

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2143: Local Option Alcoholic Beverage Control Law; revise definition of "qualified resort area."

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

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

15 **SECTION 1.** Section 67-1-5, Mississippi Code of 1972, as
16 amended by House Bill No. 1284, 2025 Regular Session, is amended
17 as follows:

18 67-1-5. For the purposes of this article and unless
19 otherwise required by the context:

20 (a) "Alcoholic beverage" means any alcoholic liquid,
21 including wines of more than five percent (5%) of alcohol by
22 weight, capable of being consumed as a beverage by a human being,
23 but shall not include light wine, light spirit product and beer,
24 as defined in Section 67-3-3 * * *, but shall include native
25 wines * * *, native spirits, and craft spirits. The words
26 "alcoholic beverage" shall not include ethyl alcohol manufactured
27 or distilled solely for fuel purposes or beer of an alcoholic



28 content of more than eight percent (8%) by weight if the beer is
29 legally manufactured in this state for sale in another state.

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

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

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

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

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

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



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

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

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

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

66 (l) "Hotel" means an establishment within a
67 municipality, or within a qualified resort area approved as such
68 by the department, where, in consideration of payment, food and
69 lodging are habitually furnished to travelers and wherein are
70 located at least twenty (20) adequately furnished and completely
71 separate sleeping rooms with adequate facilities that persons
72 usually apply for and receive as overnight accommodations. Hotels
73 in towns or cities of more than twenty-five thousand (25,000)
74 population are similarly defined except that they must have fifty
75 (50) or more sleeping rooms. Any such establishment described in
76 this paragraph with less than fifty (50) beds shall operate one or



77 more regular dining rooms designed to be constantly frequented by
78 customers each day. When used in this article, the word "hotel"
79 shall also be construed to include any establishment that meets
80 the definition of "bed and breakfast inn" as provided in this
81 section.

82 (m) "Restaurant" means:

83 (i) A place which is regularly and in a bona fide
84 manner used and kept open for the serving of meals to guests for
85 compensation, which has suitable seating facilities for guests,
86 and which has suitable kitchen facilities connected therewith for
87 cooking an assortment of foods and meals commonly ordered at
88 various hours of the day; the service of such food as sandwiches
89 and salads only shall not be deemed in compliance with this
90 requirement. Except as otherwise provided in this paragraph, no
91 place shall qualify as a restaurant under this article unless
92 twenty-five percent (25%) or more of the revenue derived from such
93 place shall be from the preparation, cooking and serving of meals
94 and not from the sale of beverages, or unless the value of food
95 given to and consumed by customers is equal to twenty-five percent
96 (25%) or more of total revenue; or

97 (ii) Any privately owned business located in a
98 building in a historic district where the district is listed in
99 the National Register of Historic Places, where the building has a
100 total occupancy rating of not less than one thousand (1,000) and
101 where the business regularly utilizes ten thousand (10,000) square



102 feet or more in the building for live entertainment, including not
103 only the stage, lobby or area where the audience sits and/or
104 stands, but also any other portion of the building necessary for
105 the operation of the business, including any kitchen area, bar
106 area, storage area and office space, but excluding any area for
107 parking. In addition to the other requirements of this
108 subparagraph, the business must also serve food to guests for
109 compensation within the building and derive the majority of its
110 revenue from event-related fees, including, but not limited to,
111 admission fees or ticket sales to live entertainment in the
112 building, and from the rental of all or part of the facilities of
113 the business in the building to another party for a specific event
114 or function.

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

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

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

121 (iii) Maintained by its members through the
122 payment of annual dues;

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



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

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

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

149 (o) "Qualified resort area" means any area or locality
150 outside of the limits of incorporated municipalities in this state
151 commonly known and accepted as a place which regularly and



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

170 (i) The department may approve an area or locality
171 outside of the limits of an incorporated municipality that is in
172 the process of being developed as a qualified resort area if such
173 area or locality, when developed, can reasonably be expected to
174 meet the requisites of the definition of the term "qualified
175 resort area." In such a case, the status of qualified resort area
176 shall not take effect until completion of the development.



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

185 (iii) The term includes:

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

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

198 3. Any facility located on property that is a
199 game reserve with restricted access that consists of at least
200 three thousand (3,000) contiguous acres with no public roads and



that offers as a service hunts for a fee to overnight guests of the facility;

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

5. Any facility that is located in a municipality that is bordered by the Pearl River, traversed by Mississippi Highway 25, adjacent to the boundaries of the Jackson International Airport and is located in a county which has voted 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:



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

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

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

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

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

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

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

247 9. Any facility located on property that is a
248 game reserve with restricted access that consists of at least
249 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



299 acres with one or more planned residential developments
300 collectively planned to include at least two hundred (200)
301 residential units when completed, and also including a facility
302 that consists of at least four thousand (4,000) square feet that
303 is not part of such land but is located adjacent to or in close
304 proximity thereto, and in addition, also including land located
305 and beginning outside of and adjacent to the south boundary of the
306 corporate limits of a municipality on South Montgomery Street and
307 running approximately one (1) mile west outside of and along such
308 corporate limits, then running in a straight line parallel to
309 South Montgomery Street south to Poor House Road, then running
310 east along Poor House Road to South Montgomery Street, and then
311 running north along South Montgomery Street back to the point of
312 beginning, and which land is located:

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

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

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

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



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

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

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

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

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

343 18. Land that is owned by a state institution
344 of higher learning, land that is owned by an entity that is bound
345 by an affiliation agreement with a state institution of higher
346 learning, or land that is owned by one or more other entities so
347 long as such other entities are solely owned, either directly or



348 through additional entities, by an institution of higher learning
349 and/or one or more entities bound by affiliation agreements with
350 such institution, and:

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

355 b. A. Located adjacent to but outside
356 the incorporated limits of a municipality that has elected by
357 majority vote to permit the sale, receipt, storage and
358 transportation of light wine and beer pursuant to Section 67-3-9;
359 or

360 B. Located in an area bounded on
361 the north by College View Drive, on the east by Mississippi
362 Highway 12 East, on the south by Mississippi Highway 12 East, on
363 the west by Mill Street, on the north by Russell Street, then on
364 the west by Colonel Muldrow Avenue, on the north by University
365 Drive, on the west by Adkerson Way within a municipality through
366 which run Mississippi Highway 25, Mississippi Highway 12 and U.S.
367 Highway 82.

368 If any portion of the land described in this item 18 has been
369 declared a qualified resort area by the department before July 1,
370 2020, then that qualified resort area shall be incorporated into
371 the qualified resort area created by this item 18;

372 19. Any facility and related property:



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

378 b. Located in a county that has not
379 voted to come out from under the dry law and outside of but in
380 close proximity to a municipality located in such county and which
381 municipality has voted to come out from under the dry law;

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

386 a. A county traversed by Interstate 55
387 and Interstate 20, and

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

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



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

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

405 a. Specify the hours of operation of
406 facilities that offer alcoholic beverages for sale;

407 b. Specify the percentage of revenue
408 that facilities that offer alcoholic beverages for sale must
409 derive from the preparation, cooking and serving of meals and not
410 from the sale of beverages; and

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

413 24. A municipality in which Mississippi
414 Highway 27 and Mississippi Highway 28 intersect;

415 25. A municipality through which run
416 Mississippi Highway 35 and Interstate 20;

417 26. A municipality in which Mississippi
418 Highway 16 and Mississippi Highway 35 intersect;

419 27. A municipality in which U.S. Highway 82
420 and Old Highway 61 intersect;



421 28. A municipality in which Mississippi
422 Highway 8 meets Mississippi Highway 1;

423 29. A municipality in which U.S. Highway 82
424 and Mississippi Highway 1 intersect;

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

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

432 32. Any facility and related property that:

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

441 b. Is situated on a tract of land
442 consisting of approximately one and one-tenth (1.10) acres, and
443 the adjacent property to the west consisting of approximately 0.5
444 acres, located in a municipality which is the seat of county
445 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:

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 within the facilities in which alcoholic beverages may be offered for sale;

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

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

ALSO,



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

ALSO,

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

34. A municipality in which U.S. Highway 51 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



495 running to a point at the intersection of E. Main Street and Camp
496 Avenue; then running to a point at the intersection of Camp Avenue
497 and Highland Street; then running to a point at the intersection
498 of Highland Street and Adams Street; then running to a point at
499 the intersection of Adams Street and Cleveland Street; then
500 running to a point at the intersection of Cleveland Street and N.
501 Railroad Avenue; then running to a point at the intersection of N.
502 Railroad Avenue and McGill Street; then running to a point at the
503 intersection of McGill Street and Snyder Street; then running to a
504 point at the intersection of Snyder Street and Bankhead Street;
505 then running to a point at the intersection of Bankhead Street and
506 Tallahatchie Trails and the point of the beginning;

507 39. A municipality through which run
508 Mississippi Highway 43 and U.S. Highway 80;

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

511 41. A piece of property on the northeast
512 corner of the T-intersection where Builders Square Drive meets
513 Mississippi Highway 471;

514 42. The clubhouse and associated golf course,
515 tennis courts and related facilities and swimming pool and related
516 facilities located on Oaks Country Club Road less than one-half
517 (1/2) mile to the east of Mississippi Highway 15;

518 43. Any facility located on land more
519 particularly described as follows:



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

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

Beginning at a point 1915 feet west and 2171 feet north of southeast corner, Section 11, Township 24 North, Range 2 West, Second Judicial District, Tallahatchie County, Mississippi, which point is the southwest corner of J.C. Section Lot mentioned in deed recorded in Book 50, page 34, in the records of the Chancery Clerk's Office at Sumner, in said District of said County; thence South 80° West, 19 feet to the east boundary of United States Highway 49-E, thence East along the east boundary of said Highway 270 feet to point of beginning of Lot to be conveyed; thence southeast along the east boundary of said Highway 204 feet to a concrete post at the intersection of the east boundary of said Highway with the west boundary of gravel road from Sumner to Webb, known as Oil Mill Road, thence Northwest along west boundary of said Oil Mill Road 194 feet to center of driveway running southwest from said Oil Mill Road to U.S. Highway 49-E; thence



South 66° West along center of said driveway 128 feet to point of beginning, being situated in Northwest Quarter of Southeast Quarter of Section 11, together with all improvements situated thereon;

45. Any facility that:

a. Consists of at least five thousand six hundred (5,600) square feet being heated and cooled along with a lakeside patio that consists of at least two thousand two 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 * * *-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;

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

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

52. Any facility that is:

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

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

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



595 53. The following within a municipality in
596 which U.S. Highway 49 and U.S. 61 Highway intersect and through
597 which flows the Sunflower River:

598 a. An area bounded as follows: Starting
599 at the southern point of the intersection of Sunflower Avenue and
600 1st Street and going south along said avenue on its eastern side
601 to 8th Street, then going east along said street on its northern
602 side to West Tallahatchie Street, then going north along said
603 street on its western side to 4th Street/Martin Luther King
604 Boulevard, then going east along said street/boulevard on its
605 northern side to Desoto Avenue, then going north along said avenue
606 on its western side to 1st Street, then going west along said
607 street on its southern side to the point of beginning along the
608 southern side of Court Street;

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

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



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

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

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

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

630 57. The property and structures thereon at
631 the following locations within a municipality through which run
632 U.S. Highway 45 and Mississippi Highway 145 and in which
633 Mississippi Highway 370 and Mississippi Highway 145 intersect:
634 104 West Main Street, 106 West Main Street, 108 West Main Street,
635 110 West Main Street and 112 West Main Street;

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

639 59. Any municipality in which Interstate 22
640 passes over Mississippi Highway 9;

641 60. Any facility located on land more
642 particularly described as follows:



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

646 Commence at an existing 1/2" iron pin marking the Southwest
647 corner of the aforesaid Southeast 1/4 of the Northeast 1/4 of
648 Section 9, T3N-R3E and run thence North 00 degrees 06 minutes 13
649 seconds East along the East line of the Southeast 1/4 of the
650 Northeast 1/4 for a distance of 33.18 feet to an existing 1/2"
651 iron pin; leaving said East line of the Southeast 1/4 of the
652 Northeast 1/4, run thence South 89 degrees 53 minutes 47 seconds
653 East for a distance of 2.08 feet to an existing 1/2" iron pin; run
654 thence North 00 degrees 22 minutes 19 seconds East for a distance
655 of 561.90 feet to an existing 1/2" iron pin; run thence North 00
656 degrees 16 minutes 18 seconds East for a distance of 76.42 feet to
657 a set 1/2" iron pin marking the POINT OF BEGINNING of the parcel
658 of land herein described; from said POINT OF BEGINNING, continue
659 thence North 00 degrees 16 minutes 18 seconds East along an
660 existing fence for a distance of 493.27 feet to an existing 1/2"
661 iron pin; run thence North 03 degrees 08 minutes 15 seconds East
662 for a distance of 170.22 feet to an existing 1/2" iron pin on the
663 North line of the aforesaid Southeast 1/4 of the Northeast 1/4 of
664 Section 9; run thence North 89 degrees 46 minutes 45 seconds East
665 along said North line of the Southeast 1/4 of the Northeast 1/4 of
666 Section 9 for a distance of 1,305.51 feet to an existing 1/2" iron
667 pin marking Northeast corner thereof; leaving said North line of



668 the Southeast 1/4 of the Northeast 1/4 of Section 9, run thence
669 South 00 degrees 08 minutes 35 seconds West along the East line of
670 said Southeast 1/4 of the Northeast 1/4 of Section 9 for a
671 distance of 663.19 feet to a set 1/2" iron pin; leaving said East
672 line of the Southeast 1/4 of the Northeast 1/4 of Section 9, run
673 thence South 89 degrees 46 minutes 45 seconds West for a distance
674 of 1,315.51 feet to the POINT OF BEGINNING, containing 20.00
675 acres, more or less.

676 And Also: An easement for the purpose of ingress and egress
677 being situated in the Southeast 1/4 of the Northeast 1/4 and in
678 the Northeast 1/4 of the Southeast 1/4 of Section 9, T3N-R3E,
679 Rankin County, Mississippi, and being more particularly described
680 as follows:

681 Begin at an existing 1/2" iron pin marking the Southwest
682 corner of the aforesaid Southeast 1/4 of the Northeast 1/4 of
683 Section 9, T3N-R3E and run thence North 00 degrees 06 minutes 13
684 seconds East along the East line of the Southeast 1/4 of the
685 Northeast 1/4 for a distance of 33.18 feet to an existing 1/2"
686 iron pin; leaving said East line of the Southeast 1/4 of the
687 Northeast 1/4, run thence South 89 degrees 53 minutes 47 seconds
688 East for a distance of 2.08 feet to an existing 1/2" iron pin; run
689 thence North 00 degrees 22 minutes 19 seconds East for a distance
690 of 561.90 feet to an existing 1/2" iron pin; run thence North 00
691 degrees 16 minutes 18 seconds East for a distance of 76.42 feet to
692 a set 1/2" iron pin; run thence North 89 degrees 46 minutes 45



693 seconds East for a distance of 25.00 feet to a set 1/2" iron pin;
694 run thence South 00 degrees 16 minutes 18 seconds West for a
695 distance of 76.66 feet to a set 1/2" iron pin; run thence South 00
696 degrees 22 minutes 19 seconds West for a distance of 619.81 feet
697 to a set 1/2" iron pin; run thence South 89 degrees 43 minutes 01
698 seconds West for a distance of 26.81 feet to a set 1/2" iron pin;
699 run thence North 00 degrees 06 minutes 13 seconds East along the
700 West line of the aforesaid Northeast 1/4 of the Southeast 1/4 of
701 Section 9 for a distance of 25.00 feet to the POINT OF BEGINNING,
702 containing 17,525.4 square feet, more or less.

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

705 62. The property and structures thereon
706 located at parcel numbers 4969 198 000; 4969 200 000; 4969 201
707 000; 4969 206 000; 4969 207 000; 4969 208 000; 4969 218 000; 4969
708 199; 4969 204 000 and 4969 204 001, all in Block 4 of the original
709 town square in any municipality with a population in excess of one
710 thousand five hundred (1,500) according to the latest federal
711 decennial census and which is located in:

712 a. A county traversed by Interstate 55
713 and Interstate 20, and

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

716 63. Any municipality in which Mississippi
717 Highway 12 meets Mississippi Highway 17;



718 64. Any municipality in which U.S. Highway 49
719 and Mississippi Highway 469 intersect;

720 65. The clubhouse and associated nine-hole
721 golf course and related facilities located on or near the eastern
722 corner of the point at which Golf Course Road meets Athens Road,
723 in a county in which Mississippi Highway 13 and Mississippi
724 Highway 28 intersect, with GPS coordinates of approximately
725 31.900370078041004, -89.7928067652611;

726 66. Any facility located at the
727 south-to-southwest corner of the intersection of Madison Street
728 and Bolton Brownsville Road, in a municipality in which Bolton
729 Brownsville Road passes over Interstate 20, with GPS coordinates
730 of approximately 32.349067271758955, -90.4596221146197;

731 67. Any facility located at the northwest
732 corner of the intersection of Depot Street and Madison Street, in
733 a municipality in which Bolton Brownsville Road passes over
734 Interstate 20, with GPS coordinates of approximately
735 32.34903152971068, -90.46047660172901;

736 68. Any facility located on Hinds Boulevard
737 approximately three-tenths (0.3) of a mile south of the point at
738 which Hinds Boulevard diverges from Clinton Road, in a
739 municipality whose northern boundary partially consists of Snake
740 Creek Road, and whose southern boundary partially consists of
741 Mississippi Highway 18, with GPS coordinates of approximately
742 32.26384517526713, -90.41586570183475;



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

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

753 71. Any facility located on Raj Road
754 approximately three-tenths (0.3) of a mile south of Mississippi
755 Highway 57/63, with GPS coordinates of approximately
756 31.139553708288418, -88.53411203512971;

757 72. Any facility located on Raj Road
758 approximately one-tenth (0.1) of a mile south of Mississippi
759 Highway 57/63, with GPS coordinates of approximately
760 31.14184097577295, -88.53287700849411;

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



767 74. A municipality through which runs a
768 portion of the Tanglefoot Trail and in which Mississippi Highway
769 32 and East Front Street intersect;

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

778 76. An area of land in George County of
779 approximately eight and five hundredths (8.05) acres, bordered on
780 the east and northeast by Brushy Creek, on the northwest by Brushy
781 Creek Road, on the west by Beaver Creek Road, and on the south by
782 a property boundary running east and west;

783 77. A municipality in which Mississippi
784 Highway 15 intersects with Webster Street, and in which Webster
785 Street splits into Mill Street and Maben Starkville Road;

786 78. A municipality in which Mississippi
787 Highway 492 meets Mississippi Highway 35;

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



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

81. Any facility located on land more particularly described as follows:
Commencing at a fence corner at the Northeast corner of Section 34, Township 6 South, Range 3 East, Union County, Mississippi, for the point of beginning; thence run South 00 degrees 31 minutes 39 seconds East, along the Section line, a distance of 161.83 feet to a one-half inch iron pin, thence North 88 degrees 20 minutes 48 seconds West, along a fence, a distance of 1221.09 feet to a one-half iron pin, thence South 09 degrees 45 minutes 37 seconds West, along a fence, a distance of 61.49 feet to a one-half inch iron pin, thence North 84 degrees 18 minutes 01 seconds West, along a fence, (passing through a one-half inch iron pin at 196.83



816 feet) a distance of 234.62 feet to a mag-nail on the centerline of
817 Union County Road No. 137, thence North 11 degrees 00 minutes 29
818 seconds East a distance of 187.87 feet to a one-half inch iron pin
819 on the West edge of said road, thence North 29 degrees 41 minutes
820 28 seconds East a distance of 59.28 feet to a point on the
821 centerline of said road, thence South 89 degrees 13 minutes 02
822 seconds East (passing through a one-half inch iron pin at 30.0
823 feet) along the South line of the Bernard Whiteside property as
824 recorded in Deed Book 117, Pages 517-518 and Deed Book 214, page
825 109, a distance of 646.07 feet to a concrete monument, thence
826 South 89 degrees 13 minutes 02 seconds East a distance of 751.31
827 feet to a one-half inch iron pin, thence South 00 degrees 31
828 minutes 39 seconds East, along the aforesaid Section line, a
829 distance of 52.93 feet to the point of beginning, said tract lying
830 in the Southeast Quarter of Section 27, and the Northeast Quarter
831 of Section 34, Township 6 South, Range 3 East and containing 6.99
832 acres.

833 Subject to a perpetual all purpose non-exclusive easement for
834 ingress, egress and public utilities together the right to enter
835 upon the above described property and do any and all work
836 necessary to build, repair and maintain a roadway or well or
837 install public utilities all over upon and across the following
838 described property:

839 A 25.0 foot easement for ingress and egress, being 12.5 feet to
840 the right and 12.5 feet to the left of the following described



centerline: Commencing at a fence corner at the Northeast corner of Section 34, Township 6 South, Range 3 East, Union County, Mississippi, thence run South 00 degrees 31 minutes 39 seconds East, along the Section line, a distance of 149.33 feet to the point of beginning; thence North 88 degrees 20 minutes 48 seconds West a distance of 1231.46 feet to a point, thence South 09 degrees 45 minutes 37 seconds West a distance of 61.49 feet to a point, thence North 84 degrees 18 minutes 01 seconds West a distance of 221.82 feet to a point on the centerline of Union County Road #137, said tract lying in the Northeast Quarter of Section 34, Township 6 South, Range 3 East.

82. * * * A country club located:

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

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

83. Any facility located on North Jackson Street in a municipality through which run Mississippi Highway 8 and Mississippi Highway 15, with GPS coordinates of approximately 33.913692, -89.005219;

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



866 and Mississippi Highway 15, with GPS coordinates of approximately
867 33.905581, -89.00200;

868 85. Any facility located on land more
869 particularly described as follows:
870 Commencing at the Southeast corner of Section 4, Township 6
871 South, Range 18 West, Pearl River County, Mississippi; thence
872 West 1310.00 feet to a T-bar; thence North 745.84 feet; thence
873 East 132.00 feet to a 1" iron pipe; thence North 83.61 feet
874 for the Point of Beginning; thence South 79 degrees 02 minutes
875 61 seconds West 248.28 feet; thence West 76.35 feet; thence
876 North 20 degrees 00 minutes 00 seconds West 185.54 feet;
877 thence North 52 degrees 43 minutes 14 seconds East 365.98 feet
878 to a 1" iron pipe on the West margin of Henry Smith Road, a
879 gravel/paved, public road; thence along said margin South 17
880 degrees 59 minutes 13 seconds East 299.09 feet; thence South
881 64.39 feet to the Point of Beginning. This parcel containing
882 2.19 acres and being a part of the East 1/2 of Section 4,
883 Township 6 South, Range 18 West, Pearl River County,
884 Mississippi.

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

888 86. Any facility located on land in a county
889 through which run Mississippi Highway 25 and U.S. Highway 82 and
890 more particularly described as follows: Beginning at a point with



891 GPS coordinates of approximately 33.331869, -88.715054; then
892 running in a straight line to a point with GPS coordinates of
893 approximately 33.336207, -88.713453; then running in a straight
894 line to a point with GPS coordinates of approximately 33.335369,
895 -88.709835; then running in a straight line to a point with GPS
896 coordinates of approximately 33.330870, -88.711496; then running
897 in a straight line to a point with GPS coordinates of
898 approximately 33.331869, -88.715054 and the point of the
899 beginning;

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

903 88. Any facility located on Mississippi
904 Highway 23/178 in a municipality in which Mississippi Highway
905 23/178 and Stone Drive intersect, with GPS coordinates of
906 approximately 34.235269, -88.262409;

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

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

914 91. Any facility located on land in a county
915 through which run Mississippi Highway 25 and U.S. Highway 82 and



916 more particularly described as follows: Beginning at a point with
917 GPS coordinates of approximately 33.37391, -88.80645; then running
918 in a straight line to a point with GPS coordinates of
919 approximately 33.37391, -88.79972; then running in a straight line
920 to a point with GPS coordinates of approximately 33.36672,
921 -88.80644; then running in a straight line to a point with GPS
922 coordinates of approximately 33.36674, -88.79971; then running in
923 a straight line to a point with GPS coordinates of approximately
924 33.37391, -88.80645 and the point of the beginning;

925 92. Any facility located on land more
926 particularly described as follows:

927 All that part of the South half (S 1/2) of the SE 1/4 of NE 1/4 of
928 Section 14, Township 4 North, Range 15 West, lying and being West
929 of State Highway No. 589, containing one (1) acre, more or less.

930 LESS AND EXCEPT:

931 Begin at the point of intersection of the North line of the South
932 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 14,
933 Township 4 North, Range 15 West with the present Southwesterly
934 right-of-way line of Mississippi Highway No. 589, said point is
935 also the Northeast corner of grantor property; said point is 50.6
936 feet West of Station 7 + 59.27 on the centerline of survey of
937 Mississippi Highway No. 589 as shown on the plans for State
938 Project No. SP-0014-2(10); from said POINT OF BEGINNING run thence
939 South 08°57' East along said present Southwesterly right-of-way
940 line, a distance of 37.1 feet to a point that is perpendicular to



941 and 50 feet Southwesterly of Station 7 + 30 on the centerline of
942 survey of Mississippi Highway 589 as shown on the plans for said
943 project; run thence South 81°03' West, a distance of 35.7 feet to
944 the West line of the South 1/2 of the Southeast 1/4 of the
945 Northeast 1/4 of said Section 14 and the West line of grantors
946 property; run thence North along said West property line, a
947 distance of 42.2 feet to the Northwest corner of the South 1/2 of
948 the Southeast 1/4 of the Northeast 1/4 of said Section 14 and the
949 Northwest corner of grantors property; run thence East along
950 grantors North property line, a distance of 29.5 feet to the POINT
951 OF BEGINNING containing 0.03 acres, more or less, and all being
952 situated in and a part of the South 1/2 of the Southeast 1/4 of
953 the Northeast 1/4 of Section 14, Township 4 North, Range 15 West,
954 Lamar County, Mississippi.

955 LESS AND EXCEPT:

956 A part of the South one-half of the Southeast 1/4 of Northeast
957 1/4, Northerly of a certain fence and West of Mississippi State
958 Highway 589, in Section 14, Township 4 North, Range 15 West, Lamar
959 County, Mississippi and more particularly described as commencing
960 at a pine (lighter) stake being used as the Southwest corner of
961 the Northeast 1/4 of Southeast 1/4 of the above said Section 14,
962 thence North and along the West line of the East 1/4 of the above
963 said Section 14 1638.8 feet to the POINT OF BEGINNING. Thence
964 continue North and along the West line of the East 1/4 of the
965 above said Section 14, 278.5 feet to the Southerly line of the



966 property Bobby G. Aultman and Marilyn S. Aultman previously sold
967 to the Mississippi State Highway Department; thence North 81°03'
968 East and along the above said Southerly property line for 35.7
969 feet more or less to the Westerly right-of-way line of Mississippi
970 State Highway 589; thence Southeasterly and along the above said
971 Westerly right-of-way line 232.7 feet to a concrete right-of-way
972 marker; thence South 51°39' West and along the Northerly line of a
973 wooden fence 88 feet to the POINT OF BEGINNING.

974 AND ALSO:

975 A parcel of land in a part of the Southeast 1/4 of Northwest 1/4
976 and a part of the Southwest 1/4, Section 14, Township 4 North,
977 Range 15 West, Lamar County, Mississippi, and more particularly
978 described as beginning at a point where the Southerly right-of-way
979 line of U.S. Highway 98 intersects the West line of the above said
980 Southeast 1/4 of Northwest 1/4; thence North 67°34' East and along
981 the Southerly right-of-way line of said highway 208.75 feet;
982 thence South 208.75 feet; thence South 67°34' West 208.75 feet;
983 thence South 141.3 feet; thence North 89°07'30" West 388.9 feet to
984 the centerline of Parkers Creek; thence Northerly and along the
985 centerline of said creek for the next three (3) calls: North
986 35°53' East 115.6 feet; North 25°05' East 68.5 feet; North
987 09°51'30" West 64.3 feet to the Southerly right-of-way line of
988 U.S. Highway 98; thence North 67°34' East and along the Southerly
989 right-of-way line of said highway 327.85 feet to the POINT OF
990 BEGINNING. The above described area contains 3.02 acres.



991 AND ALSO:
992 Commencing at the Southwest corner of the Southwest 1/4 of the
993 Northeast 1/4 of Section 14, Township 4 North, Range 15 West,
994 Lamar County, Mississippi, run South 88°05'27" East 310.00 feet,
995 thence South 0°53'16" West 60.50 feet to a point on a fence line,
996 thence run along fence line South 88°05'27" East 718.93 feet to
997 the POINT OF BEGINNING, thence North 08°48'10" West 714.67 feet to
998 a point on the South right-of-way line of Highway No. 98, thence
999 along said right-of-way along a curve to the right with a delta
1000 angle of 02°04'26" having a radius of 5603.58 feet and an arc
1001 length of 202.84 feet, with a chord bearing a distance of North
1002 71°53'47" East 202.83 feet to a Concrete Highway right-of-way
1003 marker, thence South 20°09'13" East 328.13 feet, thence South
1004 69°00'47" East 117.68 feet, thence South 0°58'19" West 429.12 feet
1005 to a Point on Possession Line fence, thence along said fence North
1006 88°05'27" West 299.23 feet back to the POINT OF BEGINNING,
1007 containing 5.0885 acres, more or less and being situated in the SW
1008 1/4 of the NE 1/4 and the NW 1/4 of the SE 1/4 of said Section 14,
1009 together with all improvements and appurtenances thereunto
1010 belonging.

1011 AND ALSO:
1012 PARCEL NUMBER ONE: That part of the Northwest Quarter of the
1013 Southwest Quarter (Northwest 1/4 of the Southwest 1/4) of Section
1014 14, Township 4 North, Range 15 West, of Lamar County, Mississippi,
1015 being located and situated East of the center thread of Mill Creek



1016 as the same presently runs through and bisects said 40-acre tract,
1017 and comprising 10.9 acres, more or less, and all being part of the
1018 Northwest Quarter of the Southwest Quarter (Northwest 1/4 of the
1019 Southwest 1/4) of said Section, Township and Range, Lamar County,
1020 Mississippi.

1021 AND ALSO:

1022 PARCEL NUMBER TWO: A part of the Southeast Quarter of the
1023 Northwest Quarter (Southeast 1/4 of the Northwest 1/4) and part of
1024 the Northeast Quarter of the Southwest (Northeast 1/4 of the
1025 Southwest 1/4) all in Section 14, Township 4 North, Range 15 West,
1026 Lamar County, Mississippi, being more particularly described as
1027 follows, to wit:

1028 Beginning at a point where the South margin of State Highway 98
1029 intersects the West margin of the Southeast 1/4 of the Northwest
1030 1/4 of Section 14, Township 4 North, Range 15 West, and run
1031 Easterly along the South margin of said highway right-of-way
1032 208.75 feet; thence South 208.75 feet; thence Westerly parallel
1033 with the South margin of said highway right-of-way 208.75 feet to
1034 the West forty line; thence North 208.75 feet to the POINT OF
1035 BEGINNING, containing 1 acre, more or less.

1036 LESS AND EXCEPT:

1037 Begin at the point of intersection of an Easterly line of grantors
1038 property with the present Southerly right-of-way line of U.S.
1039 Highway 98 as shown on the plans for State Project No.
1040 97-0014-02-044-10; from said POINT OF BEGINNING run thence South



1041 02°56' West along said Easterly property line, a distance of 127.6
1042 feet; thence run South 69°11' West, a distance of 52.9 feet;
1043 thence run South 67°13' West, a distance of 492.7 feet to the
1044 Westerly line of grantors property and the center of a creek;
1045 thence run Northerly along said Westerly property line and said
1046 center of creek, a distance of 122.8 feet to said present
1047 Southerly right-of-way line; thence run North 67°13' East along
1048 said present Southerly right-of-way line, a distance of 553.4 feet
1049 to the POINT OF BEGINNING, containing 1.43 acres, more or less,
1050 and being situated in and a part of the North 1/2 of the Southwest
1051 1/4 of Section 14, Township 4 North, Range 15 West, Lamar County,
1052 Mississippi.

1053 LESS AND EXCEPT:

1054 COMMENCING AT THE SOUTHWEST CORNER OF SECTION 14, TOWNSHIP 4
1055 NORTH, RANGE 15 WEST, LAMAR COUNTY, MISSISSIPPI, PROCEED EAST
1056 2136.60 FEET; THENCE NORTH 2508.67 FEET TO AN IRON PIN AND THE
1057 POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED.

1058 FROM THE DESCRIBED POINT OF BEGINNING, PROCEED NORTH 11°19'49 "
1059 EAST 217.55 FEET TO AN IRON PIN; THENCE NORTH 40 °11'01" EAST
1060 118.28 FEET TO AN IRON PIN; THENCE NORTH 22°24'39" WEST 179.15
1061 FEET TO AN IRON PIN ON THE SOUTHERN BOUNDARY OF U.S. HIGHWAY 98;
1062 THENCE ALONG THE SOUTHERN RIGHT-OF-WAY BOUNDARY OF SAID HIGHWAY AS
1063 FOLLOWS: SOUTH 67°35'21" WEST 699.55 FEET TO AN IRON PIN; THENCE
1064 SOUTH 69°16'57" WEST 67.67 FEET TO A CONCRETE RIGHT-OF-WAY MARKER;
1065 THENCE SOUTH 67°35'21" WEST 310.34 FEET TO AN IRON PIN; THENCE



1066 LEAVING SAID RIGHT-OF-WAY SOUTH 01°25'53" WEST 667.21 FEET TO AN
1067 IRON PIN; THENCE NORTH 67°35'21" EAST 491.91 FEET TO AN IRON PIN;
1068 THENCE NORTH 22°24'39" WEST 193.77 FEET TO AN IRON PIN; THENCE
1069 NORTH 67°35'21" EAST 629.48 FEET BACK TO THE POINT OF BEGINNING.
1070 SAID PARCEL CONTAINS 12.39 ACRES AND IS LOCATED PART IN THE SE 1/4
1071 OF THE NW 1/4, PART IN THE NE 1/4 OF THE SW 1/4, AND PART IN THE
1072 NW 1/4 OF THE SW 1/4, ALL IN SECTION 14, TOWNSHIP 4 NORTH, RANGE
1073 15 WEST, LAMAR COUNTY, MISSISSIPPI * * *;

1074 93. The clubhouse and associated golf course,
1075 tennis courts, swimming pools and related facilities located at
1076 333 Fairway Drive, Pontotoc, Mississippi;

1077 94. Any facility located on land more
1078 particularly described as follows:

1079 A 4.16 acre parcel being situated in the SE 1/4 of SE
1080 1/4 of Section 31, T3N-R1E, Rankin County,
1081 Mississippi, and being more particularly described as
1082 follows:
1083 Commencing at the SE corner of said Section 31, run
1084 thence WEST - 643.33 feet to a point on the mean high
1085 water line of the Pearl River; thence North 10 degrees
1086 50 minutes 51 seconds West - 444.38 feet along said
1087 mean high water line; thence North 11 degrees 58
1088 minutes 08 seconds West - 58.90 feet along said mean
1089 high water line to the POINT OF BEGINNING: run thence
1090 North 11 degrees 58 minutes 08 seconds West - 326.63



1091 feet along said mean high water line; thence North 19
1092 degrees 52 minutes 24 seconds West - 74.80 feet along
1093 said mean high water line; thence North 78 degrees 01
1094 minutes 52 seconds East - 464.81 feet; thence South 07
1095 degrees 25 minutes 10 seconds East - 39.75 feet;
1096 thence South 11 degrees 58 minutes 08 seconds East -
1097 361.10 feet; thence South 78 degrees 01 minutes 52
1098 seconds West - 451.31 feet to the POINT OF BEGINNING.
1099 TOGETHER WITH a 30 foot wide access easement being
1100 situated in the SE 1/4 of Section 31, T3N, R1E, Rankin
1101 County, Mississippi; being 15 feet either side of a
1102 centerline and being more particularly described as
1103 follows:
1104 Commencing at the SE corner of said Section, run
1105 thence North - 380.22 feet to a point on the northerly
1106 right-of-way of Moncure Road; thence North 86 degrees
1107 39 minutes 56 seconds West - 257.25 feet along said
1108 road to the POINT OF BEGINNING; run thence North 11
1109 degrees 58 minutes 08 seconds West - 557.86 feet to
1110 the POINT OF TERMINUS;

1111 95. Any municipality in which Mississippi
1112 Highway 26 and U.S. Highway 11 intersect and a public community
1113 college is located;

1114 96. Any municipality in which Mississippi
1115 Highway 15 meets U.S. Highway 82;



1116 97. Any facility and/or venue and related
1117 property at 305 South Monroe Street, Houston, Mississippi.

1118 The status of these municipalities, districts, clubhouses,
1119 facilities, golf courses and areas described in this paragraph
1120 (o)(iii) as qualified resort areas does not require any
1121 declaration of same by the department.

1122 The governing authorities of a municipality or county
1123 described, in whole or in part, in item 6, 21, 24, 25, 26, 27, 28,
1124 29, 30, 31, 34, 35, 36, 37, 38, 39, 46, 48, 51, 53, 54, 55, 56,
1125 58, 59, 61, 63, 64, 66, 67, 68, 73, 74, 83 * * * 84, 93, 94, 95,
1126 or 97 of this paragraph (o)(iii) may by ordinance, with respect to
1127 the qualified resort area described in the same item: specify the
1128 hours of operation of facilities offering alcoholic beverages for
1129 sale; specify the percentage of revenue that facilities offering
1130 alcoholic beverages for sale must derive from the preparation,
1131 cooking and serving of meals and not from the sale of beverages;
1132 and designate the areas in which facilities offering alcoholic
1133 beverages for sale may be located.

1134 (p) "Native wine" means any product, produced in
1135 Mississippi for sale, having an alcohol content not to exceed
1136 twenty-one percent (21%) by weight and made in accordance with
1137 revenue laws of the United States, which shall be obtained
1138 primarily from the alcoholic fermentation of the juice of ripe
1139 grapes, fruits, berries, honey or vegetables grown and produced in
1140 Mississippi; provided that bulk, concentrated or fortified wines



1141 used for blending may be produced without this state and used in
1142 producing native wines. The department shall adopt and promulgate
1143 rules and regulations to permit a producer to import such bulk
1144 and/or fortified wines into this state for use in blending with
1145 native wines without payment of any excise tax that would
1146 otherwise accrue thereon.

1147 (q) "Native winery" means any place or establishment
1148 within the State of Mississippi where native wine is produced, in
1149 whole or in part, for sale.

1150 (r) "Bed and breakfast inn" means an establishment
1151 within a municipality where in consideration of payment, breakfast
1152 and lodging are habitually furnished to travelers and wherein are
1153 located not less than eight (8) and not more than nineteen (19)
1154 adequately furnished and completely separate sleeping rooms with
1155 adequate facilities, that persons usually apply for and receive as
1156 overnight accommodations; however, such restriction on the minimum
1157 number of sleeping rooms shall not apply to establishments on the
1158 National Register of Historic Places. No place shall qualify as a
1159 bed and breakfast inn under this article unless on the date of the
1160 initial application for a license under this article more than
1161 fifty percent (50%) of the sleeping rooms are located in a
1162 structure formerly used as a residence.

1163 (s) "Board" shall refer to the Board of Tax Appeals of
1164 the State of Mississippi.



1165 (t) "Spa facility" means an establishment within a
1166 municipality or qualified resort area and owned by a hotel where,
1167 in consideration of payment, patrons receive from licensed
1168 professionals a variety of private personal care treatments such
1169 as massages, facials, waxes, exfoliation and hairstyling.

1170 (u) "Art studio or gallery" means an establishment
1171 within a municipality or qualified resort area that is in the sole
1172 business of allowing patrons to view and/or purchase paintings and
1173 other creative artwork.

1174 (v) "Cooking school" means an establishment within a
1175 municipality or qualified resort area and owned by a nationally
1176 recognized company that offers an established culinary education
1177 curriculum and program where, in consideration of payment, patrons
1178 are given scheduled professional group instruction on culinary
1179 techniques. For purposes of this paragraph, the definition of
1180 cooking school shall not include schools or classes offered by
1181 grocery stores, convenience stores or drugstores.

1182 (w) "Campus" means property owned by a public school
1183 district, community or junior college, college or university in
1184 this state where educational courses are taught, school functions
1185 are held, tests and examinations are administered or academic
1186 course credits are awarded; however, the term shall not include
1187 any "restaurant" or "hotel" that is located on property owned by a
1188 community or junior college, college or university in this state,



and is operated by a third party who receives all revenue generated from food and alcoholic beverage sales.

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

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

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

(aa) "Craft spirit" shall mean any alcoholic beverage produced in whole or in part in Mississippi by a distillery created under the laws of Mississippi at a location within Mississippi.

(bb) "Craft distillery" shall mean any place or establishment within this state where craft spirit is produced in whole or in part.



1212 **SECTION 2.** Section 67-1-57, Mississippi Code of 1972, as
1213 amended by Senate Bill No. 2145, 2025 Regular Session, is amended
1214 as follows:

1215 67-1-57. Before a permit is issued the department shall
1216 satisfy itself:

1217 (a) That the applicant, if an individual, or if a
1218 partnership, each of the members of the partnership, or if a
1219 corporation, each of its principal officers and directors, or if a
1220 limited liability company, each member of the limited liability
1221 company, is of good moral character and, in addition, enjoys a
1222 reputation of being a peaceable, law-abiding citizen of the
1223 community in which he resides, and is generally fit for the trust
1224 to be reposed in him, is not less than twenty-one (21) years of
1225 age, and has not been convicted of a felony in any state or
1226 federal court. However, a felony conviction, other than a crime
1227 of violence or a violation of state or federal controlled
1228 substance laws, does not automatically disqualify a person from
1229 being approved for a permit. If at least ten (10) years have
1230 elapsed since conviction, the department may consider such felony
1231 convictions in determining whether all other qualifications are
1232 met.

1233 (b) That, except in the case of an application for a
1234 solicitor's permit, the applicant is the true and actual owner of
1235 the business for which the permit is desired, and that he intends
1236 to carry on the business authorized for himself and not as the



1237 agent of any other person, and that he intends to superintend in
1238 person the management of the business or that he will designate a
1239 manager to manage the business for him. Except for managers
1240 employed by the holder of a direct wine shipper's permit, all
1241 managers must be approved by the department prior to completing
1242 any managerial tasks on behalf of the permittee and must possess
1243 all of the qualifications required of a permittee; however, a
1244 felony conviction, other than a crime of violence, does not
1245 automatically disqualify a person from being approved as a manager
1246 if the person was released from incarceration at least three (3)
1247 years prior to application for approval as a manager. A felony
1248 conviction, other than a crime of violence, may be considered by
1249 the department in determining whether all other qualifications are
1250 met.

1251 (c) That the applicant for a package retailer's permit,
1252 if an individual, is a resident of the State of Mississippi. If
1253 the applicant is a partnership, each member of the partnership
1254 must be a resident of the state. If the applicant is a limited
1255 liability company, each member of the limited liability company
1256 must be a resident of the state. If the applicant is a
1257 corporation, the designated manager of the corporation must be a
1258 resident of the state.

1259 (d) That the place for which the permit is to be issued
1260 is an appropriate one considering the character of the premises
1261 and the surrounding neighborhood.



1262 (e) That the place for which the permit is to be issued
1263 is within the corporate limits of an incorporated municipality or
1264 qualified resort area or club which comes within the provisions of
1265 this article.

1266 (f) That the applicant is not indebted to the state for
1267 any taxes, fees or payment of penalties imposed by any law of the
1268 State of Mississippi or by any rule or regulation of the
1269 department.

1270 (g) That the applicant is not in the habit of using
1271 alcoholic beverages to excess and is not physically or mentally
1272 incapacitated, and that the applicant has the ability to read and
1273 write the English language.

1274 (h) That the department does not believe and has no
1275 reason to believe that the applicant will sell or knowingly permit
1276 any agent, servant or employee to unlawfully sell liquor in a dry
1277 area or in any other manner contrary to law.

1278 (i) That the applicant is not residentially domiciled
1279 with any person whose permit or license has been cancelled for
1280 cause within the twelve (12) months next preceding the date of the
1281 present application for a permit.

1282 (j) That the department has not, in the exercise of its
1283 discretion which is reserved and preserved to it, refused to grant
1284 permits under the restrictions of this section, as well as under
1285 any other pertinent provision of this article.



1286 (k) That there are not sufficient legal reasons to deny
1287 a permit on the ground that the premises for which the permit is
1288 sought has previously been operated, used or frequented for any
1289 purpose or in any manner that is lewd, immoral or offensive to
1290 public decency. In the granting or withholding of any permit to
1291 sell alcoholic beverages at retail, the department in forming its
1292 conclusions may give consideration to any recommendations made in
1293 writing by the district or county attorney or county, circuit or
1294 chancery judge of the county, or the sheriff of the county, or the
1295 mayor or chief of police of an incorporated city or town wherein
1296 the applicant proposes to conduct his business and to any
1297 recommendations made by representatives of the department.

1298 (1) That the applicant and the applicant's key
1299 employees, as determined by the department, do not have a
1300 disqualifying criminal record. In order to obtain a criminal
1301 record history check, the applicant shall submit to the department
1302 a set of fingerprints from any local law enforcement agency for
1303 each person for whom the records check is required. The
1304 department shall forward the fingerprints to the Mississippi
1305 Department of Public Safety. If no disqualifying record is
1306 identified at the state level, the Department of Public Safety
1307 shall forward the fingerprints to the Federal Bureau of
1308 Investigation for a national criminal history record check. Costs
1309 for processing the set or sets of fingerprints shall be borne by
1310 the applicant. The department may waive the fingerprint



1311 requirement in the case of an applicant for a direct wine
1312 shipper's permit. The department shall not deny employment to an
1313 employee of the applicant prior to the identification of a
1314 disqualifying record or other disqualifying information.

1315 **SECTION 3.** This act shall take effect and be in force from
1316 and after July 1, 2025.

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

1 AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, AS
2 AMENDED BY HOUSE BILL NO. 1284, 2025 REGULAR SESSION, TO REVISE
3 THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL
4 OPTION ALCOHOLIC BEVERAGE CONTROL LAW; TO AMEND SECTION 67-1-57,
5 MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2145, 2025
6 REGULAR SESSION, TO PROVIDE THAT A FELONY CONVICTION, OTHER THAN A
7 CRIME OF VIOLENCE OR A VIOLATION OF STATE OR FEDERAL CONTROLLED
8 SUBSTANCE LAWS, DOES NOT AUTOMATICALLY DISQUALIFY A PERSON FROM
9 BEING APPROVED FOR AN ALCOHOLIC BEVERAGE PERMIT; TO PROVIDE THAT,
10 IF AT LEAST 10 YEARS HAVE ELAPSED SINCE CONVICTION, THE DEPARTMENT
11 OF REVENUE MAY CONSIDER SUCH FELONY CONVICTIONS IN DETERMINING
12 WHETHER ALL OTHER QUALIFICATIONS ARE MET; AND FOR RELATED
13 PURPOSES.

CONFEREES FOR THE SENATE

X (SIGNED)
Josh Harkins

X (SIGNED)
Jeremy England

X (SIGNED)
Joel R. Carter, Jr.

CONFEREES FOR THE HOUSE

X (SIGNED)
Henry Zuber III

(NOT SIGNED)
Shanda Yates

X (SIGNED)
Kevin Ford

