

By: Representative Smith

To: Ways and Means

HOUSE BILL NO. 1424

1 AN ACT TO AMEND SECTION 67-3-53, MISSISSIPPI CODE OF 1972, TO
 2 PROVIDE THAT IT IS UNLAWFUL FOR THE HOLDER OF A PERMIT AUTHORIZING
 3 THE SALE OF BEER OR LIGHT WINE AT RETAIL, OR FOR THE EMPLOYEE OF
 4 THE HOLDER OF SUCH A PERMIT, TO ACCEPT CERTAIN SERVICES, GOODS OR
 5 OTHER THINGS OF VALUE, FROM A PARTY WHEN SUCH SERVICES, GOODS OR
 6 OTHER THINGS OF VALUE HAVE BEEN PAID FOR BY A MANUFACTURER,
 7 WHOLESALER OR DISTRIBUTOR OF LIGHT WINE OR BEER, OR AN OFFICER,
 8 DIRECTOR, AGENT, EMPLOYEE OR AFFILIATE THEREOF; AND FOR RELATED
 9 PURPOSES.

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

11 **SECTION 1.** Section 67-3-53, Mississippi Code of 1972, is
 12 amended as follows:

13 67-3-53. In addition to any act declared to be unlawful by
 14 this chapter, or by Sections 27-71-301 through 27-71-347, and
 15 Sections 67-3-17, 67-3-27, 67-3-29 and 67-3-57, it shall be
 16 unlawful for the holder of a permit authorizing the sale of beer
 17 or light wine at retail or for the employee of the holder of such
 18 a permit:

19 (a) To sell or give to be consumed in or upon any
 20 licensed premises any beer or light wine between the hours of
 21 midnight and seven o'clock the following morning or during any



22 time the licensed premises may be required to be closed by
23 municipal ordinance or order of the board of supervisors; however,
24 in areas where the sale of alcoholic beverages is legal under the
25 provisions of the Local Option Alcoholic Beverage Control Law and
26 the hours for selling those alcoholic beverages have been extended
27 beyond midnight for on-premises permittees under Section 67-1-37,
28 the hours for selling beer or light wines are likewise extended in
29 areas where the sale of beer and light wines is legal in
30 accordance with the provisions of this chapter.

31 (b) To sell, give or furnish any beer or light wine to
32 any person visibly or noticeably intoxicated, or to any habitual
33 drunkard, or to any person under the age of twenty-one (21) years.

34 (c) To permit in the premises any lewd, immoral or
35 improper entertainment, conduct or practices.

36 (d) To permit loud, boisterous or disorderly conduct of
37 any kind upon the premises or to permit the use of loud musical
38 instruments if either or any of the same may disturb the peace and
39 quietude of the community in which the business is located.

40 (e) To permit persons of ill repute, known criminals,
41 prostitutes or minors to frequent the licensed premises, except
42 minors accompanied by parents or guardians, or under proper
43 supervision.

44 (f) To permit or suffer illegal gambling or the
45 operation of illegal games of chance upon the licensed premises.



46 (g) To receive, possess or sell on the licensed
47 premises any beverage of any kind or character containing more
48 than five percent (5%) of alcohol by weight except any beer
49 containing not more than eight percent (8%) of alcohol by weight,
50 unless the licensee also possesses an on-premises permit under the
51 Local Option Alcoholic Beverage Control Law.

52 (h) To accept as full or partial payment for any
53 product any coupons that are redeemed directly or indirectly from
54 a manufacturer, wholesaler or distributor of light wine or beer.

55 (i) To accept any services, goods or other things of
56 value, other than light wine or beer provided in compliance with
57 this section, from any party when such services, goods or other
58 things of value have been paid for by a manufacturer, wholesaler
59 or distributor of light wine or beer, or an officer, director,
60 agent, employee or affiliate thereof, regardless of whether the
61 affiliation is corporate or by management, direction or control.

62 **SECTION 2.** This act shall take effect and be in force from
63 and after July 1, 2016.

