

House Amendments to Senate Bill No. 2143

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

6 **SECTION 1.** Section 67-1-5, Mississippi Code of 1972, is
7 brought forward as follows:

8 67-1-5. For the purposes of this article and unless
9 otherwise required by the context:

10 (a) "Alcoholic beverage" means any alcoholic liquid,
11 including wines of more than five percent (5%) of alcohol by
12 weight, capable of being consumed as a beverage by a human being,
13 but shall not include light wine, light spirit product and beer,
14 as defined in Section 67-3-3, Mississippi Code of 1972, but shall
15 include native wines and native spirits. The words "alcoholic
16 beverage" shall not include ethyl alcohol manufactured or
17 distilled solely for fuel purposes or beer of an alcoholic content
18 of more than eight percent (8%) by weight if the beer is legally
19 manufactured in this state for sale in another state.

20 (b) "Alcohol" means the product of distillation of any
21 fermented liquid, whatever the origin thereof, and includes

synthetic ethyl alcohol, but does not include denatured alcohol or wood alcohol.

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

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

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

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

(g) "Wholesaler" means any person, other than a manufacturer, engaged in distributing or selling any alcoholic beverage at wholesale for delivery within or without this state when such sale is for the purpose of resale by the purchaser.

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

(i) "State Tax Commission," "commission" or "department" means the Department of Revenue of the State of Mississippi, which shall create a division in its organization to

be known as the Alcoholic Beverage Control Division. Any reference to the commission or the department hereafter means the powers and duties of the Department of Revenue with reference to supervision of the Alcoholic Beverage Control Division.

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

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

(l) "Hotel" means an establishment within a municipality, or within a qualified resort area approved as such by the department, where, in consideration of payment, food and lodging are habitually furnished to travelers and wherein are located at least twenty (20) adequately furnished and completely separate sleeping rooms with adequate facilities that persons usually apply for and receive as overnight accommodations. Hotels in towns or cities of more than twenty-five thousand (25,000) population are similarly defined except that they must have fifty (50) or more sleeping rooms. Any such establishment described in this paragraph with less than fifty (50) beds shall operate one or more regular dining rooms designed to be constantly frequented by customers each day. When used in this article, the word "hotel" shall also be construed to include any establishment that meets the definition of "bed and breakfast inn" as provided in this section.

(m) "Restaurant" means:

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

87 (ii) Any privately owned business located in a
88 building in a historic district where the district is listed in
89 the National Register of Historic Places, where the building has a
90 total occupancy rating of not less than one thousand (1,000) and
91 where the business regularly utilizes ten thousand (10,000) square
92 feet or more in the building for live entertainment, including not
93 only the stage, lobby or area where the audience sits and/or
94 stands, but also any other portion of the building necessary for
95 the operation of the business, including any kitchen area, bar
96 area, storage area and office space, but excluding any area for
97 parking. In addition to the other requirements of this
98 subparagraph, the business must also serve food to guests for

99 compensation within the building and derive the majority of its
100 revenue from event-related fees, including, but not limited to,
101 admission fees or ticket sales to live entertainment in the
102 building, and from the rental of all or part of the facilities of
103 the business in the building to another party for a specific event
104 or function.

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

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

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

111 (iii) Maintained by its members through the
112 payment of annual dues;

113 (iv) Owning, hiring or leasing a building or space
114 in a building of such extent and character as may be suitable and
115 adequate for the reasonable and comfortable use and accommodation
116 of its members and their guests;

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

121 (vi) No member, officer, agent or employee of
122 which is paid, or directly or indirectly receives, in the form of
123 a salary or other compensation any profit from the distribution or
124 sale of alcoholic beverages to the club or to members or guests of

the club beyond such salary or compensation as may be fixed and voted at a proper meeting by the board of directors or other governing body out of the general revenues of the club.

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

(o) "Qualified resort area" means any area or locality outside of the limits of incorporated municipalities in this state commonly known and accepted as a place which regularly and customarily attracts tourists, vacationists and other transients because of its historical, scenic or recreational facilities or attractions, or because of other attributes which regularly and customarily appeal to and attract tourists, vacationists and other transients in substantial numbers; however, no area or locality shall so qualify as a resort area until it has been duly and properly approved as such by the department. The department may not approve an area as a qualified resort area after July 1, 2018, if any portion of such proposed area is located within two (2)

151 miles of a convent or monastery that is located in a county
152 traversed by Interstate 55 and U.S. Highway 98. A convent or
153 monastery may waive such distance restrictions in favor of
154 allowing approval by the department of an area as a qualified
155 resort area. Such waiver shall be in written form from the owner,
156 the governing body, or the appropriate officer of the convent or
157 monastery having the authority to execute such a waiver, and the
158 waiver shall be filed with and verified by the department before
159 becoming effective.

160 (i) The department may approve an area or locality
161 outside of the limits of an incorporated municipality that is in
162 the process of being developed as a qualified resort area if such
163 area or locality, when developed, can reasonably be expected to
164 meet the requisites of the definition of the term "qualified
165 resort area." In such a case, the status of qualified resort area
166 shall not take effect until completion of the development.

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

175 (iii) The term includes:

176 1. The clubhouses associated with the state
177 park golf courses at the Lefleur's Bluff State Park, the John Kyle
178 State Park, the Percy Quin State Park and the Hugh White State
179 Park;

180 2. The clubhouse and associated golf course,
181 tennis courts and related facilities and swimming pool and related
182 facilities where the golf course, tennis courts and related
183 facilities and swimming pool and related facilities are adjacent
184 to one or more planned residential developments and the golf
185 course and all such developments collectively include at least
186 seven hundred fifty (750) acres and at least four hundred (400)
187 residential units;

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

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

197 5. Any facility that is located in a
198 municipality that is bordered by the Pearl River, traversed by
199 Mississippi Highway 25, adjacent to the boundaries of the Jackson
200 International Airport and is located in a county which has voted
201 against coming out from under the dry law; however, any such

facility may only be located in areas designated by the governing authorities of such municipality;

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

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

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

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

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

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

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

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

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

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

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

10. Any facility that:

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

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

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

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

11. Any facility and related property:

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

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

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

12. Any facility and related property that:

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

b. For a fee is used to host events,

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

13. The clubhouse and associated golf course where the golf course is adjacent to one or more residential developments and the golf course and all such developments

collectively include at least two hundred (200) acres and at least one hundred fifty (150) residential units and are located a. in a county that has voted against coming out from under the dry law; and b. outside of but in close proximity to a municipality in such county which has voted under Section 67-1-14, after January 1, 2013, to come out from under the dry law;

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

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

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

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

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

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

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

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

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

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

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

18. Land that is owned by a state institution of higher learning, land that is owned by an entity that is bound by an affiliation agreement with a state institution of higher learning, or land that is owned by one or more other entities so

329 long as such other entities are solely owned, either directly or
330 through additional entities, by an institution of higher learning
331 and/or one or more entities bound by affiliation agreements with
332 such institution, and:

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

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

342 B. Located in an area bounded on
343 the north by College View Drive, on the east by Mississippi
344 Highway 12 East, on the south by Mississippi Highway 12 East, on
345 the west by Mill Street, on the north by Russell Street, then on
346 the west by Colonel Muldrow Avenue, on the north by University
347 Drive, on the west by Adkerson Way within a municipality through
348 which run Mississippi Highway 25, Mississippi Highway 12 and U.S.
349 Highway 82.

350 If any portion of the land described in this item 18 has been
351 declared a qualified resort area by the department before July 1,
352 2020, then that qualified resort area shall be incorporated into
353 the qualified resort area created by this item 18;

354 19. Any facility and related property:

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

360 b. Located in a county that has not
361 voted to come out from under the dry law and outside of but in
362 close proximity to a municipality located in such county and which
363 municipality has voted to come out from under the dry law;

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

368 a. A county traversed by Interstate 55
369 and Interstate 20, and

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

372 21. Any municipality with a population in
373 excess of two thousand (2,000) according to the latest federal
374 decennial census and in which is located a part of White's Creek
375 Lake and in which U.S. Highway 82 intersects with Mississippi
376 Highway 9 and located in a county that is partially bordered on
377 one (1) side by the Big Black River;

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

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

387 a. Specify the hours of operation of
388 facilities that offer alcoholic beverages for sale;

389 b. Specify the percentage of revenue
390 that facilities that offer alcoholic beverages for sale must
391 derive from the preparation, cooking and serving of meals and not
392 from the sale of beverages; and

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

395 24. A municipality in which Mississippi
396 Highway 27 and Mississippi Highway 28 intersect;

397 25. A municipality through which run
398 Mississippi Highway 35 and Interstate 20;

399 26. A municipality in which Mississippi
400 Highway 16 and Mississippi Highway 35 intersect;

401 27. A municipality in which U.S. Highway 82
402 and Old Highway 61 intersect;

403 28. A municipality in which Mississippi
404 Highway 8 meets Mississippi Highway 1;

405 29. A municipality in which U.S. Highway 82
406 and Mississippi Highway 1 intersect;

30. A municipality in which Mississippi Highway 50 meets Mississippi Highway 9;

31. An area bounded on the north by Pearl Street, on the east by West Street, on the south by Court Street and on the west by Farish Street, within a municipality bordered on the east by the Pearl River and through which run Interstate 20 and Interstate 55;

32. Any facility and related property that:

a. Is contracted for mixed-use development improvements consisting of office and residential space and a restaurant and lounge, partially occupying the renovated space of a four-story commercial building which previously served as a financial institution; and adjacent property to the west consisting of a single-story office building that was originally occupied by the Brotherhood of Carpenters and Joiners of American Local Number 569; and

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

433 A. Specify the hours of operation
434 of facilities that offer alcoholic beverages for sale;

435 B. Specify the percentage of
436 revenue that facilities that offer alcoholic beverages for sale
437 must derive from the preparation, cooking and serving of meals and
438 not from the sale of beverages; and

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

441 33. Any facility with a maximum capacity of
442 one hundred twenty (120) people that consists of at least three
443 thousand (3,000) square feet being heated and cooled, has a
444 commercial kitchen, has a pavilion that consists of at least nine
445 thousand (9,000) square feet and is located on land more
446 particularly described as follows:

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

451 ALSO,

452 The Northeast 38 acres of the Southwest Quarter of Section
453 21, Township 7 South, Range 4 East, Union County, Mississippi.

454 ALSO,

455 The South 81 1/2 acres of the Southwest Quarter of Section
456 21, Township 7 South, Range 4 East, Union County, Mississippi;

457 34. A municipality in which U.S. Highway 51
458 and Mississippi Highway 16 intersect;

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

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

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

38. An area bounded as follows within a
municipality through which run Interstate 22 and Mississippi
Highway 15: Beginning at a point at the intersection of Bankhead
Street and Tallahatchie Trails; then running to a point at the
intersection of Tallahatchie Trails and Interstate 22; then
running to a point at the intersection of Interstate 22 and Carter
Avenue; then running to a point at the intersection of Carter
Avenue and Camp Avenue; then running to a point at the
intersection of Camp Avenue and King Street; then running to a
point at the intersection of King Street and E. Main Street; then
running to a point at the intersection of E. Main Street and Camp
Avenue; then running to a point at the intersection of Camp Avenue
and Highland Street; then running to a point at the intersection
of Highland Street and Adams Street; then running to a point at
the intersection of Adams Street and Cleveland Street; then
running to a point at the intersection of Cleveland Street and N.
Railroad Avenue; then running to a point at the intersection of N.
Railroad Avenue and McGill Street; then running to a point at the

485 intersection of McGill Street and Snyder Street; then running to a
486 point at the intersection of Snyder Street and Bankhead Street;
487 then running to a point at the intersection of Bankhead Street and
488 Tallahatchie Trails and the point of the beginning;

489 39. A municipality through which run
490 Mississippi Highway 43 and U.S. Highway 80;

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

493 41. A piece of property on the northeast
494 corner of the T-intersection where Builders Square Drive meets
495 Mississippi Highway 471;

496 42. The clubhouse and associated golf course,
497 tennis courts and related facilities and swimming pool and related
498 facilities located on Oaks Country Club Road less than one-half
499 (1/2) mile to the east of Mississippi Highway 15;

500 43. Any facility located on land more
501 particularly described as follows:

502 The East Half (E 1/2) of the Southwest Quarter (SW 1/4) of
503 Section 15, Township 3 North, Range 2 East; a 4 acre parcel in the
504 Southwest Corner of the Southwest Quarter (SW 1/4) of the
505 Southeast Quarter (SE 1/4), Section 15, Township 3 North, Range 2
506 East, running 210 feet east and west and 840 feet running north
507 and south; the Northeast Quarter (NE 1/4) of the Northwest Quarter
508 (NW 1/4) of Section 22, Township 3 North, Range 2 East, all in
509 Rankin County, Mississippi;

510 44. Any facility located on land more
511 particularly described as follows:

512 Beginning at a point 1915 feet west and 2171 feet north of
513 southeast corner, Section 11, Township 24 North, Range 2 West,
514 Second Judicial District, Tallahatchie County, Mississippi, which
515 point is the southwest corner of J.C. Section Lot mentioned in
516 deed recorded in Book 50, page 34, in the records of the Chancery
517 Clerk's Office at Sumner, in said District of said County; thence
518 South 80° West, 19 feet to the east boundary of United States
519 Highway 49-E, thence East along the east boundary of said Highway
520 270 feet to point of beginning of Lot to be conveyed; thence
521 southeast along the east boundary of said Highway 204 feet to a
522 concrete post at the intersection of the east boundary of said
523 Highway with the west boundary of gravel road from Sumner to Webb,
524 known as Oil Mill Road, thence Northwest along west boundary of
525 said Oil Mill Road 194 feet to center of driveway running
526 southwest from said Oil Mill Road to U.S. Highway 49-E; thence
527 South 66° West along center of said driveway 128 feet to point of
528 beginning, being situated in Northwest Quarter of Southeast
529 Quarter of Section 11, together with all improvements situated
530 thereon;

531 45. Any facility that:

532 a. Consists of at least five thousand
533 six hundred (5,600) square feet being heated and cooled along with
534 a lakeside patio that consists of at least two thousand two
535 hundred (2,200) square feet, regardless of whether such patio is

part of the facility and/or located adjacent to or in close proximity to the facility;

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

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

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

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

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

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

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

562 50. Any facility used by a soccer club and
563 located on Old Highway 11 between one-tenth (0.1) and two-tenths
564 (0.2) of a mile from its intersection with Oak Grove Road, in a
565 county in which U.S. Highway 98 and Mississippi Highway 589
566 intersect;

567 51. Any municipality in which U.S. Highway 49
568 and Mississippi Highway 469 intersect;

569 52. Any facility that is:

570 a. Owned by a Veterans of Foreign Wars
571 (VFW) organization that is a nonprofit corporation and registered
572 with the Mississippi Secretary of State;

573 b. Used by such organization for its
574 headquarters and other organization related purposes; and

575 c. Located outside of a municipality in
576 a county that has not voted to come out from under the dry law;

577 53. The following within a municipality in
578 which U.S. Highway 49 and U.S. 61 Highway intersect and through
579 which flows the Sunflower River:

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

on its western side to 1st Street, then going west along said street on its southern side to the point of beginning along the southern side of Court Street;

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

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

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

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

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

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

57. The property and structures thereon at the following locations within a municipality through which run

614 U.S. Highway 45 and Mississippi Highway 145 and in which
615 Mississippi Highway 370 and Mississippi Highway 145 intersect:
616 104 West Main Street, 106 West Main Street, 108 West Main Street,
617 110 West Main Street and 112 West Main Street;

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

621 59. Any municipality in which Interstate 22
622 passes over Mississippi Highway 9;

623 60. Any facility located on land more
624 particularly described as follows:

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

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

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

658 And Also: An easement for the purpose of ingress and egress
659 being situated in the Southeast 1/4 of the Northeast 1/4 and in
660 the Northeast 1/4 of the Southeast 1/4 of Section 9, T3N-R3E,
661 Rankin County, Mississippi, and being more particularly described
662 as follows:

663 Begin at an existing 1/2" iron pin marking the Southwest
664 corner of the aforesaid Southeast 1/4 of the Northeast 1/4 of
665 Section 9, T3N-R3E and run thence North 00 degrees 06 minutes 13

666 seconds East along the East line of the Southeast 1/4 of the
667 Northeast 1/4 for a distance of 33.18 feet to an existing 1/2"
668 iron pin; leaving said East line of the Southeast 1/4 of the
669 Northeast 1/4, run thence South 89 degrees 53 minutes 47 seconds
670 East for a distance of 2.08 feet to an existing 1/2" iron pin; run
671 thence North 00 degrees 22 minutes 19 seconds East for a distance
672 of 561.90 feet to an existing 1/2" iron pin; run thence North 00
673 degrees 16 minutes 18 seconds East for a distance of 76.42 feet to
674 a set 1/2" iron pin; run thence North 89 degrees 46 minutes 45
675 seconds East for a distance of 25.00 feet to a set 1/2" iron pin;
676 run thence South 00 degrees 16 minutes 18 seconds West for a
677 distance of 76.66 feet to a set 1/2" iron pin; run thence South 00
678 degrees 22 minutes 19 seconds West for a distance of 619.81 feet
679 to a set 1/2" iron pin; run thence South 89 degrees 43 minutes 01
680 seconds West for a distance of 26.81 feet to a set 1/2" iron pin;
681 run thence North 00 degrees 06 minutes 13 seconds East along the
682 West line of the aforesaid Northeast 1/4 of the Southeast 1/4 of
683 Section 9 for a distance of 25.00 feet to the POINT OF BEGINNING,
684 containing 17,525.4 square feet, more or less.

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

687 62. The property and structures thereon
688 located at parcel numbers 4969 198 000; 4969 200 000; 4969 201
689 000; 4969 206 000; 4969 207 000; 4969 208 000; 4969 218 000; 4969
690 199; 4969 204 000 and 4969 204 001, all in Block 4 of the original
691 town square in any municipality with a population in excess of one

692 thousand five hundred (1,500) according to the latest federal
693 decennial census and which is located in:

694 a. A county traversed by Interstate 55
695 and Interstate 20, and

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

698 63. Any municipality in which Mississippi
699 Highway 12 meets Mississippi Highway 17;

700 64. Any municipality in which U.S. Highway 49
701 and Mississippi Highway 469 intersect;

702 65. The clubhouse and associated nine-hole
703 golf course and related facilities located on or near the eastern
704 corner of the point at which Golf Course Road meets Athens Road,
705 in a county in which Mississippi Highway 13 and Mississippi
706 Highway 28 intersect, with GPS coordinates of approximately
707 31.900370078041004, -89.7928067652611;

708 66. Any facility located at the
709 south-to-southwest corner of the intersection of Madison Street
710 and Bolton Brownsville Road, in a municipality in which Bolton
711 Brownsville Road passes over Interstate 20, with GPS coordinates
712 of approximately 32.349067271758955, -90.4596221146197;

713 67. Any facility located at the northwest
714 corner of the intersection of Depot Street and Madison Street, in
715 a municipality in which Bolton Brownsville Road passes over
716 Interstate 20, with GPS coordinates of approximately
717 32.34903152971068, -90.46047660172901;

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

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

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

735 71. Any facility located on Raj Road
736 approximately three-tenths (0.3) of a mile south of Mississippi
737 Highway 57/63, with GPS coordinates of approximately
738 31.139553708288418, -88.53411203512971;

739 72. Any facility located on Raj Road
740 approximately one-tenth (0.1) of a mile south of Mississippi
741 Highway 57/63, with GPS coordinates of approximately
742 31.14184097577295, -88.53287700849411;

743 73. Any municipality through which run U.S.
744 Highway 45 and Mississippi Highway 145 and in which Mississippi
745 Highway 370 and Mississippi Highway 145 intersect; however, this
746 designation as a qualified resort area shall only apply to the
747 portion of such municipality which is located in a county that has
748 not voted to come out from under the dry law;

749 74. A municipality through which runs a
750 portion of the Tanglefoot Trail and in which Mississippi Highway
751 32 and East Front Street intersect;

752 75. Lot Three (3) in Block One Hundred
753 Seventy-eight (178) of the D.H. McInnis First Survey, sometimes
754 referred to as D.H. McInnis Railroad Addition, to the City of
755 Hattiesburg, the said lot having a frontage of thirty (30) feet on
756 the Eastern side of Front Street and extending back between
757 parallel lines ninety (90) feet to an alley, and being located in
758 the Northwest Quarter of Section 10, Township 4 North, Range 13
759 West, Forrest County, Mississippi;

760 76. An area of land in George County of
761 approximately eight and five hundredths (8.05) acres, bordered on
762 the east and northeast by Brushy Creek, on the northwest by Brushy
763 Creek Road, on the west by Beaver Creek Road, and on the south by
764 a property boundary running east and west;

765 77. A municipality in which Mississippi
766 Highway 15 intersects with Webster Street, and in which Webster
767 Street splits into Mill Street and Maben Starkville Road;

768 78. A municipality in which Mississippi
769 Highway 492 meets Mississippi Highway 35;

770 79. A facility operating as an event venue
771 and located on Mississippi Highway 589, with GPS coordinates of
772 approximately 31.36730, -89.50548;

773 80. An area situated in the SW 1/4 of Section
774 12, T7N-R2E, Madison County, Mississippi, and commencing at the
775 point on the Ross Barnett Reservoir directly east of the
776 intersection of North Natchez Street and Louisiana Street, then go
777 west on Louisiana Street to the intersection of Louisiana Street
778 and Andrew Jackson Street, then west on Andrew Jackson Street to
779 the intersection of Andrew Jackson Street and Choctaw Street, then
780 north on Choctaw Street to the intersection of Choctaw Street and
781 Republic Street, then west on Republic Street to the intersection
782 of Republic Street and Port Street, then north on Port Street to
783 the Natchez Trace right-of-way, then east on the Natchez Trace
784 right-of-way to the Ross Barnett Reservoir, then following the
785 Ross Barnett Reservoir south back to the point of beginning;

786 81. Any facility located on land more
787 particularly described as follows:
788 Commencing at a fence corner at the Northeast corner of Section
789 34, Township 6 South, Range 3 East, Union County, Mississippi, for
790 the point of beginning; thence run South 00 degrees 31 minutes 39
791 seconds East, along the Section line, a distance of 161.83 feet to
792 a one-half inch iron pin, thence North 88 degrees 20 minutes 48
793 seconds West, along a fence, a distance of 1221.09 feet to a

794 one-half iron pin, thence South 09 degrees 45 minutes 37 seconds
795 West, along a fence, a distance of 61.49 feet to a one-half inch
796 iron pin, thence North 84 degrees 18 minutes 01 seconds West,
797 along a fence, (passing through a one-half inch iron pin at 196.83
798 feet) a distance of 234.62 feet to a mag-nail on the centerline of
799 Union County Road No. 137, thence North 11 degrees 00 minutes 29
800 seconds East a distance of 187.87 feet to a one-half inch iron pin
801 on the West edge of said road, thence North 29 degrees 41 minutes
802 28 seconds East a distance of 59.28 feet to a point on the
803 centerline of said road, thence South 89 degrees 13 minutes 02
804 seconds East (passing through a one-half inch iron pin at 30.0
805 feet) along the South line of the Bernard Whiteside property as
806 recorded in Deed Book 117, Pages 517-518 and Deed Book 214, page
807 109, a distance of 646.07 feet to a concrete monument, thence
808 South 89 degrees 13 minutes 02 seconds East a distance of 751.31
809 feet to a one-half inch iron pin, thence South 00 degrees 31
810 minutes 39 seconds East, along the aforesaid Section line, a
811 distance of 52.93 feet to the point of beginning, said tract lying
812 in the Southeast Quarter of Section 27, and the Northeast Quarter
813 of Section 34, Township 6 South, Range 3 East and containing 6.99
814 acres.

815 Subject to a perpetual all purpose non-exclusive easement for
816 ingress, egress and public utilities together the right to enter
817 upon the above described property and do any and all work
818 necessary to build, repair and maintain a roadway or well or

819 install public utilities all over upon and across the following
820 described property:

821 A 25.0 foot easement for ingress and egress, being 12.5 feet to
822 the right and 12.5 feet to the left of the following described
823 centerline: Commencing at a fence corner at the Northeast corner
824 of Section 34, Township 6 South, Range 3 East, Union County,
825 Mississippi, thence run South 00 degrees 31 minutes 39 seconds
826 East, along the Section line, a distance of 149.33 feet to the
827 point of beginning; thence North 88 degrees 20 minutes 48 seconds
828 West a distance of 1231.46 feet to a point, thence South 09
829 degrees 45 minutes 37 seconds West a distance of 61.49 feet to a
830 point, thence North 84 degrees 18 minutes 01 seconds West a
831 distance of 221.82 feet to a point on the centerline of Union
832 County Road #137, said tract lying in the Northeast Quarter of
833 Section 34, Township 6 South, Range 3 East.

834 82. The clubhouse at a country club located:

835 a. In a county in which Mississippi
836 Highway 15 and Mississippi Highway 16 intersect and which county
837 has not voted to come out from under the dry law, and

838 b. Outside the corporate limits of any
839 municipality in such county and within one (1) mile of the
840 corporate limits of a municipality that is the county seat of such
841 county;

842 83. Any facility located on North Jackson
843 Street in a municipality through which run Mississippi Highway 8

844 and Mississippi Highway 15, with GPS coordinates of approximately
845 33.913692, -89.005219;

846 84. Any facility located on North Jackson
847 Street in a municipality through which run Mississippi Highway 8
848 and Mississippi Highway 15, with GPS coordinates of approximately
849 33.905581, -89.00200;

850 85. Any facility located on land more
851 particularly described as follows:
852 Commencing at the Southeast corner of Section 4, Township 6
853 South, Range 18 West, Pearl River County, Mississippi; thence
854 West 1310.00 feet to a T-bar; thence North 745.84 feet; thence
855 East 132.00 feet to a 1" iron pipe; thence North 83.61 feet
856 for the Point of Beginning; thence South 79 degrees 02 minutes
857 61 seconds West 248.28 feet; thence West 76.35 feet; thence
858 North 20 degrees 00 minutes 00 seconds West 185.54 feet;
859 thence North 52 degrees 43 minutes 14 seconds East 365.98 feet
860 to a 1" iron pipe on the West margin of Henry Smith Road, a
861 gravel/paved, public road; thence along said margin South 17
862 degrees 59 minutes 13 seconds East 299.09 feet; thence South
863 64.39 feet to the Point of Beginning. This parcel containing
864 2.19 acres and being a part of the East 1/2 of Section 4,
865 Township 6 South, Range 18 West, Pearl River County,
866 Mississippi.

867 INDEXING: BEING A PART OF THE EAST 1/2 OF SECTION 4,
868 TOWNSHIP 6 SOUTH, RANGE 18 WEST, PEARL RIVER COUNTY,
869 MISSISSIPPI;

870 86. Any facility located on land in a county
871 through which run Mississippi Highway 25 and U.S. Highway 82 and
872 more particularly described as follows: Beginning at a point with
873 GPS coordinates of approximately 33.331869, -88.715054; then
874 running in a straight line to a point with GPS coordinates of
875 approximately 33.336207, -88.713453; then running in a straight
876 line to a point with GPS coordinates of approximately 33.335369,
877 -88.709835; then running in a straight line to a point with GPS
878 coordinates of approximately 33.330870, -88.711496; then running
879 in a straight line to a point with GPS coordinates of
880 approximately 33.331869, -88.715054 and the point of the
881 beginning;

882 87. Any facility located on land that is
883 owned by a community college that is located in a county through
884 which run U.S. Highway 51 and Mississippi Highway 4;

885 88. Any facility located on Mississippi
886 Highway 23/178 in a municipality in which Mississippi Highway
887 23/178 and Stone Drive intersect, with GPS coordinates of
888 approximately 34.235269, -88.262409;

889 89. Any facility located on U.S. Highway 51
890 in a municipality through which run Interstate 55, U.S. Highway 51
891 and the Natchez Trace Parkway, with GPS coordinates of
892 approximately 32.42042°N, 90.13473°W;

893 90. Any facility located on Mullican Road in
894 a county through which run U.S. Highway 84 and Interstate 59,
895 with GPS coordinates of approximately 31.73395N, 89.18186W;

896 91. Any facility located on land in a county
897 through which run Mississippi Highway 25 and U.S. Highway 82 and
898 more particularly described as follows: Beginning at a point with
899 GPS coordinates of approximately 33.37391, -88.80645; then running
900 in a straight line to a point with GPS coordinates of
901 approximately 33.37391, -88.79972; then running in a straight line
902 to a point with GPS coordinates of approximately 33.36672,
903 -88.80644; then running in a straight line to a point with GPS
904 coordinates of approximately 33.36674, -88.79971; then running in
905 a straight line to a point with GPS coordinates of approximately
906 33.37391, -88.80645 and the point of the beginning;

907 92. Any facility located on land more
908 particularly described as follows:
909 All that part of the South half (S 1/2) of the SE 1/4 of NE 1/4 of
910 Section 14, Township 4 North, Range 15 West, lying and being West
911 of State Highway No. 589, containing one (1) acre, more or less.

912 LESS AND EXCEPT:

913 Begin at the point of intersection of the North line of the South
914 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 14,
915 Township 4 North, Range 15 West with the present Southwesterly
916 right-of-way line of Mississippi Highway No. 589, said point is
917 also the Northeast corner of grantor property; said point is 50.6
918 feet West of Station 7 + 59.27 on the centerline of survey of
919 Mississippi Highway No. 589 as shown on the plans for State
920 Project No. SP-0014-2(10); from said POINT OF BEGINNING run thence
921 South 08°57' East along said present Southwesterly right-of-way

line, a distance of 37.1 feet to a point that is perpendicular to
and 50 feet Southwesterly of Station 7 + 30 on the centerline of
survey of Mississippi Highway 589 as shown on the plans for said
project; run thence South 81°03' West, a distance of 35.7 feet to
the West line of the South 1/2 of the Southeast 1/4 of the
Northeast 1/4 of said Section 14 and the West line of grantors
property; run thence North along said West property line, a
distance of 42.2 feet to the Northwest corner of the South 1/2 of
the Southeast 1/4 of the Northeast 1/4 of said Section 14 and the
Northwest corner of grantors property; run thence East along
grantors North property line, a distance of 29.5 feet to the POINT
OF BEGINNING containing 0.03 acres, more or less, and all being
situated in and a part of the South 1/2 of the Southeast 1/4 of
the Northeast 1/4 of Section 14, Township 4 North, Range 15 West,
Lamar County, Mississippi.

LESS AND EXCEPT:

A part of the South one-half of the Southeast 1/4 of Northeast
1/4, Northerly of a certain fence and West of Mississippi State
Highway 589, in Section 14, Township 4 North, Range 15 West, Lamar
County, Mississippi and more particularly described as commencing
at a pine (lighter) stake being used as the Southwest corner of
the Northeast 1/4 of Southeast 1/4 of the above said Section 14,
thence North and along the West line of the East 1/4 of the above
said Section 14 1638.8 feet to the POINT OF BEGINNING. Thence
continue North and along the West line of the East 1/4 of the
above said Section 14, 278.5 feet to the Southerly line of the

948 property Bobby G. Aultman and Marilyn S. Aultman previously sold
949 to the Mississippi State Highway Department; thence North 81°03'
950 East and along the above said Southerly property line for 35.7
951 feet more or less to the Westerly right-of-way line of Mississippi
952 State Highway 589; thence Southeasterly and along the above said
953 Westerly right-of-way line 232.7 feet to a concrete right-of-way
954 marker; thence South 51°39' West and along the Northerly line of a
955 wooden fence 88 feet to the POINT OF BEGINNING.

956 AND ALSO:

957 A parcel of land in a part of the Southeast 1/4 of Northwest 1/4
958 and a part of the Southwest 1/4, Section 14, Township 4 North,
959 Range 15 West, Lamar County, Mississippi, and more particularly
960 described as beginning at a point where the Southerly right-of-way
961 line of U.S. Highway 98 intersects the West line of the above said
962 Southeast 1/4 of Northwest 1/4; thence North 67°34' East and along
963 the Southerly right-of-way line of said highway 208.75 feet;
964 thence South 208.75 feet; thence South 67°34' West 208.75 feet;
965 thence South 141.3 feet; thence North 89°07'30" West 388.9 feet to
966 the centerline of Parkers Creek; thence Northerly and along the
967 centerline of said creek for the next three (3) calls: North
968 35°53' East 115.6 feet; North 25°05' East 68.5 feet; North
969 09°51'30" West 64.3 feet to the Southerly right-of-way line of
970 U.S. Highway 98; thence North 67°34' East and along the Southerly
971 right-of-way line of said highway 327.85 feet to the POINT OF
972 BEGINNING. The above described area contains 3.02 acres.

973 AND ALSO:

974 Commencing at the Southwest corner of the Southwest 1/4 of the
975 Northeast 1/4 of Section 14, Township 4 North, Range 15 West,
976 Lamar County, Mississippi, run South 88°05'27" East 310.00 feet,
977 thence South 0°53'16" West 60.50 feet to a point on a fence line,
978 thence run along fence line South 88°05'27" East 718.93 feet to
979 the POINT OF BEGINNING, thence North 08°48'10" West 714.67 feet to
980 a point on the South right-of-way line of Highway No. 98, thence
981 along said right-of-way along a curve to the right with a delta
982 angle of 02°04'26" having a radius of 5603.58 feet and an arc
983 length of 202.84 feet, with a chord bearing a distance of North
984 71°53'47" East 202.83 feet to a Concrete Highway right-of-way
985 marker, thence South 20°09'13" East 328.13 feet, thence South
986 69°00'47" East 117.68 feet, thence South 0°58'19" West 429.12 feet
987 to a Point on Possession Line fence, thence along said fence North
988 88°05'27" West 299.23 feet back to the POINT OF BEGINNING,
989 containing 5.0885 acres, more or less and being situated in the SW
990 1/4 of the NE 1/4 and the NW 1/4 of the SE 1/4 of said Section 14,
991 together with all improvements and appurtenances thereunto
992 belonging.

993 AND ALSO:

994 PARCEL NUMBER ONE: That part of the Northwest Quarter of the
995 Southwest Quarter (Northwest 1/4 of the Southwest 1/4) of Section
996 14, Township 4 North, Range 15 West, of Lamar County, Mississippi,
997 being located and situated East of the center thread of Mill Creek
998 as the same presently runs through and bisects said 40-acre tract,
999 and comprising 10.9 acres, more or less, and all being part of the

1000 Northwest Quarter of the Southwest Quarter (Northwest 1/4 of the
1001 Southwest 1/4) of said Section, Township and Range, Lamar County,
1002 Mississippi.

1003 AND ALSO:

1004 PARCEL NUMBER TWO: A part of the Southeast Quarter of the
1005 Northwest Quarter (Southeast 1/4 of the Northwest 1/4) and part of
1006 the Northeast Quarter of the Southwest (Northeast 1/4 of the
1007 Southwest 1/4) all in Section 14, Township 4 North, Range 15 West,
1008 Lamar County, Mississippi, being more particularly described as
1009 follows, to wit:

1010 Beginning at a point where the South margin of State Highway 98
1011 intersects the West margin of the Southeast 1/4 of the Northwest
1012 1/4 of Section 14, Township 4 North, Range 15 West, and run
1013 Easterly along the South margin of said highway right-of-way
1014 208.75 feet; thence South 208.75 feet; thence Westerly parallel
1015 with the South margin of said highway right-of-way 208.75 feet to
1016 the West forty line; thence North 208.75 feet to the POINT OF
1017 BEGINNING, containing 1 acre, more or less.

1018 LESS AND EXCEPT:

1019 Begin at the point of intersection of an Easterly line of grantors
1020 property with the present Southerly right-of-way line of U.S.
1021 Highway 98 as shown on the plans for State Project No.
1022 97-0014-02-044-10; from said POINT OF BEGINNING run thence South
1023 02°56' West along said Easterly property line, a distance of 127.6
1024 feet; thence run South 69°11' West, a distance of 52.9 feet;
1025 thence run South 67°13' West, a distance of 492.7 feet to the

1026 Westerly line of grantors property and the center of a creek;
1027 thence run Northerly along said Westerly property line and said
1028 center of creek, a distance of 122.8 feet to said present
1029 Southerly right-of-way line; thence run North 67°13' East along
1030 said present Southerly right-of-way line, a distance of 553.4 feet
1031 to the POINT OF BEGINNING, containing 1.43 acres, more or less,
1032 and being situated in and a part of the North 1/2 of the Southwest
1033 1/4 of Section 14, Township 4 North, Range 15 West, Lamar County,
1034 Mississippi.

1035 LESS AND EXCEPT:

1036 COMMENCING AT THE SOUTHWEST CORNER OF SECTION 14, TOWNSHIP 4
1037 NORTH, RANGE 15 WEST, LAMAR COUNTY, MISSISSIPPI, PROCEED EAST
1038 2136.60 FEET; THENCE NORTH 2508.67 FEET TO AN IRON PIN AND THE
1039 POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED.
1040 FROM THE DESCRIBED POINT OF BEGINNING, PROCEED NORTH 11°19'49 "
1041 EAST 217.55 FEET TO AN IRON PIN; THENCE NORTH 40 °11'01" EAST
1042 118.28 FEET TO AN IRON PIN; THENCE NORTH 22°24'39" WEST 179.15
1043 FEET TO AN IRON PIN ON THE SOUTHERN BOUNDARY OF U.S. HIGHWAY 98;
1044 THENCE ALONG THE SOUTHERN RIGHT-OF-WAY BOUNDARY OF SAID HIGHWAY AS
1045 FOLLOWS: SOUTH 67°35'21" WEST 699.55 FEET TO AN IRON PIN; THENCE
1046 SOUTH 69°16'57" WEST 67.67 FEET TO A CONCRETE RIGHT-OF-WAY MARKER;
1047 THENCE SOUTH 67°35'21" WEST 310.34 FEET TO AN IRON PIN; THENCE
1048 LEAVING SAID RIGHT-OF-WAY SOUTH 01°25'53" WEST 667.21 FEET TO AN
1049 IRON PIN; THENCE NORTH 67°35'21" EAST 491.91 FEET TO AN IRON PIN;
1050 THENCE NORTH 22°24'39" WEST 193.77 FEET TO AN IRON PIN; THENCE
1051 NORTH 67°35'21" EAST 629.48 FEET BACK TO THE POINT OF BEGINNING.

1052 SAID PARCEL CONTAINS 12.39 ACRES AND IS LOCATED PART IN THE SE 1/4
1053 OF THE NW 1/4, PART IN THE NE 1/4 OF THE SW 1/4, AND PART IN THE
1054 NW 1/4 OF THE SW 1/4, ALL IN SECTION 14, TOWNSHIP 4 NORTH, RANGE
1055 15 WEST, LAMAR COUNTY, MISSISSIPPI.

1056 The status of these municipalities, districts, clubhouses,
1057 facilities, golf courses and areas described in this paragraph
1058 (o)(iii) as qualified resort areas does not require any
1059 declaration of same by the department.

1060 The governing authorities of a municipality described, in
1061 whole or in part, in item 6, 21, 24, 25, 26, 27, 28, 29, 30, 31,
1062 34, 35, 36, 37, 38, 39, 46, 48, 51, 53, 54, 55, 56, 58, 59, 61,
1063 63, 64, 66, 67, 68, 73, 74, 83 or 84 of this paragraph (o)(iii)
1064 may by ordinance, with respect to the qualified resort area
1065 described in the same item: specify the hours of operation of
1066 facilities offering alcoholic beverages for sale; specify the
1067 percentage of revenue that facilities offering alcoholic beverages
1068 for sale must derive from the preparation, cooking and serving of
1069 meals and not from the sale of beverages; and designate the areas
1070 in which facilities offering alcoholic beverages for sale may be
1071 located.

1072 (p) "Native wine" means any product, produced in
1073 Mississippi for sale, having an alcohol content not to exceed
1074 twenty-one percent (21%) by weight and made in accordance with
1075 revenue laws of the United States, which shall be obtained
1076 primarily from the alcoholic fermentation of the juice of ripe
1077 grapes, fruits, berries, honey or vegetables grown and produced in

1078 Mississippi; provided that bulk, concentrated or fortified wines
1079 used for blending may be produced without this state and used in
1080 producing native wines. The department shall adopt and promulgate
1081 rules and regulations to permit a producer to import such bulk
1082 and/or fortified wines into this state for use in blending with
1083 native wines without payment of any excise tax that would
1084 otherwise accrue thereon.

1085 (q) "Native winery" means any place or establishment
1086 within the State of Mississippi where native wine is produced, in
1087 whole or in part, for sale.

1088 (r) "Bed and breakfast inn" means an establishment
1089 within a municipality where in consideration of payment, breakfast
1090 and lodging are habitually furnished to travelers and wherein are
1091 located not less than eight (8) and not more than nineteen (19)
1092 adequately furnished and completely separate sleeping rooms with
1093 adequate facilities, that persons usually apply for and receive as
1094 overnight accommodations; however, such restriction on the minimum
1095 number of sleeping rooms shall not apply to establishments on the
1096 National Register of Historic Places. No place shall qualify as a
1097 bed and breakfast inn under this article unless on the date of the
1098 initial application for a license under this article more than
1099 fifty percent (50%) of the sleeping rooms are located in a
1100 structure formerly used as a residence.

1101 (s) "Board" shall refer to the Board of Tax Appeals of
1102 the State of Mississippi.

1103 (t) "Spa facility" means an establishment within a
1104 municipality or qualified resort area and owned by a hotel where,
1105 in consideration of payment, patrons receive from licensed
1106 professionals a variety of private personal care treatments such
1107 as massages, facials, waxes, exfoliation and hairstyling.

1108 (u) "Art studio or gallery" means an establishment
1109 within a municipality or qualified resort area that is in the sole
1110 business of allowing patrons to view and/or purchase paintings and
1111 other creative artwork.

1112 (v) "Cooking school" means an establishment within a
1113 municipality or qualified resort area and owned by a nationally
1114 recognized company that offers an established culinary education
1115 curriculum and program where, in consideration of payment, patrons
1116 are given scheduled professional group instruction on culinary
1117 techniques. For purposes of this paragraph, the definition of
1118 cooking school shall not include schools or classes offered by
1119 grocery stores, convenience stores or drugstores.

1120 (w) "Campus" means property owned by a public school
1121 district, community or junior college, college or university in
1122 this state where educational courses are taught, school functions
1123 are held, tests and examinations are administered or academic
1124 course credits are awarded; however, the term shall not include
1125 any "restaurant" or "hotel" that is located on property owned by a
1126 community or junior college, college or university in this state,
1127 and is operated by a third party who receives all revenue
1128 generated from food and alcoholic beverage sales.

1129 (x) "Native spirit" shall mean any beverage, produced
1130 in Mississippi for sale, manufactured primarily by the
1131 distillation of fermented grain, starch, molasses or sugar
1132 produced in Mississippi, including dilutions and mixtures of these
1133 beverages. In order to be classified as "native spirit" under the
1134 provisions of this article, at least fifty-one percent (51%) of
1135 the finished product by volume shall have been obtained from
1136 distillation of fermented grain, starch, molasses or sugar grown
1137 and produced in Mississippi.

1138 (y) "Native distillery" shall mean any place or
1139 establishment within this state where native spirit is produced in
1140 whole or in part for sale.

1141 (z) "Warehouse operator" shall have the meaning
1142 ascribed in Section 67-1-201.

1143 **SECTION 2.** This act shall take effect and be in force from
1144 and after July 1, 2025, and shall stand repealed on June 30, 2025.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO BRING FORWARD SECTION 67-1-5, MISSISSIPPI CODE OF
2 1972, WHICH DEFINES CERTAIN TERMS UNDER THE LOCAL OPTION ALCOHOLIC
3 BEVERAGE CONTROL LAW, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND
4 FOR RELATED PURPOSES.

HR26\SB2143A.J

Andrew Ketchings
Clerk of the House of Representatives