

By: Representatives Powell, Hulum

To: State Affairs

HOUSE BILL NO. 92

1 AN ACT TO AMEND SECTION 67-1-83, MISSISSIPPI CODE OF 1972, TO
2 ALLOW ANY COUNTY, MUNICIPALITY, TRIBE, OR AGENCY OF THE STATE THAT
3 IS WET UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW TO
4 AUTHORIZE PERMITTED PACKAGE RETAILERS TO ENGAGE IN PACKAGE RETAIL
5 SALES DURING CERTAIN HOURS ON SUNDAY; AND FOR RELATED PURPOSES.

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

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

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



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

31 (3) It shall be unlawful for any holder of a package
32 retailer's permit, or any employee or agent thereof, engaged
33 solely in the business of package retail sales under this article
34 to sell or furnish any alcoholic beverage before 10:00 a.m. and
35 after 10:00 p.m. or to sell alcoholic beverages on Sunday, except
36 as provided under subsection (5) of this section, and Christmas
37 Day.

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



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

(5) Any county, municipality, tribe, or agency of the state that is wet under this article may, by resolution, ordinance or other order adopted by the county board of supervisors, municipal governing authority or other governing authority or body, as the case may be, authorize permitted package retailers to engage in the business of package retail sales on Sunday during the hours beginning at 1:00 p.m. and ending at 6:00 p.m. No permitted package retailer impacted under this subsection shall be required to engage in sales on Sunday and shall maintain the right to limit operations to Monday through Saturday.

SECTION 2. This act shall take effect and be in force from and after July 1, 2025.

