual Enrollment/Dual Credit Scholarship Program Act of 2023."

17 **SECTION 2.** Section 37-109-3, Mississippi Code of 1972, is
18 reenacted as follows:

19 37-109-3. There is hereby created the Mississippi Dual
20 Enrollment/Dual Credit Scholarship Program, to be administered by
21 the Mississippi Postsecondary Education Financial Assistance Board
22 established under Section 37-106-9. The board shall set the dates

23 and deadlines for applying for funding for dual enrollment/dual
24 credit courses of eligible Mississippi high school students under
25 the provisions of Sections 37-109-1 through 37-109-9 and award
26 scholarships to participating institutions for those who meet the
27 eligibility requirements provided herein.

28 **SECTION 3.** Section 37-109-5, Mississippi Code of 1972, is
29 reenacted as follows:

30 37-109-5. As used in this chapter, the following terms shall
31 have the meaning ascribed in this section, unless the context
32 clearly requires otherwise:

33 (a) "Institution" means any postsecondary educational
34 institution that is a public state-supported institution of higher
35 learning, a public state-supported community or junior college, or
36 any not-for-profit private institution of higher learning in the
37 state. The term does not include proprietary colleges or
38 universities.

39 (b) "Student" means a high school student in a public
40 school or charter school program in Mississippi.

41 (c) "Board" means the Mississippi Postsecondary
42 Education Financial Assistance Board established in Section
43 37-106-9, which is authorized and empowered to administer the
44 provisions of Title 37, Chapter 106, Mississippi Code of 1972.

45 (d) "Director" means the individual designated by the
46 Board of Trustees of State Institutions of Higher Learning to
47 administer the provisions of the various financial assistance



48 programs by promulgating the necessary rules and regulations for
49 their effective administration.

50 (e) "Dual enrolled student" means a student who is
51 enrolled in a community or junior college or state institution of
52 higher learning while enrolled in high school, as defined in
53 Section 37-15-37(1) (a) .

54 (f) "Dual credit student" means a student who is
55 enrolled in a community or junior college or state institution of
56 higher learning while enrolled in high school and who is receiving
57 high school and college credit for postsecondary coursework, as
58 defined in Section 37-15-38(1) (b) .

59 (g) "Manual" means the procedures manual for the State
60 of Mississippi Dual Enrollment and Accelerated Programs of which
61 the contents of the manual are evaluated and approved by the
62 academic officers of both the Mississippi Association of Community
63 Colleges and the Mississippi Institutions of Higher Learning.

64 (h) "Program" means the Mississippi Dual
65 Enrollment/Dual Credit Scholarship Program.

66 **SECTION 4.** Section 37-109-7, Mississippi Code of 1972, is
67 reenacted as follows:

68 37-109-7. (1) (a) For institutions to be eligible for
69 participation in the program, the institution shall adhere to the
70 guidelines prescribed in the procedures manual for the State of
71 Mississippi Dual Enrollment and Accelerated Programs, hereinafter
72 the "manual," and the requirements established by the Mississippi



73 Postsecondary Education Financial Assistance Board for
74 participating institutions set forth in this subsection.

75 (b) Eligibility for funding shall be incorporated into
76 the manual, which shall outline the specific criteria for initial
77 and continued eligibility for participation for institutions, dual
78 enrollment students and dual credit students, respectively. The
79 academic officers of both the Mississippi Association of Community
80 Colleges and the Board of Trustees of State Institutions of Higher
81 Learning shall evaluate and approve the contents of the manual
82 each year.

83 (c) The board shall administer the Dual Enrollment/Dual
84 Credit Scholarship Program as outlined in the manual. Funds for
85 the program shall be distributed by the board to the providing
86 institution of higher education on behalf of each eligible student
87 after the enrollment verification period. Funds shall not be
88 distributed by the board directly to the student.

89 (d) Participation in the Mississippi Dual
90 Enrollment/Dual Credit Scholarship Program is optional for all
91 institutions defined in Section 37-109-5(a). However, in order to
92 qualify for funding, all guidelines in the manual must be followed
93 by each institution.

94 (e) All participating institutions shall be reimbursed
95 at the rate of forty percent (40%) of the average community
96 college credit hour tuition for the current academic year.

97 (f) Participating institutions may elect to exclude
98 specific centers, branch campuses, collegiate academies and middle
99 college's within their governance or purview from participating in
100 the Mississippi Dual Enrollment/Dual Credit Scholarship Program.

101 (2) For students to be eligible for participation in the
102 program, the scholarship applicant shall satisfy the student
103 eligibility requirements prescribed in Procedures Manual for the
104 State of Mississippi Dual Enrollment and Accelerated Programs and
105 the requirements established for student eligibility set forth in
106 this subsection:

107 (a) Students in Grades 11 and 12 who are residents of
108 the State of Mississippi shall be eligible to participate in the
109 program, provided they meet minimum eligibility criteria in the
110 manual. Resident status for the purpose of receiving assistance
111 under this chapter shall be determined in the same manner as
112 resident status for tuition purposes in Sections 37-103-1 through
113 37-103-29, with the exception of Section 37-103-17;

114 (b) Each eligible student shall be qualified for
115 funding under this chapter for up to six (6) dual enrollment/dual
116 credit semester credit hours prior to high school graduation;

117 (c) All students who meet the eligibility requirements
118 as outlined in the manual, regardless of participation method,
119 whether online, at a participating institution's campus, at a high
120 school campus, academic or career and technical education (CTE),



121 shall meet the requirements for funding allocation to the
122 participating institution;

123 (d) All Dual Enrollment/Dual Credit Scholarship Program
124 student recipients shall be required to participate in an advising
125 component related to the Mississippi Articulation and Transfer
126 Tool (MATT) to ensure their understanding of course
127 transferability. Credits earned with a final grade of C or above
128 on the eligible student's college transcript in courses offered
129 through the program, whether academic or career and technical,
130 shall transfer to any postsecondary institution in Mississippi;

131 (e) Books, course materials, tools, supplies, lab fees,
132 transportation costs and other applicable course fees shall be the
133 responsibility of the student or high school district; and

134 (f) Middle college students shall be qualified for the
135 Mississippi Dual Enrollment/Dual Credit Scholarship Program
136 funding only if the institution complies with the requirements of
137 the manual.

138 (3) To ensure appropriate articulation of college credits to
139 other institutions, only the courses on the "Approved Academic
140 Dual Credit Listing" shall be eligible for funding.

141 (4) Early college students are not eligible for the
142 Mississippi Dual Enrollment/Dual Credit Scholarship Program
143 funding.

144 **SECTION 5.** Section 37-109-9, Mississippi Code of 1972, is
145 reenacted as follows:

146 37-109-9. In addition to the criteria established in Section
147 37-109-7, the following program participation criteria must be
148 adhered to:

149 (a) Future enrollment at the providing institution
150 cannot be a requirement for a student to be eligible for Dual
151 Enrollment/Dual Credit Scholarship Program funds;

152 (b) Community college career and technical education
153 (CTE) courses approved in the manual shall be eligible for
154 funding;

155 (c) The board shall promulgate rules as necessary to
156 implement and administer this section;

157 (d) The board shall develop rules for ensuring that
158 expenses of the scholarship program in each fiscal year do not
159 exceed funding for the program in that fiscal year. For that
160 purpose, and any other provision of this section to the contrary
161 notwithstanding, the board may limit the acceptance of scholarship
162 applications and may limit the award amount of scholarships;

163 (e) If the state appropriation is insufficient to fully
164 fund all students eligible for participation in the program in a
165 given year, those funds shall be prorated to the student's account
166 at the eligible participating institution by an amount to be
167 determined by the board. The student or school district will then
168 be responsible for the remaining balance due for the course taken
169 at the providing institution;

170 (f) The board may conduct its own annual audits of any
171 institution participating in the Mississippi Dual Enrollment/Dual
172 Credit Scholarship Program. The board may suspend or revoke an
173 institution's eligibility to receive future funds under the
174 program if it finds that the institution has not complied with the
175 provisions of the manual and the requirements established in
176 Section 37-109-7(1);

177 (g) The board may conduct its own annual audits of
178 students participating in the Mississippi Dual Enrollment/Dual
179 Credit Scholarship Program. The board may suspend or revoke a
180 high school's eligibility to participate in the program if it
181 finds the student or high school has not complied with the
182 provisions of the manual and the requirements established in
183 Section 37-109-7(2);

184 (h) The average community college credit hour tuition
185 amount for the current academic year, as referenced in Section
186 37-109-7(1)(e), shall be provided annually by the Mississippi
187 Community College Board to the executive director of the board;

188 (i) If a public institution chooses not to participate
189 in the program, or if a public institution in the eligible
190 student's region does not have a particular program the eligible
191 student wants to enroll in but the program is available at another
192 public institution, a student shall have the option of enrolling
193 at a program at another participating public institution;



194 (j) Public school districts or charter schools and
195 institutions participating in the program shall be permitted to
196 enter into agreements under Section 37-15-38, which allow students
197 to enroll and complete additional dual credit or dual enrollment
198 courses, with the goal of increasing the number of students
199 graduating from high school with an associate level degree or
200 other nationally recognized credential. This chapter is intended
201 to provide funding and structure for a minimum standardized dual
202 enrollment/dual credit program across the state;

203 (k) To encourage more participation in the program, a
204 final grade of C or above in a three (3) credit hour dual credit
205 course, academic or career and technical, shall be weighted the
206 same as a three (3) or above in an Advanced Placement course final
207 examination in the Mississippi Statewide Accountability System.
208 Only courses included in the approved dual credit course list
209 referenced in the manual shall be weighted in the model; and

210 (1) There is established in the State Treasury a
211 special fund to be designated the "Mississippi Dual
212 Enrollment/Dual Credit Scholarship Program" into which shall be
213 deposited those funds appropriated by the Legislature, and any
214 other funds that may be made available, for the purpose of
215 implementing the program established under this chapter. Money in
216 the fund at the end of the fiscal year shall not lapse into the
217 General Fund, and interest earned on any amounts deposited into
218 the fund shall be credited to the special fund;



219 (m) The program requires specific appropriation by the
220 Legislature.

221 **SECTION 6.** Section 37-109-11, Mississippi Code of 1972, is
222 amended as follows:

223 37-109-11. Sections 37-109-1, 37-109-3, 37-109-5, 37-109-7
224 and 37-109-9 * * * shall stand repealed on July 1, * * * 2028.

225 **SECTION 7.** Section 27-71-5, Mississippi Code of 1972, is
226 brought forward as follows:

227 27-71-5. (1) Upon each person approved for a permit under
228 the provisions of the Alcoholic Beverage Control Law and
229 amendments thereto, there is levied and imposed for each location
230 for the privilege of engaging and continuing in this state in the
231 business authorized by such permit, an annual privilege license
232 tax in the amount provided in the following schedule:

233 (a) Except as otherwise provided in this subsection
234 (1), manufacturer's permit, Class 1, distiller's and/or
235 rectifier's:

236 (i) For a permittee with annual production of
237 five thousand (5,000) gallons or more.....\$4,500.00

238 (ii) For a permittee with annual production under
239 five thousand (5,000) gallons.....\$2,800.00

240 (b) Manufacturer's permit, Class 2, wine

(c) Manufacturer's permit, Class 3, native wine

243 manufacturer per ten thousand (10,000) gallons or part thereof
244 produced.....\$ 10.00

245 (d) Manufacturer's permit, Class 4, native spirit

246 manufacturer per one thousand (1,000) gallons or part thereof
247 produced.....\$ 300.00

248 (e) Native wine retailer's permit.....\$ 50.00

249 (f) Package retailer's permit, each.....\$ 900.00

250 (g) On-premises retailer's permit, except for clubs and
251 common carriers, each.....\$ 450.00

252 (h) On-premises retailer's permit for wine of more than
253 five percent (5%) alcohol by weight, but not more than twenty-one
254 percent (21%) alcohol by weight, each.....\$ 225.00

255 (i) On-premises retailer's permit for clubs...\$ 225.00

256 (j) On-premises retailer's permit for common carriers,
257 per car, plane, or other vehicle.....\$ 120.00

258 (k) Solicitor's permit, regardless of any other
259 provision of law, solicitor's permits shall be issued only in the
260 discretion of the department.....\$ 100.00

261 (l) Filing fee for each application except for an
262 employee identification card.....\$ 25.00

263 (m) Temporary permit, Class 1, each.....\$ 10.00

264 (n) Temporary permit, Class 2, each.....\$ 50.00

265 (o) (i) Caterer's permit.....\$ 600.00
266 (ii) Caterer's permit for holders of on-premises
267 retailer's permit.....\$ 150.00

268 (p) Research permit.....\$ 100.00
269 (q) Temporary permit, Class 3 (wine only)\$ 10.00
270 (r) Special service permit.....\$ 225.00
271 (s) Merchant permit.....\$ 225.00
272 (t) Temporary alcoholic beverages charitable auction
273 permit.....\$ 10.00
274 (u) Event venue retailer's permit.....\$ 225.00
275 (v) Temporary theatre permit, each.....\$ 10.00
276 (w) Charter ship operator's permit.....\$ 100.00
277 (x) Distillery retailer's permit.....\$ 450.00
278 (y) Festival wine permit.....\$ 10.00
279 (z) Charter vessel operator's permit.....\$ 100.00
280 (aa) Native spirit retailer's permit.....\$ 50.00
281 (ab) Delivery service permit.....\$ 500.00
282 (ac) Food truck permit.....\$ 100.00
283 (ad) On-premises tobacco permit.....\$ 450.00

284 In addition to the filing fee imposed by paragraph (1) of
285 this subsection, a fee to be determined by the Department of
286 Revenue may be charged to defray costs incurred to process
287 applications. The additional fees shall be paid into the State
288 Treasury to the credit of a special fund account, which is hereby
289 created, and expenditures therefrom shall be made only to defray
290 the costs incurred by the Department of Revenue in processing
291 alcoholic beverage applications. Any unencumbered balance

292 remaining in the special fund account on June 30 of any fiscal
293 year shall lapse into the State General Fund.

294 All privilege taxes imposed by this section shall be paid in
295 advance of doing business. A new permittee whose privilege tax is
296 determined by production volume will pay the tax for the first
297 year in accordance with department regulations. The additional
298 privilege tax imposed for an on-premises retailer's permit based
299 upon purchases shall be due and payable on demand.

300 Paragraph (y) of this subsection shall stand repealed from
301 and after July 1, 2026.

302 (2) (a) There is imposed and shall be collected from each
303 permittee, except a common carrier, solicitor, a temporary
304 permittee or a delivery service permittee, by the department, an
305 additional license tax equal to the amounts imposed under
306 subsection (1) of this section for the privilege of doing business
307 within any municipality or county in which the licensee is
308 located.

309 (b) (i) In addition to the tax imposed in paragraph
310 (a) of this subsection, there is imposed and shall be collected by
311 the department from each permittee described in subsection (1) (g),
312 (h), (i), (n) and (u) of this section, an additional license tax
313 for the privilege of doing business within any municipality or
314 county in which the licensee is located in the amount of Two
315 Hundred Twenty-five Dollars (\$225.00) on purchases exceeding Five
316 Thousand Dollars (\$5,000.00) and Two Hundred Twenty-five Dollars



317 (\$225.00) for each additional purchase of Five Thousand Dollars
318 (\$5,000.00), or fraction thereof.

319 (ii) In addition to the tax imposed in paragraph
320 (a) of this subsection, there is imposed and shall be collected by
321 the department from each permittee described in subsection (1) (o)
322 and (s) of this section, an additional license tax for the
323 privilege of doing business within any municipality or county in
324 which the licensee is located in the amount of Two Hundred Fifty
325 Dollars (\$250.00) on purchases exceeding Five Thousand Dollars
326 (\$5,000.00) and Two Hundred Twenty-five Dollars (\$225.00) for each
327 additional purchase of Five Thousand Dollars (\$5,000.00), or
328 fraction thereof.

329 (iii) Any person who has paid the additional
330 privilege license tax imposed by this paragraph, and whose permit
331 is renewed, may add any unused fraction of Five Thousand Dollars
332 (\$5,000.00) purchases to the first Five Thousand Dollars
333 (\$5,000.00) purchases authorized by the renewal permit, and no
334 additional license tax will be required until purchases exceed the
335 sum of the two (2) figures.

336 (c) If the licensee is located within a municipality,
337 the department shall pay the amount of additional license tax
338 collected under this section to the municipality, and if outside a
339 municipality the department shall pay the additional license tax
340 to the county in which the licensee is located. Payments by the
341 department to the respective local government subdivisions shall



342 be made once each month for any collections during the preceding
343 month.

344 (3) When an application for any permit, other than for
345 renewal of a permit, has been rejected by the department, such
346 decision shall be final. Appeal may be made in the manner
347 provided by Section 67-1-39. Another application from an
348 applicant who has been denied a permit shall not be reconsidered
349 within a twelve-month period.

350 (4) The number of permits issued by the department shall not
351 be restricted or limited on a population basis; however, the
352 foregoing limitation shall not be construed to preclude the right
353 of the department to refuse to issue a permit because of the
354 undesirability of the proposed location.

355 (5) If any person shall engage or continue in any business
356 which is taxable under this section without having paid the tax as
357 provided in this section, the person shall be liable for the full
358 amount of the tax plus a penalty thereon equal to the amount
359 thereof, and, in addition, shall be punished by a fine of not more
360 than One Thousand Dollars (\$1,000.00), or by imprisonment in the
361 county jail for a term of not more than six (6) months, or by both
362 such fine and imprisonment, in the discretion of the court.

363 (6) It shall be unlawful for any person to consume alcoholic
364 beverages on the premises of any hotel restaurant, restaurant,
365 club or the interior of any public place defined in Chapter 1,
366 Title 67, Mississippi Code of 1972, when the owner or manager



367 thereof displays in several conspicuous places inside the
368 establishment and at the entrances of establishment a sign
369 containing the following language: NO ALCOHOLIC BEVERAGES
370 ALLOWED.

371 **SECTION 8.** Section 27-71-7, Mississippi Code of 1972, is
372 brought forward as follows:

373 27-71-7. (1) There is hereby levied and assessed an excise
374 tax upon each case of alcoholic beverages sold by the department
375 to be collected from each retail licensee at the time of sale in
376 accordance with the following schedule:

377 (a) Distilled spirits.....\$2.50 per gallon
378 (b) Sparkling wine and champagne.....\$1.00 per gallon
379 (c) Other wines, including
380 native wines.....\$.35 per gallon

381 (2) (a) In addition to the tax levied by subsection (1) of
382 this section, and in addition to any other markup collected, the
383 Alcoholic Beverage Control Division shall collect a markup of
384 three percent (3%) on all alcoholic beverages, as defined in
385 Section 67-1-5, Mississippi Code of 1972, which are sold by the
386 division. The proceeds of the markup shall be collected by the
387 division from each purchaser at the time of purchase.

388 (b) Until June 30, 1987, the revenue derived from this
389 three percent (3%) markup shall be deposited by the division in
390 the State Treasury to the credit of the "Alcoholism Treatment and
391 Rehabilitation Fund", a special fund which is hereby created in



392 the State Treasury, and shall be used by the Division of Alcohol
393 and Drug Abuse of the State Department of Mental Health and public
394 or private centers or organizations solely for funding of
395 treatment and rehabilitation programs for alcoholics and alcohol
396 abusers which are sponsored by the division or public or private
397 centers or organizations in such amounts as the Legislature may
398 appropriate to the division for use by the division or public or
399 private centers or organizations for such programs. Any tax
400 revenue in the fund which is not encumbered at the end of the
401 fiscal year shall lapse to the General Fund. It is the intent of
402 the Legislature that the State Department of Mental Health shall
403 continue to seek funds from other sources and shall use the funds
404 appropriated for the purposes of this section and Section 27-71-29
405 to match all federal funds which may be available for alcoholism
406 treatment and rehabilitation.

407 From and after July 1, 1987, the revenue derived from this
408 three percent (3%) markup shall be deposited by the division in
409 the State Treasury to the credit of the "Mental Health Programs
410 Fund", a special fund which is hereby created in the State
411 Treasury and shall be used by the State Department of Mental
412 Health for the service programs of the department. Any revenue in
413 the "Alcoholism Treatment and Rehabilitation Fund" which is not
414 encumbered at the end of Fiscal Year 1987 shall be deposited to
415 the credit of the "Mental Health Programs Fund."



416 **SECTION 9.** Section 27-71-15, Mississippi Code of 1972, is
417 brought forward as follows:

418 27-71-15. Except as otherwise provided in Section 67-9-1 for
419 the transportation of limited amounts of alcoholic beverages for
420 the use of an alcohol processing permittee, if transportation
421 requires passage through a county which has not authorized the
422 sale of alcoholic beverages, such transportation shall be by a
423 sealed vehicle. Such seal shall remain unbroken until the vehicle
424 shall reach the place of business operated by the permittee. The
425 operator of any vehicle transporting alcoholic beverages shall
426 have in his possession an invoice issued by the commission at the
427 time of the wholesale sale covering the merchandise transported by
428 the vehicle. The commission is authorized to issue regulations
429 controlling the transportation of alcoholic beverages.

430 When the restrictions imposed by this section and by the
431 regulation of the commission have not been violated, the person
432 transporting alcoholic beverages through a county wherein the sale
433 of alcoholic beverages is prohibited shall not be guilty of
434 unlawful possession and such merchandise shall be immune from
435 seizure.

436 **SECTION 10.** Section 27-71-29, Mississippi Code of 1972, is
437 brought forward as follows:

438 27-71-29. (1) All taxes levied by this article shall be
439 paid to the Department of Revenue in cash or by personal check,
440 cashier's check, bank exchange, post office money order or express



441 money order and shall be deposited by the department in the State
442 Treasury on the same day collected, but no remittances other than
443 cash shall be a final discharge of liability for the tax herein
444 imposed and levied unless and until it has been paid in cash to
445 the department.

446 All taxes levied under Section 27-71-7(1) and received by the
447 department under this article shall be paid into the General Fund,
448 and the three percent (3%) levied under Section 27-71-7(2) and
449 received by the department under this article shall be paid into
450 the special fund in the State Treasury designated as the
451 "Alcoholism Treatment and Rehabilitation Fund" as required by law.
452 Any funds derived from the sale of alcoholic beverages in excess
453 of inventory requirements shall be paid not less often than
454 annually into the General Fund, except for a portion of the
455 twenty-seven and one-half percent (27-1/2%) markup provided for in
456 Section 27-71-11, as specified in subsection (2) of this section,
457 and except for fees charged by the department for the defraying of
458 costs associated with shipping alcoholic beverages. The revenue
459 derived from these fees shall be deposited by the department into
460 a special fund, hereby created in the State Treasury, which is
461 designated the "ABC Shipping Fund." The monies in this special
462 fund shall be earmarked for use by the department for any
463 expenditure made to ship alcoholic beverages. Any net proceeds
464 remaining in the special fund on August 1 of any fiscal year shall
465 lapse into the General Fund. "Net proceeds" in this section means



466 the total of all fees collected by the department to defray the
467 costs of shipping less the actual costs of shipping.

468 (2) If the special bond sinking fund created in Section 7(3)
469 of Chapter 483, Laws of 2022 has a balance below the minimum
470 amount specified in the resolution providing for the issuance of
471 the bonds, or below one and one-half (1-1/2) times the amount
472 needed to pay the annual debt obligations related to the bonds
473 issued under Section 7 of Chapter 483, Laws of 2022, whichever is
474 the lesser amount, the Commissioner of Revenue shall transfer the
475 deficit amount to the bond sinking fund from revenue derived from
476 the twenty-seven and one-half percent (27-1/2%) markup provided
477 for in Section 27-71-11.

478 **SECTION 11.** Section 67-1-41, Mississippi Code of 1972, is
479 brought forward as follows:

480 67-1-41. (1) The department is hereby created a wholesale
481 distributor and seller of alcoholic beverages, not including malt
482 liquors, within the State of Mississippi. It is granted the right
483 to import and sell alcoholic beverages at wholesale within the
484 state, and no person who is granted the right to sell, distribute
485 or receive alcoholic beverages at retail shall purchase any
486 alcoholic beverages from any source other than the department,
487 except as authorized in subsections (4), (9) and (12) of this
488 section. The department may establish warehouses, and the
489 department may purchase alcoholic beverages in such quantities and
490 from such sources as it may deem desirable and sell the alcoholic



491 beverages to authorized permittees within the state including, at
492 the discretion of the department, any retail distributors
493 operating within any military post or qualified resort areas
494 within the boundaries of the state, keeping a correct and accurate
495 record of all such transactions and exercising such control over
496 the distribution of alcoholic beverages as seem right and proper
497 in keeping with the provisions or purposes of this article.

498 (2) No person for the purpose of sale shall manufacture,
499 distill, brew, sell, possess, export, transport, distribute,
500 warehouse, store, solicit, take orders for, bottle, rectify,
501 blend, treat, mix or process any alcoholic beverage except in
502 accordance with authority granted under this article, or as
503 otherwise provided by law for native wines or native spirits.

504 (3) No alcoholic beverage intended for sale or resale shall
505 be imported, shipped or brought into this state for delivery to
506 any person other than as provided in this article, or as otherwise
507 provided by law for native wines or native spirits.

508 (4) The department may promulgate rules and regulations
509 which authorize on-premises retailers to purchase limited amounts
510 of alcoholic beverages from package retailers and for package
511 retailers to purchase limited amounts of alcoholic beverages from
512 other package retailers. The department shall develop and provide
513 forms to be completed by the on-premises retailers and the package
514 retailers verifying the transaction. The completed forms shall be



515 forwarded to the department within a period of time prescribed by
516 the department.

517 (5) The department may promulgate rules which authorize the
518 holder of a package retailer's permit to permit individual retail
519 purchasers of packages of alcoholic beverages to return, for
520 exchange, credit or refund, limited amounts of original sealed and
521 unopened packages of alcoholic beverages purchased by the
522 individual from the package retailer.

523 (6) The department shall maintain all forms to be completed
524 by applicants necessary for licensure by the department at all
525 district offices of the department.

526 (7) The department may promulgate rules which authorize the
527 manufacturer of an alcoholic beverage or wine to import, transport
528 and furnish or give a sample of alcoholic beverages or wines to
529 the holders of package retailer's permits, on-premises retailer's
530 permits, native wine or native spirit retailer's permits and
531 temporary retailer's permits who have not previously purchased the
532 brand of that manufacturer from the department. For each holder
533 of the designated permits, the manufacturer may furnish not more
534 than five hundred (500) milliliters of any brand of alcoholic
535 beverage and not more than three (3) liters of any brand of wine.

536 (8) The department may promulgate rules disallowing open
537 product sampling of alcoholic beverages or wines by the holders of
538 package retailer's permits and permitting open product sampling of
539 alcoholic beverages by the holders of on-premises retailer's

540 permits. Permitted sample products shall be plainly identified
541 "sample" and the actual sampling must occur in the presence of the
542 manufacturer's representatives during the legal operating hours of
543 on-premises retailers.

544 (9) The department may promulgate rules and regulations that
545 authorize the holder of a research permit to import and purchase
546 limited amounts of alcoholic beverages from importers, wineries
547 and distillers of alcoholic beverages or from the department. The
548 department shall develop and provide forms to be completed by the
549 research permittee verifying each transaction. The completed
550 forms shall be forwarded to the department within a period of time
551 prescribed by the department. The records and inventory of
552 alcoholic beverages shall be open to inspection at any time by the
553 Director of the Alcoholic Beverage Control Division or any duly
554 authorized agent.

555 (10) The department may promulgate rules facilitating a
556 retailer's on-site pickup of alcoholic beverages sold by the
557 department or as authorized by the department, including, but not
558 limited to, native wines and native spirits, so that those
559 alcoholic beverages may be delivered to the retailer at the
560 manufacturer's location instead of via shipment from the
561 department's warehouse.

562 (11) **[Through June 30, 2026]** This section shall not apply
563 to alcoholic beverages authorized to be sold by the holder of a
564 distillery retailer's permit or a festival wine permit.



565 (11) **[From and after July 1, 2026]** This section shall not
566 apply to alcoholic beverages authorized to be sold by the holder
567 of a distillery retailer's permit.

568 (12) (a) An individual resident of this state who is at
569 least twenty-one (21) years of age may purchase wine from a winery
570 and have the purchase shipped into this state so long as it is
571 shipped to a package retailer permittee in Mississippi; however,
572 the permittee shall pay to the department all taxes, fees and
573 surcharges on the wine that are imposed upon the sale of wine
574 shipped by the department or its warehouse operator. No credit
575 shall be provided to the permittee for any taxes paid to another
576 state as a result of the transaction. Package retailers may
577 charge a service fee for receiving and handling shipments from
578 wineries on behalf of the purchasers. The department shall
579 develop and provide forms to be completed by the package retailer
580 permittees verifying the transaction. The completed forms shall
581 be forwarded to the department within a period of time prescribed
582 by the department.

583 (b) The purchaser of wine that is to be shipped to a
584 package retailer's store shall be required to get the prior
585 approval of the package retailer before any wine is shipped to the
586 package retailer. A purchaser is limited to no more than ten (10)
587 cases of wine per year to be shipped to a package retailer. A
588 package retailer shall notify a purchaser of wine within two (2)
589 days after receiving the shipment of wine. If the purchaser of



590 the wine does not pick up or take the wine from the package
591 retailer within thirty (30) days after being notified by the
592 package retailer, the package retailer may sell the wine as part
593 of his inventory.

594 (c) Shipments of wine into this state under this
595 section shall be made by a duly licensed carrier. It shall be the
596 duty of every common or contract carrier, and of every firm or
597 corporation that shall bring, carry or transport wine from outside
598 the state for delivery inside the state to package retailer
599 permittees on behalf of consumers, to prepare and file with the
600 department, on a schedule as determined by the department, of
601 known wine shipments containing the name of the common or contract
602 carrier, firm or corporation making the report, the period of time
603 covered by said report, the name and permit number of the winery,
604 the name and permit number of the package retailer permittee
605 receiving such wine, the weight of the package delivered to each
606 package retailer permittee, a unique tracking number, and the date
607 of delivery. Reports received by the department shall be made
608 available by the department to the public via the Mississippi
609 Public Records Act process in the same manner as other state
610 alcohol filings.

611 Upon the department's request, any records supporting the
612 report shall be made available to the department within a
613 reasonable time after the department makes a written request for
614 such records. Any records containing information relating to such



615 reports shall be kept and preserved for a period of two (2) years,
616 unless their destruction sooner is authorized, in writing, by the
617 department, and shall be open and available to inspection by the
618 department upon the department's written request. Reports shall
619 also be made available to any law enforcement or regulatory body
620 in the state in which the railroad company, express company,
621 common or contract carrier making the report resides or does
622 business.

623 Any common or contract carrier that willfully fails to make
624 reports, as provided by this section or any of the rules and
625 regulations of the department for the administration and
626 enforcement of this section, is subject to a notification of
627 violation. In the case of a continuing failure to make reports,
628 the common or contract carrier is subject to possible license
629 suspension and revocation at the department's discretion.

630 (d) A winery that ships wine under this section shall
631 be deemed to have consented to the jurisdiction of the courts of
632 this state, of the department, of any other state agency regarding
633 the enforcement of this section, and of any related law, rules or
634 regulations.

635 (e) Any person who makes, participates in, transports,
636 imports or receives a shipment in violation of this section is
637 guilty of a misdemeanor and, upon conviction thereof, shall be
638 punished by a fine of One Thousand Dollars (\$1,000.00) or

639 imprisonment in the county jail for not more than six (6) months,
640 or both. Each shipment shall constitute a separate offense.

641 (13) If any provision of this article, or its application to
642 any person or circumstance, is determined by a court to be invalid
643 or unconstitutional, the remaining provisions shall be construed
644 in accordance with the intent of the Legislature to further limit
645 rather than expand commerce in alcoholic beverages to protect the
646 health, safety, and welfare of the state's residents, and to
647 enhance strict regulatory control over taxation, distribution and
648 sale of alcoholic beverages through the three-tier regulatory
649 system imposed by this article upon all alcoholic beverages to
650 curb relationships and practices calculated to stimulate sales and
651 impair the state's policy favoring trade stability and the
652 promotion of temperance.

653 **SECTION 12.** Section 67-1-45, Mississippi Code of 1972, is
654 brought forward as follows:

655 67-1-45. No manufacturer, rectifier or distiller of
656 alcoholic beverages shall sell or attempt to sell any such
657 alcoholic beverages, except malt liquor, within the State of
658 Mississippi, except to the department, or as provided in Section
659 67-1-41, or pursuant to Section 67-1-51. A producer of native
660 wine or native spirit may sell native wines or native spirits,
661 respectively, to the department or to consumers at the location of
662 the native winery or native distillery or its immediate vicinity.

663 Any violation of this section by any manufacturer, rectifier
664 or distiller shall be punished by a fine of not less than Five
665 Hundred Dollars (\$500.00), and not more than Two Thousand Dollars
666 (\$2,000.00), to which may be added imprisonment in the county jail
667 not to exceed six (6) months.

668 **SECTION 13.** Section 67-1-51, Mississippi Code of 1972, is
669 brought forward as follows:

670 67-1-51. (1) Permits which may be issued by the department
671 shall be as follows:

672 (a) **Manufacturer's permit.** A manufacturer's permit
673 shall permit the manufacture, importation in bulk, bottling and
674 storage of alcoholic liquor and its distribution and sale to
675 manufacturers holding permits under this article in this state and
676 to persons outside the state who are authorized by law to purchase
677 the same, and to sell as provided by this article.

678 Manufacturer's permits shall be of the following classes:

679 Class 1. Distiller's and/or rectifier's permit, which shall
680 authorize the holder thereof to operate a distillery for the
681 production of distilled spirits by distillation or redistillation
682 and/or to operate a rectifying plant for the purifying, refining,
683 mixing, blending, flavoring or reducing in proof of distilled
684 spirits and alcohol.

685 Class 2. Wine manufacturer's permit, which shall authorize
686 the holder thereof to manufacture, import in bulk, bottle and
687 store wine or vinous liquor.

688 Class 3. Native wine producer's permit, which shall
689 authorize the holder thereof to produce, bottle, store and sell
690 native wines.

691 Class 4. Native spirit producer's permit, which shall
692 authorize the holder thereof to produce, bottle, store and sell
693 native spirits.

694 (b) **Package retailer's permit.** Except as otherwise
695 provided in this paragraph and Section 67-1-52, a package
696 retailer's permit shall authorize the holder thereof to operate a
697 store exclusively for the sale at retail in original sealed and
698 unopened packages of alcoholic beverages, including native wines,
699 native spirits and edibles, not to be consumed on the premises
700 where sold. Alcoholic beverages shall not be sold by any retailer
701 in any package or container containing less than fifty (50)
702 milliliters by liquid measure. A package retailer's permit, with
703 prior approval from the department, shall authorize the holder
704 thereof to sample new product furnished by a manufacturer's
705 representative or his employees at the permitted place of business
706 so long as the sampling otherwise complies with this article and
707 applicable department regulations. Such samples may not be
708 provided to customers at the permitted place of business. In
709 addition to the sale at retail of packages of alcoholic beverages,
710 the holder of a package retailer's permit is authorized to sell at
711 retail corkscrews, wine glasses, soft drinks, ice, juices, mixers,
712 other beverages commonly used to mix with alcoholic beverages, and



713 fruits and foods that have been submerged in alcohol and are
714 commonly referred to as edibles. Nonalcoholic beverages sold by
715 the holder of a package retailer's permit shall not be consumed on
716 the premises where sold.

717 (c) **On-premises retailer's permit.** Except as otherwise
718 provided in subsection (5) of this section, an on-premises
719 retailer's permit shall authorize the sale of alcoholic beverages,
720 including native wines and native spirits, for consumption on the
721 licensed premises only; however, a patron of the permit holder may
722 remove one (1) bottle of wine from the licensed premises if: (i)
723 the patron consumed a portion of the bottle of wine in the course
724 of consuming a meal purchased on the licensed premises; (ii) the
725 permit holder securely reseals the bottle; (iii) the bottle is
726 placed in a bag that is secured in a manner so that it will be
727 visibly apparent if the bag is opened; and (iv) a dated receipt
728 for the wine and the meal is available. Additionally, as part of
729 a carryout order, a permit holder may sell one (1) bottle of wine
730 to be removed from the licensed premises for every two (2) entrees
731 ordered. In addition, an on-premises retailer's permittee at a
732 permitted premises located on Jefferson Davis Avenue within
733 one-half (1/2) mile north of U.S. Highway 90 may serve alcoholic
734 beverages by the glass to a patron in a vehicle using a
735 drive-through method of delivery if the permitted premises is
736 located in a leisure and recreation district established under
737 Section 67-1-101. Such a sale will be considered to be made on



the permitted premises. An on-premises retailer's permit shall be issued only to qualified hotels, restaurants and clubs, small craft breweries, microbreweries, and to common carriers with adequate facilities for serving passengers. In resort areas, however, whether inside or outside of a municipality, the department, in its discretion, may issue on-premises retailer's permits to any establishments located therein as it deems proper. An on-premises retailer's permit when issued to a common carrier shall authorize the sale and serving of alcoholic beverages aboard any licensed vehicle while moving through any county of the state; however, the sale of such alcoholic beverages shall not be permitted while such vehicle is stopped in a county that has not legalized such sales. If an on-premises retailer's permit is applied for by a common carrier operating solely in the water, such common carrier must, along with all other qualifications for a permit, (i) be certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers and (ii) operate primarily in the waters within the State of Mississippi which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi and/or on the Mississippi River or navigable waters within any county bordering on the Mississippi River.

761 (d) **Solicitor's permit.** A solicitor's permit shall
762 authorize the holder thereof to act as salesman for a manufacturer

763 or wholesaler holding a proper permit, to solicit on behalf of his
764 employer orders for alcoholic beverages, and to otherwise promote
765 his employer's products in a legitimate manner. Such a permit
766 shall authorize the representation of and employment by one (1)
767 principal only. However, the permittee may also, in the
768 discretion of the department, be issued additional permits to
769 represent other principals. No such permittee shall buy or sell
770 alcoholic beverages for his own account, and no such beverage
771 shall be brought into this state in pursuance of the exercise of
772 such permit otherwise than through a permit issued to a wholesaler
773 or manufacturer in the state.

774 (e) **Native wine retailer's permit.** Except as otherwise
775 provided in subsection (5) of this section, a native wine
776 retailer's permit shall be issued only to a holder of a Class 3
777 manufacturer's permit, and shall authorize the holder thereof to
778 make retail sales of native wines to consumers for on-premises
779 consumption or to consumers in originally sealed and unopened
780 containers at an establishment located on the premises of or in
781 the immediate vicinity of a native winery. When selling to
782 consumers for on-premises consumption, a holder of a native wine
783 retailer's permit may add to the native wine alcoholic beverages
784 not produced on the premises, so long as the total volume of
785 foreign beverage components does not exceed twenty percent (20%)
786 of the mixed beverage. Hours of sale shall be the same as those



787 authorized for on-premises permittees in the city or county in
788 which the native wine retailer is located.

789 (f) **Temporary retailer's permit.** Except as otherwise
790 provided in subsection (5) of this section, a temporary retailer's
791 permit shall permit the purchase and resale of alcoholic
792 beverages, including native wines and native spirits, during legal
793 hours on the premises described in the temporary permit only.

Temporary retailer's permits shall be of the following classes:

796 Class 1. A temporary one-day permit may be issued to bona
797 fide nonprofit civic or charitable organizations authorizing the
798 sale of alcoholic beverages, including native wine and native
799 spirit, for consumption on the premises described in the temporary
800 permit only. Class 1 permits may be issued only to applicants
801 demonstrating to the department, by a statement signed under
802 penalty of perjury submitted ten (10) days prior to the proposed
803 date or such other time as the department may determine, that they
804 meet the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2)
805 and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59.
806 Class 1 permittees shall obtain all alcoholic beverages from
807 package retailers located in the county in which the temporary
808 permit is issued. Alcoholic beverages remaining in stock upon
809 expiration of the temporary permit may be returned by the
810 permittee to the package retailer for a refund of the purchase
811 price upon consent of the package retailer or may be kept by the



812 permittee exclusively for personal use and consumption, subject to
813 all laws pertaining to the illegal sale and possession of
814 alcoholic beverages. The department, following review of the
815 statement provided by the applicant and the requirements of the
816 applicable statutes and regulations, may issue the permit.

817 Class 2. A temporary permit, not to exceed seventy (70)
818 days, may be issued to prospective permittees seeking to transfer
819 a permit authorized in paragraph (c) of this subsection. A Class
820 2 permit may be issued only to applicants demonstrating to the
821 department, by a statement signed under the penalty of perjury,
822 that they meet the qualifications of Sections 67-1-5(1), (m), (n),
823 (o), (p) or (q), 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 and
824 67-1-59. The department, following a preliminary review of the
825 statement provided by the applicant and the requirements of the
826 applicable statutes and regulations, may issue the permit.

827 Class 2 temporary permittees must purchase their alcoholic
828 beverages directly from the department or, with approval of the
829 department, purchase the remaining stock of the previous
830 permittee. If the proposed applicant of a Class 1 or Class 2
831 temporary permit falsifies information contained in the
832 application or statement, the applicant shall never again be
833 eligible for a retail alcohol beverage permit and shall be subject
834 to prosecution for perjury.

835 Class 3. A temporary one-day permit may be issued to a
836 retail establishment authorizing the complimentary distribution of

837 wine, including native wine, to patrons of the retail
838 establishment at an open house or promotional event, for
839 consumption only on the premises described in the temporary
840 permit. A Class 3 permit may be issued only to an applicant
841 demonstrating to the department, by a statement signed under
842 penalty of perjury submitted ten (10) days before the proposed
843 date or such other time as the department may determine, that it
844 meets the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2)
845 and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59.
846 A Class 3 permit holder shall obtain all alcoholic beverages from
847 the holder(s) of a package retailer's permit located in the county
848 in which the temporary permit is issued. Wine remaining in stock
849 upon expiration of the temporary permit may be returned by the
850 Class 3 temporary permit holder to the package retailer for a
851 refund of the purchase price, with consent of the package
852 retailer, or may be kept by the Class 3 temporary permit holder
853 exclusively for personal use and consumption, subject to all laws
854 pertaining to the illegal sale and possession of alcoholic
855 beverages. The department, following review of the statement
856 provided by the applicant and the requirements of the applicable
857 statutes and regulations, may issue the permit. No retailer may
858 receive more than twelve (12) Class 3 temporary permits in a
859 calendar year. A Class 3 temporary permit shall not be issued to
860 a retail establishment that either holds a merchant permit issued
861 under paragraph (1) of this subsection, or holds a permit issued



862 under Chapter 3, Title 67, Mississippi Code of 1972, authorizing
863 the holder to engage in the business of a retailer of light wine
864 or beer.

865 (g) **Caterer's permit.** A caterer's permit shall permit
866 the purchase of alcoholic beverages by a person engaging in
867 business as a caterer and the resale of alcoholic beverages by
868 such person in conjunction with such catering business. No person
869 shall qualify as a caterer unless forty percent (40%) or more of
870 the revenue derived from such catering business shall be from the
871 serving of prepared food and not from the sale of alcoholic
872 beverages and unless such person has obtained a permit for such
873 business from the Department of Health. A caterer's permit shall
874 not authorize the sale of alcoholic beverages on the premises of
875 the person engaging in business as a caterer; however, the holder
876 of an on-premises retailer's permit may hold a caterer's permit.
877 When the holder of an on-premises retailer's permit or an
878 affiliated entity of the holder also holds a caterer's permit, the
879 caterer's permit shall not authorize the service of alcoholic
880 beverages on a consistent, recurring basis at a separate, fixed
881 location owned or operated by the caterer, on-premises retailer or
882 affiliated entity and an on-premises retailer's permit shall be
883 required for the separate location. All sales of alcoholic
884 beverages by holders of a caterer's permit shall be made at the
885 location being catered by the caterer, and, except as otherwise
886 provided in subsection (5) of this section, such sales may be made



887 only for consumption at the catered location. The location being
888 catered may be anywhere within a county or judicial district that
889 has voted to come out from under the dry laws or in which the sale
890 and distribution of alcoholic beverages is otherwise authorized by
891 law. Such sales shall be made pursuant to any other conditions
892 and restrictions which apply to sales made by on-premises retail
893 permittees. The holder of a caterer's permit or his employees
894 shall remain at the catered location as long as alcoholic
895 beverages are being sold pursuant to the permit issued under this
896 paragraph (g), and the permittee shall have at the location the
897 identification card issued by the Alcoholic Beverage Control
898 Division of the department. No unsold alcoholic beverages may be
899 left at the catered location by the permittee upon the conclusion
900 of his business at that location. Appropriate law enforcement
901 officers and Alcoholic Beverage Control Division personnel may
902 enter a catered location on private property in order to enforce
903 laws governing the sale or serving of alcoholic beverages.





936 a cooking school, and shall authorize the holder to serve
937 complimentary by the glass wine only, including native wine, at
938 the holder's spa facility, art studio or gallery, or cooking
939 school. A merchant permit holder shall obtain all wine from the
940 holder of a package retailer's permit.

941 (m) **Temporary alcoholic beverages charitable auction**
942 **permit.** A temporary permit, not to exceed five (5) days, may be
943 issued to a qualifying charitable nonprofit organization that is
944 exempt from taxation under Section 501(c) (3) or (4) of the
945 Internal Revenue Code of 1986. The permit shall authorize the
946 holder to sell alcoholic beverages for the limited purpose of
947 raising funds for the organization during a live or silent auction
948 that is conducted by the organization and that meets the following
949 requirements: (i) the auction is conducted in an area of the
950 state where the sale of alcoholic beverages is authorized; (ii) if
951 the auction is conducted on the premises of an on-premises
952 retailer's permit holder, then the alcoholic beverages to be
953 auctioned must be stored separately from the alcoholic beverages
954 sold, stored or served on the premises, must be removed from the
955 premises immediately following the auction, and may not be
956 consumed on the premises; (iii) the permit holder may not conduct
957 more than two (2) auctions during a calendar year; (iv) the permit
958 holder may not pay a commission or promotional fee to any person
959 to arrange or conduct the auction.



960 (n) **Event venue retailer's permit.** An event venue
961 retailer's permit shall authorize the holder thereof to purchase
962 and resell alcoholic beverages, including native wines and native
963 spirits, for consumption on the premises during legal hours during
964 events held on the licensed premises if food is being served at
965 the event by a caterer who is not affiliated with or related to
966 the permittee. The caterer must serve at least three (3) entrees.
967 The permit may only be issued for venues that can accommodate two
968 hundred (200) persons or more. The number of persons a venue may
969 accommodate shall be determined by the local fire department and
970 such determination shall be provided in writing and submitted
971 along with all other documents required to be provided for an
972 on-premises retailer's permit. The permittee must derive the
973 majority of its revenue from event-related fees, including, but
974 not limited to, admission fees or ticket sales for live
975 entertainment in the building. "Event-related fees" do not
976 include alcohol, beer or light wine sales or any fee which may be
977 construed to cover the cost of alcohol, beer or light wine. This
978 determination shall be made on a per event basis. An event may
979 not last longer than two (2) consecutive days per week.



985 performances and productions. Except as otherwise provided in
986 subsection (5) of this section, the permit shall authorize the
987 holder to sell alcoholic beverages, including native wines and
988 native spirits, to patrons of the theatre during performances and
989 productions at the theatre facility for consumption during such
990 performances and productions on the premises of the facility
991 described in the permit. A temporary theatre permit holder shall
992 obtain all alcoholic beverages from package retailers located in
993 the county in which the permit is issued. Alcoholic beverages
994 remaining in stock upon expiration of the temporary theatre permit
995 may be returned by the permittee to the package retailer for a
996 refund of the purchase price upon consent of the package retailer
997 or may be kept by the permittee exclusively for personal use and
998 consumption, subject to all laws pertaining to the illegal sale
999 and possession of alcoholic beverages.

1000 (p) **Charter ship operator's permit.** Subject to the
1001 provisions of this paragraph (p), a charter ship operator's permit
1002 shall authorize the holder thereof and its employees to serve,
1003 monitor, store and otherwise control the serving and availability
1004 of alcoholic beverages to customers of the permit holder during
1005 private charters under contract provided by the permit holder. A
1006 charter ship operator's permit shall authorize such action by the
1007 permit holder and its employees only as to alcoholic beverages
1008 brought onto the permit holder's ship by customers of the permit
1009 holder as part of such a private charter. All such alcoholic



beverages must be removed from the charter ship at the conclusion of each private charter. A charter ship operator's permit shall not authorize the permit holder to sell, charge for or otherwise supply alcoholic beverages to customers, except as authorized in this paragraph (p). For the purposes of this paragraph (p), "charter ship operator" means a common carrier that (i) is certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers, (ii) operates only in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, and (iii) provides charters under contract for tours and trips in such waters.

1023 (q) **Distillery retailer's permit.** The holder of a
1024 Class 1 manufacturer's permit may obtain a distillery retailer's
1025 permit. A distillery retailer's permit shall authorize the holder
1026 thereof to sell at retail alcoholic beverages to consumers for
1027 on-premises consumption, or to consumers by the sealed and
1028 unopened bottle from a retail location at the distillery for
1029 off-premises consumption. The holder may only sell product
1030 manufactured by the manufacturer at the distillery described in
1031 the permit. However, when selling to consumers for on-premises
1032 consumption, a holder of a distillery retailer's permit may add
1033 other beverages, alcoholic or not, so long as the total volume of
1034 other beverage components containing alcohol does not exceed



1035 twenty percent (20%). Hours of sale shall be the same as those
1036 authorized for on-premises permittees in the city or county in
1037 which the distillery retailer is located.

1038 The holder shall not sell at retail more than ten percent
1039 (10%) of the alcoholic beverages produced annually at its
1040 distillery. The holder shall not make retail sales of more than
1041 two and twenty-five one-hundredths (2.25) liters, in the
1042 aggregate, of the alcoholic beverages produced at its distillery
1043 to any one (1) individual for consumption off the premises of the
1044 distillery within a twenty-four-hour period. The hours of sale
1045 shall be the same as those hours for package retailers under this
1046 article. The holder of a distillery retailer's permit is not
1047 required to purchase the alcoholic beverages authorized to be sold
1048 by this paragraph from the department's liquor distribution
1049 warehouse; however, if the holder does not purchase the alcoholic
1050 beverages from the department's liquor distribution warehouse, the
1051 holder shall pay to the department all taxes, fees and surcharges
1052 on the alcoholic beverages that are imposed upon the sale of
1053 alcoholic beverages shipped by the department or its warehouse
1054 operator. In addition to alcoholic beverages, the holder of a
1055 distillery retailer's permit may sell at retail promotional
1056 products from the same retail location, including shirts, hats,
1057 glasses, and other promotional products customarily sold by
1058 alcoholic beverage manufacturers.



1059 (r) **Festival Wine Permit.** Any wine manufacturer or
1060 native wine producer permitted by Mississippi or any other state
1061 is eligible to obtain a Festival Wine Permit. This permit
1062 authorizes the entity to transport product manufactured by it to
1063 festivals held within the State of Mississippi and sell sealed,
1064 unopened bottles to festival participants. The holder of this
1065 permit may provide samples at no charge to participants.
1066 "Festival" means any event at which three (3) or more vendors are
1067 present at a location for the sale or distribution of goods. The
1068 holder of a Festival Wine Permit is not required to purchase the
1069 alcoholic beverages authorized to be sold by this paragraph from
1070 the department's liquor distribution warehouse. However, if the
1071 holder does not purchase the alcoholic beverages from the
1072 department's liquor distribution warehouse, the holder of this
1073 permit shall pay to the department all taxes, fees and surcharges
1074 on the alcoholic beverages sold at such festivals that are imposed
1075 upon the sale of alcoholic beverages shipped by the Alcoholic
1076 Beverage Control Division of the Department of Revenue.
1077 Additionally, the entity shall file all applicable reports and
1078 returns as prescribed by the department. This permit is issued
1079 per festival and provides authority to sell for two (2)
1080 consecutive days during the hours authorized for on-premises
1081 permittees' sales in that county or city. The holder of the
1082 permit shall be required to maintain all requirements set by Local
1083 Option Law for the service and sale of alcoholic beverages. This



1084 permit may be issued to entities participating in festivals at
1085 which a Class 1 temporary permit is in effect.

1086 This paragraph (r) shall stand repealed from and after July
1087 1, 2026.

1088 (s) **Charter vessel operator's permit.** Subject to the
1089 provisions of this paragraph (s), a charter vessel operator's
1090 permit shall authorize the holder thereof and its employees to
1091 sell and serve alcoholic beverages to passengers of the permit
1092 holder during public tours, historical tours, ecological tours and
1093 sunset cruises provided by the permit holder. The permit shall
1094 authorize the holder to only sell alcoholic beverages, including
1095 native wines, to passengers of the charter vessel operator during
1096 public tours, historical tours, ecological tours and sunset
1097 cruises provided by the permit holder aboard the charter vessel
1098 operator for consumption during such tours and cruises on the
1099 premises of the charter vessel operator described in the permit.
1100 For the purposes of this paragraph (s), "charter vessel operator"
1101 means a common carrier that (i) is certified to carry at least
1102 forty-nine (49) passengers, (ii) operates only in the waters
1103 within the State of Mississippi, which lie south of Interstate 10
1104 in the three (3) most southern counties in the State of
1105 Mississippi, and lie adjacent to the State of Mississippi south of
1106 the three (3) most southern counties in the State of Mississippi,
1107 extending not further than one (1) mile south of such counties,

1108 and (iii) provides vessel services for tours and cruises in such
1109 waters as provided in this paragraph(s).

(t) **Native spirit retailer's permit.** Except as otherwise provided in subsection (5) of this section, a native spirit retailer's permit shall be issued only to a holder of a Class 4 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native spirits to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native distillery. When selling to consumers for on-premises consumption, a holder of a native spirit retailer's permit may add to the native spirit alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native spirit retailer is located.



1133 age for the individual's use and not for resale. This permit does
1134 not authorize the delivery of alcoholic beverages, beer, light
1135 wine or light spirit product to the premises of a location with a
1136 permit for the manufacture, distribution or retail sale of
1137 alcoholic beverages, beer, light wine or light spirit product.
1138 The holder of a package retailer's permit or an on-premises
1139 retailer's permit under Section 67-1-51 or of a beer, light wine
1140 and light spirit product permit under Section 67-3-19 is
1141 authorized to apply for a delivery service permit as a privilege
1142 separate from its existing retail permit.

1143 (v) **Food truck permit.** A food truck permit shall
1144 authorize the holder of an on-premises retailer's permit to use a
1145 food truck to sell alcoholic beverages off its premises to guests
1146 who must consume the beverages in open containers. For the
1147 purposes of this paragraph (v), "food truck" means a fully encased
1148 food service establishment on a motor vehicle or on a trailer that
1149 a motor vehicle pulls to transport, and from which a vendor,
1150 standing within the frame of the establishment, prepares, cooks,
1151 sells and serves food for immediate human consumption. The term
1152 "food truck" does not include a food cart that is not motorized.
1153 Food trucks shall maintain such distance requirements from
1154 schools, churches, kindergartens and funeral homes as are required
1155 for on-premises retailer's permittees under this article, and all
1156 sales must be made within a valid leisure and recreation district
1157 established under Section 67-1-101. Food trucks cannot sell or



1158 serve alcoholic beverages unless also offering food prepared and
1159 cooked within the food truck, and permittees must maintain a
1160 twenty-five percent (25%) food sale revenue requirement based on
1161 the food sold from the food truck alone. The hours allowed for
1162 sale shall be the same as those for on-premises retailer's
1163 permittees in the location. This permit will not be required for
1164 the holder of a caterer's permit issued under this article to
1165 cater an event as allowed by law. Permittees must provide notice
1166 of not less than forty-eight (48) hours to the department of each
1167 location at which alcoholic beverages will be sold.

1168 (w) **On-premises tobacco permit.** An on-premises tobacco
1169 permit shall authorize the permittee to sell alcoholic beverages
1170 for consumption on the licensed premises. In addition to all
1171 other requirements to obtain an alcoholic beverage permit, the
1172 permittee must obtain and maintain a tobacco permit issued by the
1173 State of Mississippi, and have a capital investment of not less
1174 than Five Hundred Thousand Dollars (\$500,000.00) in the premises
1175 for which the permit is issued. In addition to alcoholic
1176 beverages, the permittee is authorized to sell only cigars,
1177 cheroots, tobacco pipes, pipe tobacco, and/or stogies.
1178 Additionally, seventy-five percent (75%) of the permittee's annual
1179 gross revenue must be derived from the sale of cigars, cheroots,
1180 tobacco pipes, pipe tobacco, and/or stogies. No food sales shall
1181 be required, but food may be sold on the premises. The issuance
1182 of this permit does not remove any obligation a permittee may have



1183 to follow local ordinances or actions prohibiting the use of
1184 tobacco products.

1185 (2) Except as otherwise provided in subsection (4) of this
1186 section, retail permittees may hold more than one (1) retail
1187 permit, at the discretion of the department.

1188 (3) (a) Except as otherwise provided in this subsection, no
1189 authority shall be granted to any person to manufacture, sell or
1190 store for sale any intoxicating liquor as specified in this
1191 article within four hundred (400) feet of any church, school
1192 (excluding any community college, junior college, college or
1193 university), kindergarten or funeral home. However, within an
1194 area zoned commercial or business, such minimum distance shall be
1195 not less than one hundred (100) feet.

1196 (b) A church or funeral home may waive the distance
1197 restrictions imposed in this subsection in favor of allowing
1198 issuance by the department of a permit, pursuant to subsection (1)
1199 of this section, to authorize activity relating to the
1200 manufacturing, sale or storage of alcoholic beverages which would
1201 otherwise be prohibited under the minimum distance criterion.
1202 Such waiver shall be in written form from the owner, the governing
1203 body, or the appropriate officer of the church or funeral home
1204 having the authority to execute such a waiver, and the waiver
1205 shall be filed with and verified by the department before becoming
1206 effective.

1207 (c) The distance restrictions imposed in this
1208 subsection shall not apply to the sale or storage of alcoholic
1209 beverages at a bed and breakfast inn listed in the National
1210 Register of Historic Places or to the sale or storage of alcoholic
1211 beverages in a historic district that is listed in the National
1212 Register of Historic Places, is a qualified resort area and is
1213 located in a municipality having a population greater than one
1214 hundred thousand (100,000) according to the latest federal
1215 decennial census.

1216 (d) The distance restrictions imposed in this
1217 subsection shall not apply to the sale or storage of alcoholic
1218 beverages at a qualified resort area as defined in Section
1219 67-1-5(o)(iii)32.

1220 (e) The distance restrictions imposed in this
1221 subsection shall not apply to the sale or storage of alcoholic
1222 beverages at a licensed premises in a building formerly owned by a
1223 municipality and formerly leased by the municipality to a
1224 municipal school district and used by the municipal school
1225 district as a district bus shop facility.

1226 (f) The distance restrictions imposed in this
1227 subsection shall not apply to the sale or storage of alcoholic
1228 beverages at a licensed premises in a building consisting of at
1229 least five thousand (5,000) square feet and located approximately
1230 six hundred (600) feet from the intersection of Mississippi
1231 Highway 15 and Mississippi Highway 4.



1232 (g) The distance restrictions imposed in this
1233 subsection shall not apply to the sale or storage of alcoholic
1234 beverages at a licensed premises in a building located at or near
1235 the intersection of Ward and Tate Streets and adjacent properties
1236 in the City of Senatobia, Mississippi.

1237 (h) The distance restrictions imposed in this
1238 subsection shall not apply to the sale or storage of alcoholic
1239 beverages at a theatre facility that features plays and other
1240 theatrical performances and productions and (i) is capable of
1241 seating more than seven hundred fifty (750) people, (ii) is owned
1242 by a municipality which has a population greater than ten thousand
1243 (10,000) according to the latest federal decennial census, (iii)
1244 was constructed prior to 1930, (iv) is on the National Register of
1245 Historic Places, and (v) is located in a historic district.

1246 (i) The distance restrictions imposed in this
1247 subsection shall not apply to the sale or storage of alcoholic
1248 beverages at a licensed premises in a building located
1249 approximately one and six-tenths (1.6) miles north of the
1250 intersection of Mississippi Highway 15 and Mississippi Highway 4
1251 on the west side of Mississippi Highway 15.

1252 (4) No person, either individually or as a member of a firm,
1253 partnership, limited liability company or association, or as a
1254 stockholder, officer or director in a corporation, shall own or
1255 control any interest in more than one (1) package retailer's
1256 permit, nor shall such person's spouse, if living in the same



1257 household of such person, any relative of such person, if living
1258 in the same household of such person, or any other person living
1259 in the same household with such person own any interest in any
1260 other package retailer's permit; however, in the case of a person
1261 holding a package retailer's permit issued before July 1, 2024,
1262 such a person may own one (1) additional package retailer's permit
1263 if the additional permit is issued for a premises with a minimum
1264 capital investment of Twenty Million Dollars (\$20,000,000.00) that
1265 is part of a major retail development project and located in one
1266 (1) of the three (3) most southern counties in the State of
1267 Mississippi, and not within one hundred (100) miles of another
1268 location in the State of Mississippi, for which the permittee
1269 holds such a permit.

1270 (5) (a) In addition to any other authority granted under
1271 this section, the holder of a permit issued under subsection
1272 (1) (c), (e), (f), (g), (l), (n) and/or (o) of this section may
1273 sell or otherwise provide alcoholic beverages and/or wine to a
1274 patron of the permit holder in the manner authorized in the permit
1275 and the patron may remove an open glass, cup or other container of
1276 the alcoholic beverage and/or wine from the licensed premises and
1277 may possess and consume the alcoholic beverage or wine outside of
1278 the licensed premises if: (i) the licensed premises is located
1279 within a leisure and recreation district created under Section
1280 67-1-101 and (ii) the patron remains within the boundaries of the



1281 leisure and recreation district while in possession of the
1282 alcoholic beverage or wine.

1283 (b) Nothing in this subsection shall be construed to
1284 allow a person to bring any alcoholic beverages into a permitted
1285 premises except to the extent otherwise authorized by this
1286 article.

1287 **SECTION 14.** Section 67-1-53, Mississippi Code of 1972, is
1288 brought forward as follows:

1289 67-1-53. (1) Application for permits shall be in such form
1290 and shall contain such information as shall be required by the
1291 regulations of the commission; however, no regulation of the
1292 commission shall require personal financial information from any
1293 officer of a corporation applying for an on-premises retailer's
1294 permit to sell alcoholic beverages unless such officer owns ten
1295 percent (10%) or more of the stock of such corporation.

1296 (2) Every applicant for each type of permit authorized by
1297 Section 67-1-51 shall give notice of such application by
1298 publication for two (2) consecutive issues in a newspaper of
1299 general circulation published in the city or town in which
1300 applicant's place of business is located. However, in instances
1301 where no newspaper is published in the city or town, then the
1302 notice shall be published in a newspaper of general circulation
1303 published in the county where the applicant's business is located.
1304 If no newspaper is published in the county, the notice shall be
1305 published in a qualified newspaper which is published in the



1306 closest neighboring county and circulated in the county of
1307 applicant's residence. The notice shall be printed in ten-point
1308 black face type and shall set forth the type of permit to be
1309 applied for, the exact location of the place of business, the name
1310 of the owner or owners thereof, and if operating under an assumed
1311 name, the trade name together with the names of all owners, and if
1312 a corporation, the names and titles of all officers. The cost of
1313 such notice shall be borne by the applicant.

1314 (3) Each application or filing made under this section shall
1315 include the social security number(s) of the applicant in
1316 accordance with Section 93-11-64, Mississippi Code of 1972.

1317 **SECTION 15.** Section 67-1-55, Mississippi Code of 1972, is
1318 brought forward as follows:

1319 67-1-55. No permit of any type shall be issued by the
1320 commission until the applicant has first filed with the commission
1321 a sworn statement disclosing all persons who are financially
1322 involved in the operation of the business for which the permit is
1323 sought. If an applicant is an individual, he will swear that he
1324 owns one hundred percent (100%) of the business for which he is
1325 seeking a permit. If the applicant is a partnership, all partners
1326 and their addresses shall be disclosed and the extent of their
1327 interest in the partnership shall be disclosed. If the applicant
1328 is a corporation, the total stock in the corporation shall be
1329 disclosed and each shareholder and his address and the amount of
1330 stock in the corporation owned by him shall be disclosed. If the



1331 applicant is a limited liability company, each member and their
1332 addresses shall be disclosed and the extent of their interest in
1333 the limited liability company shall be disclosed. If the
1334 applicant is a trust, the trustee and all beneficiaries and their
1335 addresses shall be disclosed. If the applicant is a combination
1336 of any of the above, all information required to be disclosed
1337 above shall be required.

1338 All the disclosures shall be in writing and kept on file at
1339 the commission's office and shall be available to the public.

1340 Every applicant must, when applying for a renewal of his
1341 permit, disclose any change in the ownership of the business or
1342 any change in the beneficiaries of the income from the business.

1343 Any person who willfully fails to fully disclose the
1344 information required by this section, or who gives false
1345 information, shall be guilty of a misdemeanor and, upon conviction
1346 thereof, shall be fined a sum not to exceed Five Hundred Dollars
1347 (\$500.00) or imprisoned for not more than one (1) year, or both,
1348 and the person or applicant shall never again be eligible for any
1349 permit pertaining to alcoholic beverages.

1350 **SECTION 16.** Section 67-1-57, Mississippi Code of 1972, is
1351 brought forward as follows:

1352 67-1-57. Before a permit is issued the department shall
1353 satisfy itself:

1354 (a) That the applicant, if an individual, or if a
1355 partnership, each of the members of the partnership, or if a

1356 corporation, each of its principal officers and directors, or if a
1357 limited liability company, each member of the limited liability
1358 company, is of good moral character and, in addition, enjoys a
1359 reputation of being a peaceable, law-abiding citizen of the
1360 community in which he resides, and is generally fit for the trust
1361 to be reposed in him, is not less than twenty-one (21) years of
1362 age, and has not been convicted of a felony in any state or
1363 federal court.

1364 (b) That, except in the case of an application for a
1365 solicitor's permit, the applicant is the true and actual owner of
1366 the business for which the permit is desired, and that he intends
1367 to carry on the business authorized for himself and not as the
1368 agent of any other person, and that he intends to superintend in
1369 person the management of the business or that he will designate a
1370 manager to manage the business for him. All managers must be
1371 approved by the department prior to completing any managerial
1372 tasks on behalf of the permittee and must possess all of the
1373 qualifications required of a permittee; however, a felony
1374 conviction, other than a crime of violence, does not automatically
1375 disqualify a person from being approved as a manager if the person
1376 was released from incarceration at least three (3) years prior to
1377 application for approval as a manager. A felony conviction, other
1378 than a crime of violence, may be considered by the department in
1379 determining whether all other qualifications are met.



1380 (c) That the applicant for a package retailer's permit,
1381 if an individual, is a resident of the State of Mississippi. If
1382 the applicant is a partnership, each member of the partnership
1383 must be a resident of the state. If the applicant is a limited
1384 liability company, each member of the limited liability company
1385 must be a resident of the state. If the applicant is a
1386 corporation, the designated manager of the corporation must be a
1387 resident of the state.

1388 (d) That the place for which the permit is to be issued
1389 is an appropriate one considering the character of the premises
1390 and the surrounding neighborhood.

1391 (e) That the place for which the permit is to be issued
1392 is within the corporate limits of an incorporated municipality or
1393 qualified resort area or club which comes within the provisions of
1394 this article.

1395 (f) That the applicant is not indebted to the state for
1396 any taxes, fees or payment of penalties imposed by any law of the
1397 State of Mississippi or by any rule or regulation of the
1398 commission.

1399 (g) That the applicant is not in the habit of using
1400 alcoholic beverages to excess and is not physically or mentally
1401 incapacitated, and that the applicant has the ability to read and
1402 write the English language.

1403 (h) That the commission does not believe and has no
1404 reason to believe that the applicant will sell or knowingly permit



1405 any agent, servant or employee to unlawfully sell liquor in a dry
1406 area or in any other manner contrary to law.

1407 (i) That the applicant is not residentially domiciled
1408 with any person whose permit or license has been cancelled for
1409 cause within the twelve (12) months next preceding the date of the
1410 present application for a permit.

1411 (j) That the commission has not, in the exercise of its
1412 discretion which is reserved and preserved to it, refused to grant
1413 permits under the restrictions of this section, as well as under
1414 any other pertinent provision of this article.

1415 (k) That there are not sufficient legal reasons to deny
1416 a permit on the ground that the premises for which the permit is
1417 sought has previously been operated, used or frequented for any
1418 purpose or in any manner that is lewd, immoral or offensive to
1419 public decency. In the granting or withholding of any permit to
1420 sell alcoholic beverages at retail, the commission in forming its
1421 conclusions may give consideration to any recommendations made in
1422 writing by the district or county attorney or county, circuit or
1423 chancery judge of the county, or the sheriff of the county, or the
1424 mayor or chief of police of an incorporated city or town wherein
1425 the applicant proposes to conduct his business and to any
1426 recommendations made by representatives of the commission.

1427 (l) That the applicant and the applicant's key
1428 employees, as determined by the commission, do not have a
1429 disqualifying criminal record. In order to obtain a criminal

1430 record history check, the applicant shall submit to the commission
1431 a set of fingerprints from any local law enforcement agency for
1432 each person for whom the records check is required. The
1433 commission shall forward the fingerprints to the Mississippi
1434 Department of Public Safety. If no disqualifying record is
1435 identified at the state level, the Department of Public Safety
1436 shall forward the fingerprints to the Federal Bureau of
1437 Investigation for a national criminal history record check. Costs
1438 for processing the set or sets of fingerprints shall be borne by
1439 the applicant. The commission shall not deny employment to an
1440 employee of the applicant prior to the identification of a
1441 disqualifying record or other disqualifying information.

1442 **SECTION 17.** Section 67-1-73, Mississippi Code of 1972, is
1443 brought forward as follows:

1444 67-1-73. Every manufacturer, including native wine or native
1445 spirit producers, within or without the state, and every other
1446 shipper of alcoholic beverages who sells any alcoholic beverage,
1447 including native wine or native spirit, within the state, shall,
1448 at the time of making such sale, file with the department a copy
1449 of the invoice of such sale showing in detail the kind of
1450 alcoholic beverage sold, the quantities of each, the size of the
1451 container and the weight of the contents, the alcoholic content,
1452 and the name and address of the person to whom sold.

1453 Every person transporting alcoholic beverages, including
1454 native wine or native spirit, within this state to a point within



1455 this state, whether such transportation originates within or
1456 without this state, shall, within five (5) days after delivery of
1457 such shipment, furnish the department a copy of the bill of lading
1458 or receipt, showing the name or consignor or consignee, date,
1459 place received, destination, and quantity of alcoholic beverages
1460 delivered. Upon failure to comply with the provisions of this
1461 section, such person shall be deemed guilty of a misdemeanor and,
1462 upon conviction thereof, shall be fined in the sum of Fifty
1463 Dollars (\$50.00) for each offense.

1464 **SECTION 18.** Section 97-31-47, Mississippi Code of 1972, is
1465 brought forward as follows:

1466 97-31-47. It shall be unlawful for any transportation
1467 company, or any agent, employee, or officer of such company, or
1468 any other person, or corporation to transport into or deliver in
1469 this state in any manner or by any means any spirituous, vinous,
1470 malt, or other intoxicating liquors or drinks, or for any such
1471 person, company, or corporation to transport any spirituous, malt,
1472 vinous, or intoxicating liquors or drinks from one place within
1473 this state to another place within the state, or from one (1)
1474 point within this state to any point without the state, except in
1475 cases where this chapter or Section 67-9-1 authorizes the
1476 transportation.

1477 **SECTION 19.** Section 97-31-49, Mississippi Code of 1972, is
1478 brought forward as follows:

1479 97-31-49. It shall be unlawful for any person, firm or
1480 corporation in this state, in person, by letter, circular, or
1481 other printed or written matter, or in any other manner, to
1482 solicit or take order in this state for any liquors, bitters or
1483 drinks prohibited by the laws of this state to be sold, bartered,
1484 or otherwise disposed of. The inhibition of this section shall
1485 apply to such liquors, bitters and drinks, whether the parties
1486 intend that the same shall be shipped into this state from outside
1487 of the state, or from one point in this state to another point in
1488 this state. If such order be in writing, parol evidence thereof
1489 is admissible without producing or accounting for the absence of
1490 the original; and the taking or soliciting of such orders is
1491 within the inhibition of this section, although the orders are
1492 subject to approval by some other person, and no part of the price
1493 is paid, nor any part of the goods is delivered when the order is
1494 taken.

1495 **SECTION 20.** This act shall take effect and be in force from
1496 and after July 1, 2025.

