

## 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. 2851: Alcoholic beverages; allow persons to bring onto premises with on-premises retailer's permits in certain qualified resorts.

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:

20       **SECTION 1.** Section 67-1-51, Mississippi Code of 1972, as  
21 amended by Senate Bill No. 2145, 2025 Regular Session, as amended  
22 by House Bill No. 1284, 2025 Regular Session, as amended by House  
23 Bill No. 1502, 2025 Regular Session, is amended as follows:

24       67-1-51. (1) Permits which may be issued by the department  
25 shall be as follows:

26           (a) **Manufacturer's permit.** A manufacturer's permit  
27 shall permit the manufacture, importation in bulk, bottling and  
28 storage of alcoholic liquor and its distribution and sale to  
29 manufacturers holding permits under this article in this state and  
30 to persons outside the state who are authorized by law to purchase  
31 the same, and to sell as provided by this article.

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



33       Class 1. Distiller's and/or rectifier's permit, which shall  
34 authorize the holder thereof to operate a distillery for the  
35 production of distilled spirits by distillation or redistillation  
36 and/or to operate a rectifying plant for the purifying, refining,  
37 mixing, blending, flavoring or reducing in proof of distilled  
38 spirits and alcohol.

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

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

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

48       Class 5. Craft spirit producer's permit, which shall  
49 authorize the holder thereof to perform any act or thing in the  
50 process of making craft spirit, including the manufacture,  
51 importation, bottling, and storage of alcoholic liquor and its  
52 sale.

53               (b) **Package retailer's permit.** Except as otherwise  
54 provided in this paragraph and Section 67-1-52, a package  
55 retailer's permit shall authorize the holder thereof to operate a  
56 store exclusively for the sale at retail in original sealed and  
57 unopened packages of alcoholic beverages, including native wines,



58 native spirits, craft spirits, and edibles, not to be consumed on  
59 the premises where sold. Alcoholic beverages shall not be sold by  
60 any retailer in any package or container containing less than  
61 fifty (50) milliliters by liquid measure. A package retailer's  
62 permit, with prior approval from the department, shall authorize  
63 the holder thereof to sample new product furnished by a  
64 manufacturer's representative or his employees at the permitted  
65 place of business so long as the sampling otherwise complies with  
66 this article and applicable department regulations. Such samples  
67 may not be provided to customers at the permitted place of  
68 business. In addition to the sale at retail of packages of  
69 alcoholic beverages, the holder of a package retailer's permit is  
70 authorized to sell at retail corkscrews, wine glasses, soft  
71 drinks, ice, juices, mixers, other beverages commonly used to mix  
72 with alcoholic beverages, and fruits and foods that have been  
73 submerged in alcohol and are commonly referred to as edibles.  
74 Nonalcoholic beverages sold by the holder of a package retailer's  
75 permit shall not be consumed on the premises where sold.

76 (c) **On-premises retailer's permit.** Except as otherwise  
77 provided in subsection (5) of this section, an on-premises  
78 retailer's permit shall authorize the sale of alcoholic beverages,  
79 including native wines \* \* \*, native spirits, and craft spirits,  
80 for consumption on the licensed premises only; however, a patron  
81 of the permit holder may remove one (1) bottle of wine from the  
82 licensed premises if: (i) the patron consumed a portion of the



83 bottle of wine in the course of consuming a meal purchased on the  
84 licensed premises; (ii) the permit holder securely reseals the  
85 bottle; (iii) the bottle is placed in a bag that is secured in a  
86 manner so that it will be visibly apparent if the bag is opened;  
87 and (iv) a dated receipt for the wine and the meal is available.  
88 Additionally, as part of a carryout order, a permit holder may  
89 sell one (1) bottle of wine to be removed from the licensed  
90 premises for every two (2) entrees ordered. In addition, an  
91 on-premises retailer's permittee at a permitted premises located  
92 on Jefferson Davis Avenue within one-half (1/2) mile north of U.S.  
93 Highway 90 may serve alcoholic beverages by the glass to a patron  
94 in a vehicle using a drive-through method of delivery if the  
95 permitted premises is located in a leisure and recreation district  
96 established under Section 67-1-101. Such a sale will be  
97 considered to be made on the permitted premises. An on-premises  
98 retailer's permit shall be issued only to qualified hotels,  
99 restaurants and clubs, small craft breweries, microbreweries, and  
100 to common carriers with adequate facilities for serving  
101 passengers. In resort areas, however, whether inside or outside  
102 of a municipality, the department, in its discretion, may issue  
103 on-premises retailer's permits to any establishments located  
104 therein as it deems proper. An on-premises retailer's permit when  
105 issued to a common carrier shall authorize the sale and serving of  
106 alcoholic beverages aboard any licensed vehicle while moving  
107 through any county of the state; however, the sale of such



108 alcoholic beverages shall not be permitted while such vehicle is  
109 stopped in a county that has not legalized such sales. If an  
110 on-premises retailer's permit is applied for by a common carrier  
111 operating solely in the water, such common carrier must, along  
112 with all other qualifications for a permit, (i) be certified to  
113 carry at least one hundred fifty (150) passengers and/or provide  
114 overnight accommodations for at least fifty (50) passengers and  
115 (ii) operate primarily in the waters within the State of  
116 Mississippi which lie adjacent to the State of Mississippi south  
117 of the three (3) most southern counties in the State of  
118 Mississippi and/or on the Mississippi River or navigable waters  
119 within any county bordering on the Mississippi River.

120           (d) **Solicitor's permit.** A solicitor's permit shall  
121 authorize the holder thereof to act as salesman for a manufacturer  
122 or wholesaler holding a proper permit, to solicit on behalf of his  
123 employer orders for alcoholic beverages, and to otherwise promote  
124 his employer's products in a legitimate manner. Such a permit  
125 shall authorize the representation of and employment by one (1)  
126 principal only. However, the permittee may also, in the  
127 discretion of the department, be issued additional permits to  
128 represent other principals. No such permittee shall buy or sell  
129 alcoholic beverages for his own account, and no such beverage  
130 shall be brought into this state in pursuance of the exercise of  
131 such permit otherwise than through a permit issued to a wholesaler  
132 or manufacturer in the state.



133                   (e) **Native wine retailer's permit.** Except as otherwise  
134 provided in subsection (5) of this section, a native wine  
135 retailer's permit shall be issued only to a holder of a Class 3  
136 manufacturer's permit, and shall authorize the holder thereof to  
137 make retail sales of native wines to consumers for on-premises  
138 consumption or to consumers in originally sealed and unopened  
139 containers at an establishment located on the premises of or in  
140 the immediate vicinity of a native winery. When selling to  
141 consumers for on-premises consumption, a holder of a native wine  
142 retailer's permit may add to the native wine alcoholic beverages  
143 not produced on the premises, so long as the total volume of  
144 foreign beverage components does not exceed twenty percent (20%)  
145 of the mixed beverage. Hours of sale shall be the same as those  
146 authorized for on-premises permittees in the city or county in  
147 which the native wine retailer is located.

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

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

155           Class 1. A temporary one-day permit may be issued to bona  
156 fide nonprofit civic or charitable organizations authorizing the  
157 sale of alcoholic beverages, including native wine \* \* \*, native



spirits, and craft spirits, for consumption on the premises described in the temporary permit only. Class 1 permits may be issued only to applicants demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days prior to the proposed date or such other time as the department may determine, that they meet the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. Class 1 permittees shall obtain all alcoholic beverages from package retailers located in the county in which the temporary permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2. A temporary permit, not to exceed seventy (70) days, may be issued to prospective permittees seeking to transfer a permit authorized in paragraph (c) of this subsection. A Class 2 permit may be issued only to applicants demonstrating to the department, by a statement signed under the penalty of perjury, that they meet the qualifications of Sections 67-1-5(l), (m), (n),



183 (o), (p) or (q), 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 and  
184 67-1-59. The department, following a preliminary review of the  
185 statement provided by the applicant and the requirements of the  
186 applicable statutes and regulations, may issue the permit.

187 Class 2 temporary permittees must purchase their alcoholic  
188 beverages directly from the department or, with approval of the  
189 department, purchase the remaining stock of the previous  
190 permittee. If the proposed applicant of a Class 1 or Class 2  
191 temporary permit falsifies information contained in the  
192 application or statement, the applicant shall never again be  
193 eligible for a retail alcohol beverage permit and shall be subject  
194 to prosecution for perjury.

195 Class 3. A temporary one-day permit may be issued to a  
196 retail establishment authorizing the complimentary distribution of  
197 wine, including native wine, to patrons of the retail  
198 establishment at an open house or promotional event, for  
199 consumption only on the premises described in the temporary  
200 permit. A Class 3 permit may be issued only to an applicant  
201 demonstrating to the department, by a statement signed under  
202 penalty of perjury submitted ten (10) days before the proposed  
203 date or such other time as the department may determine, that it  
204 meets the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2)  
205 and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59.  
206 A Class 3 permit holder shall obtain all alcoholic beverages from  
207 the holder(s) of a package retailer's permit located in the county





208 in which the temporary permit is issued. Wine remaining in stock  
209 upon expiration of the temporary permit may be returned by the  
210 Class 3 temporary permit holder to the package retailer for a  
211 refund of the purchase price, with consent of the package  
212 retailer, or may be kept by the Class 3 temporary permit holder  
213 exclusively for personal use and consumption, subject to all laws  
214 pertaining to the illegal sale and possession of alcoholic  
215 beverages. The department, following review of the statement  
216 provided by the applicant and the requirements of the applicable  
217 statutes and regulations, may issue the permit. No retailer may  
218 receive more than twelve (12) Class 3 temporary permits in a  
219 calendar year. A Class 3 temporary permit shall not be issued to  
220 a retail establishment that either holds a merchant permit issued  
221 under paragraph (1) of this subsection, or holds a permit issued  
222 under Chapter 3, Title 67, Mississippi Code of 1972, authorizing  
223 the holder to engage in the business of a retailer of light \* \* \*  
224 intoxicating beverages.

225 (g) **Caterer's permit.** A caterer's permit shall permit  
226 the purchase of alcoholic beverages by a person engaging in  
227 business as a caterer and the resale of alcoholic beverages by  
228 such person in conjunction with such catering business. No person  
229 shall qualify as a caterer unless forty percent (40%) or more of  
230 the revenue derived from such catering business shall be from the  
231 serving of prepared food and not from the sale of alcoholic  
232 beverages and unless such person has obtained a permit for such



233 business from the Department of Health. A caterer's permit shall  
234 not authorize the sale of alcoholic beverages on the premises of  
235 the person engaging in business as a caterer; however, the holder  
236 of an on-premises retailer's permit may hold a caterer's permit.  
237 When the holder of an on-premises retailer's permit or an  
238 affiliated entity of the holder also holds a caterer's permit, the  
239 caterer's permit shall not authorize the service of alcoholic  
240 beverages on a consistent, recurring basis at a separate, fixed  
241 location owned or operated by the caterer, on-premises retailer or  
242 affiliated entity and an on-premises retailer's permit shall be  
243 required for the separate location. All sales of alcoholic  
244 beverages by holders of a caterer's permit shall be made at the  
245 location being catered by the caterer, and, except as otherwise  
246 provided in subsection (5) of this section, such sales may be made  
247 only for consumption at the catered location. The location being  
248 catered may be anywhere within a county or judicial district that  
249 has voted to come out from under the dry laws or in which the sale  
250 and distribution of alcoholic beverages is otherwise authorized by  
251 law. Such sales shall be made pursuant to any other conditions  
252 and restrictions which apply to sales made by on-premises retail  
253 permittees. The holder of a caterer's permit or his employees  
254 shall remain at the catered location as long as alcoholic  
255 beverages are being sold pursuant to the permit issued under this  
256 paragraph (g), and the permittee shall have at the location the  
257 identification card issued by the \* \* \* division \* \* \*. No unsold



alcoholic beverages may be left at the catered location by the  
permittee upon the conclusion of his business at that location.  
Appropriate law enforcement officers and \* \* \* division personnel  
may enter a catered location on private property in order to  
enforce laws governing the sale or serving of alcoholic beverages.

(h) **Research permit.** A research permit shall authorize  
the holder thereof to operate a research facility for the  
professional research of alcoholic beverages. Such permit shall  
authorize the holder of the permit to import and purchase limited  
amounts of alcoholic beverages from the department or from  
importers, wineries and distillers of alcoholic beverages for  
professional research.

(i) **Alcohol processing permit.** An alcohol processing  
permit shall authorize the holder thereof to purchase, transport  
and possess alcoholic beverages for the exclusive use in cooking,  
processing or manufacturing products which contain alcoholic  
beverages as an integral ingredient. An alcohol processing permit  
shall not authorize the sale of alcoholic beverages on the  
premises of the person engaging in the business of cooking,  
processing or manufacturing products which contain alcoholic  
beverages. The amounts of alcoholic beverages allowed under an  
alcohol processing permit shall be set by the department.

(j) **Hospitality cart permit.** A hospitality cart permit  
shall authorize the sale of alcoholic beverages from a mobile cart  
on a golf course that is the holder of an on-premises retailer's



283 permit. The alcoholic beverages sold from the cart must be  
284 consumed within the boundaries of the golf course.

285 (k) **Special service permit.** A special service permit  
286 shall authorize the holder to sell commercially sealed alcoholic  
287 beverages to the operator of a commercial or private aircraft for  
288 en route consumption only by passengers. A special service permit  
289 shall be issued only to a fixed-base operator who contracts with  
290 an airport facility to provide fueling and other associated  
291 services to commercial and private aircraft.

292 (l) **Merchant permit.** Except as otherwise provided in  
293 subsection (5) of this section, a merchant permit shall be issued  
294 only to the owner of a spa facility, an art studio or gallery, or  
295 a cooking school, and shall authorize the holder to serve  
296 complimentary by the glass wine only, including native wine, at  
297 the holder's spa facility, art studio or gallery, or cooking  
298 school. A merchant permit holder shall obtain all wine from the  
299 holder of a package retailer's permit.

300 (m) **Temporary alcoholic beverages charitable auction**  
301 **permit.** A temporary permit, not to exceed five (5) days, may be  
302 issued to a qualifying charitable nonprofit organization that is  
303 exempt from taxation under Section 501(c)(3) or (4) of the  
304 Internal Revenue Code of 1986. The permit shall authorize the  
305 holder to sell alcoholic beverages for the limited purpose of  
306 raising funds for the organization during a live or silent auction  
307 that is conducted by the organization and that meets the following



requirements: (i) the auction is conducted in an area of the state where the sale of alcoholic beverages is authorized; (ii) if the auction is conducted on the premises of an on-premises retailer's permit holder, then the alcoholic beverages to be auctioned must be stored separately from the alcoholic beverages sold, stored or served on the premises, must be removed from the premises immediately following the auction, and may not be consumed on the premises; (iii) the permit holder may not conduct more than two (2) auctions during a calendar year; (iv) the permit holder may not pay a commission or promotional fee to any person to arrange or conduct the auction.

(n) **Event venue retailer's permit.** An event venue retailer's permit shall authorize the holder thereof to purchase and resell alcoholic beverages, including native wines \* \* \*,  
native spirits, and craft spirits, for consumption on the premises during legal hours during events held on the licensed premises if food is being served at the event by a caterer who is not affiliated with or related to the permittee. The caterer must serve at least three (3) entrees. The permit may only be issued for venues that can accommodate two hundred (200) persons or more. The number of persons a venue may accommodate shall be determined by the local fire department and such determination shall be provided in writing and submitted along with all other documents required to be provided for an on-premises retailer's permit. The permittee must derive the majority of its revenue from



event-related fees, including, but not limited to, admission fees or ticket sales for live entertainment in the building. "Event-related fees" do not include \* \* \* alcoholic beverage or light intoxicating beverage sales or any fee which may be construed to cover the cost of \* \* \* alcoholic beverages or light intoxicating beverages. This determination shall be made on a per event basis. An event may not last longer than two (2) consecutive days per week.

(o) **Temporary theatre permit.** A temporary theatre permit, not to exceed five (5) days, may be issued to a charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code and owns or operates a theatre facility that features plays and other theatrical performances and productions. Except as otherwise provided in subsection (5) of this section, the permit shall authorize the holder to sell alcoholic beverages, including native wines \* \* \*, native spirits, and craft spirits, to patrons of the theatre during performances and productions at the theatre facility for consumption during such performances and productions on the premises of the facility described in the permit. A temporary theatre permit holder shall obtain all alcoholic beverages from package retailers located in the county in which the permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary theatre permit may be returned by the permittee to the package retailer for a refund of the purchase price upon



consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages.

(p) **Charter ship operator's permit.** Subject to the provisions of this paragraph (p), a charter ship operator's permit shall authorize the holder thereof and its employees to serve, monitor, store and otherwise control the serving and availability of alcoholic beverages to customers of the permit holder during private charters under contract provided by the permit holder. A charter ship operator's permit shall authorize such action by the permit holder and its employees only as to alcoholic beverages brought onto the permit holder's ship by customers of the permit holder as part of such a private charter. All such alcoholic beverages must be removed from the charter ship at the conclusion of each private charter. A charter ship operator's permit shall not authorize the permit holder to sell, charge for or otherwise supply alcoholic beverages to customers, except as authorized in this paragraph (p). For the purposes of this paragraph (p), "charter ship operator" means a common carrier that (i) is certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers, (ii) operates only in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of



Mississippi, and (iii) provides charters under contract for tours and trips in such waters.

(q) **Distillery retailer's permit.** The holder of a Class 1 manufacturer's permit may obtain a distillery retailer's permit. A distillery retailer's permit shall authorize the holder thereof to sell at retail alcoholic beverages to consumers for on-premises consumption, or to consumers by the sealed and unopened bottle from a retail location at the distillery for off-premises consumption. The holder may only sell product manufactured by the manufacturer at the distillery described in the permit. However, when selling to consumers for on-premises consumption, a holder of a distillery retailer's permit may add other beverages, alcoholic or not, so long as the total volume of other beverage components containing alcohol does not exceed twenty percent (20%). Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the distillery retailer is located.

The holder shall not sell at retail more than ten percent (10%) of the alcoholic beverages produced annually at its distillery. The holder shall not make retail sales of more than two and twenty-five one-hundredths (2.25) liters, in the aggregate, of the alcoholic beverages produced at its distillery to any one (1) individual for consumption off the premises of the distillery within a twenty-four-hour period. The hours of sale shall be the same as those hours for package retailers under this





408 article. The holder of a distillery retailer's permit is not  
409 required to purchase the alcoholic beverages authorized to be sold  
410 by this paragraph from the department's liquor distribution  
411 warehouse; however, if the holder does not purchase the alcoholic  
412 beverages from the department's liquor distribution warehouse, the  
413 holder shall pay to the department all taxes, fees and surcharges  
414 on the alcoholic beverages that are imposed upon the sale of  
415 alcoholic beverages shipped by the department or its warehouse  
416 operator. In addition to alcoholic beverages, the holder of a  
417 distillery retailer's permit may sell at retail promotional  
418 products from the same retail location, including shirts, hats,  
419 glasses, and other promotional products customarily sold by  
420 alcoholic beverage manufacturers.

421 (r) **Festival \* \* \* Permit.** Any wine  
422 manufacturer \* \* \*, native wine producer, native spirit producer,  
423 craft spirit producer, or distilled spirit manufacturer permitted  
424 by Mississippi or any other state is eligible to obtain a  
425 Festival \* \* \* Permit. This permit authorizes the entity to  
426 transport product manufactured by it to festivals held within the  
427 State of Mississippi and sell sealed, unopened bottles to festival  
428 participants. The holder of this permit may provide samples at no  
429 charge to participants. "Festival" means any event at which three  
430 (3) or more vendors are present at a location for the sale or  
431 distribution of goods. The holder of a Festival \* \* \* Permit is  
432 not required to purchase the alcoholic beverages authorized to be



433 sold by this paragraph from the department's liquor distribution  
434 warehouse. However, if the holder does not purchase the alcoholic  
435 beverages from the department's liquor distribution warehouse, the  
436 holder of this permit shall pay to the department all taxes, fees  
437 and surcharges on the alcoholic beverages sold at such festivals  
438 that are imposed upon the sale of alcoholic beverages shipped by  
439 the \* \* \* division \* \* \*. Additionally, the entity shall file all  
440 applicable reports and returns as prescribed by the department.  
441 This permit is issued per festival and provides authority to sell  
442 for \* \* \* three (3) consecutive days during the hours authorized  
443 for on-premises permittees' sales in that county or city. The  
444 holder of the permit shall be required to maintain all  
445 requirements set by Local Option Law for the service and sale of  
446 alcoholic beverages. This permit may be issued to entities  
447 participating in festivals at which a Class 1 temporary permit is  
448 in effect.

449       This paragraph (r) shall stand repealed from and after July  
450 1, 2026.

451       (s) **Charter vessel operator's permit.** Subject to the  
452 provisions of this paragraph (s), a charter vessel operator's  
453 permit shall authorize the holder thereof and its employees to  
454 sell and serve alcoholic beverages to passengers of the permit  
455 holder during public tours, historical tours, ecological tours and  
456 sunset cruises provided by the permit holder. The permit shall  
457 authorize the holder to only sell alcoholic beverages, including



native wines, to passengers of the charter vessel operator during public tours, historical tours, ecological tours and sunset cruises provided by the permit holder aboard the charter vessel operator for consumption during such tours and cruises on the premises of the charter vessel operator described in the permit. For the purposes of this paragraph (s), "charter vessel operator" means a common carrier that (i) is certified to carry at least forty-nine (49) passengers, (ii) operates only in the waters within the State of Mississippi, which lie south of Interstate 10 in the three (3) most southern counties in the State of Mississippi, and lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, extending not further than one (1) mile south of such counties, and (iii) provides vessel services for tours and cruises in such waters as provided in this paragraph(s).

(t) **Native spirit retailer's permit.** Except as otherwise provided in subsection (5) of this section, a native spirit retailer's permit shall be issued only to a holder of a Class 4 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native spirits to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of \* \* \* the \* \* \* distillery, or at any tasting room location or locations within five (5) miles of the native distillery. Further, every native distillery is authorized to have one (1)



483 permanent satellite tasting room sales location in any other  
484 location in the state that otherwise allows the sale of alcoholic  
485 beverages. When selling to consumers for on-premises consumption,  
486 a holder of a native spirit retailer's permit may \* \* \* sell  
487 alcoholic beverages produced by other suppliers. Hours of sale  
488 shall be the same as those authorized for on-premises permittees  
489 in the city or county in which the native spirit retailer is  
490 located.

491 (u) **Delivery service permit.** Any individual, limited  
492 liability company, corporation or partnership registered to do  
493 business in this state is eligible to obtain a delivery service  
494 permit. Subject to the provisions of Section 67-1-51.1, this  
495 permit authorizes the permittee, or its employee or an independent  
496 contractor acting on its behalf, to deliver alcoholic  
497 beverages \* \* \* and light intoxicating beverages from a licensed  
498 retailer to a person in this state who is at least twenty-one (21)  
499 years of age for the individual's use and not for resale. This  
500 permit does not authorize the delivery of alcoholic  
501 beverages \* \* \* or light intoxicating beverages to the premises of  
502 a location with a permit for the manufacture, distribution or  
503 retail sale of alcoholic beverages \* \* \* or light intoxicating  
504 beverages. The holder of a package retailer's permit or an  
505 on-premises retailer's permit under Section 67-1-51 or of a \* \* \*  
506 light intoxicating beverage permit under Section 67-3-19 is



authorized to apply for a delivery service permit as a privilege separate from its existing retail permit.

(v) **Food truck permit.** A food truck permit shall authorize the holder of an on-premises retailer's permit to use a food truck to sell alcoholic beverages off its premises to guests who must consume the beverages in open containers. For the purposes of this paragraph (v), "food truck" means a fully encased food service establishment on a motor vehicle or on a trailer that a motor vehicle pulls to transport, and from which a vendor, standing within the frame of the establishment, prepares, cooks, sells and serves food for immediate human consumption. The term "food truck" does not include a food cart that is not motorized. Food trucks shall maintain such distance requirements from schools, churches, kindergartens and funeral homes as are required for on-premises retailer's permittees under this article, and all sales must be made within a valid leisure and recreation district established under Section 67-1-101. Food trucks cannot sell or serve alcoholic beverages unless also offering food prepared and cooked within the food truck, and permittees must maintain a twenty-five percent (25%) food sale revenue requirement based on the food sold from the food truck alone. The hours allowed for sale shall be the same as those for on-premises retailer's permittees in the location. This permit will not be required for the holder of a caterer's permit issued under this article to cater an event as allowed by law. Permittees must provide notice



of not less than forty-eight (48) hours to the department of each location at which alcoholic beverages will be sold.

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

(x) **Direct wine shipper's permit.** A direct wine shipper's permit shall authorize the holder to sell and ship a limited amount of wine directly to residents in this state in accordance with the provisions of Sections 1 through 9 of Senate Bill No. 2145, 2025 Regular Session, without being required to



transact the sale and shipment of those wines through the  
division.

(y) \* \* \* **Craft spirit retailer's permit.** Except as  
otherwise provided in subsection (5) of this section, a craft  
spirit retailer's permit shall be issued only to a holder of a  
Class 5 manufacturer's permit, and shall authorize the holder  
thereof to make retail sales of craft spirits to consumers for  
on-premises consumption or to consumers in originally sealed and  
unopened containers at an establishment located on the premises of  
the distillery or at any tasting room location or locations within  
five (5) miles of the craft distillery. Further, every craft  
distillery is authorized to have one permanent satellite tasting  
room sales location in any other location in the state that  
otherwise allows the sale of alcoholic beverages. When selling to  
consumers for on-premises consumption, a holder of a craft spirit  
retailer's permit may sell alcoholic beverages produced by other  
suppliers. Hours of sale shall be the same as those authorized  
for on-premises permittees in the city or county in which the  
craft spirit retailer is located.

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

(3) (a) Except as otherwise provided in this subsection, no  
authority shall be granted to any person to manufacture, sell or  
store for sale any intoxicating liquor as specified in this



581 article within four hundred (400) feet of any church, school  
582 (excluding any community college, junior college, college or  
583 university), kindergarten or funeral home. However, within an  
584 area zoned commercial or business, such minimum distance shall be  
585 not less than one hundred (100) feet.

586 (b) A church or funeral home may waive the distance  
587 restrictions imposed in this subsection in favor of allowing  
588 issuance by the department of a permit, pursuant to subsection (1)  
589 of this section, to authorize activity relating to the  
590 manufacturing, sale or storage of alcoholic beverages which would  
591 otherwise be prohibited under the minimum distance criterion.  
592 Such waiver shall be in written form from the owner, the governing  
593 body, or the appropriate officer of the church or funeral home  
594 having the authority to execute such a waiver, and the waiver  
595 shall be filed with and verified by the department before becoming  
596 effective.

597 (c) The distance restrictions imposed in this  
598 subsection shall not apply to the sale or storage of alcoholic  
599 beverages at a bed and breakfast inn listed in the National  
600 Register of Historic Places or to the sale or storage of alcoholic  
601 beverages in a historic district that is listed in the National  
602 Register of Historic Places, is a qualified resort area and is  
603 located (i) in a municipality having a population greater than one  
604 hundred thousand (100,000) according to the latest federal





decennial census, or (ii) in a municipality in which Mississippi  
Highways 1 and 8 intersect.

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

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

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

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

(h) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic



630 beverages at a theatre facility that features plays and other  
631 theatrical performances and productions and (i) is capable of  
632 seating more than seven hundred fifty (750) people, (ii) is owned  
633 by a municipality which has a population greater than ten thousand  
634 (10,000) according to the latest federal decennial census, (iii)  
635 was constructed prior to 1930, (iv) is on the National Register of  
636 Historic Places, and (v) is located in a historic district.

637           (i) The distance restrictions imposed in this  
638 subsection shall not apply to the sale or storage of alcoholic  
639 beverages at a licensed premises in a building located  
640 approximately one and six-tenths (1.6) miles north of the  
641 intersection of Mississippi Highway 15 and Mississippi Highway 4  
642 on the west side of Mississippi Highway 15.

643           (4) No person, either individually or as a member of a firm,  
644 partnership, limited liability company or association, or as a  
645 stockholder, officer or director in a corporation, shall own or  
646 control any interest in more than one (1) package retailer's  
647 permit, nor shall such person's spouse, if living in the same  
648 household of such person, any relative of such person, if living  
649 in the same household of such person, or any other person living  
650 in the same household with such person own any interest in any  
651 other package retailer's permit; however, in the case of a person  
652 holding a package retailer's permit issued before July 1, 2024,  
653 such a person may own one (1) additional package retailer's permit  
654 if the additional permit is issued for a premises with a minimum



capital investment of Twenty Million Dollars (\$20,000,000.00) that is part of a major retail development project and located in one (1) of the three (3) most southern counties in the State of Mississippi, and not within one hundred (100) miles of another location in the State of Mississippi, for which the permittee holds such a permit.

(5) (a) In addition to any other authority granted under this section, the holder of a permit issued under subsection (1)(c), (e), (f), (g), (l), (n) \* \* \*, (o), (q), (t) and (x) of this section may sell or otherwise provide alcoholic beverages and/or wine to a patron of the permit holder in the manner authorized in the permit and the patron may remove an open glass, cup or other container of the alcoholic beverage and/or wine from the licensed premises and may possess and consume the alcoholic beverage or wine outside of the licensed premises if: (i) the licensed premises is located within a leisure and recreation district created under Section 67-1-101 and (ii) the patron remains within the boundaries of the leisure and recreation district while in possession of the alcoholic beverage or wine.

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

(c) Where a permit is issued under subsection (1)(c) to an establishment located in a resort area created by Section



67-1-5(o)(iii)(18), persons in the permitted premises are allowed to bring alcoholic beverages into the permitted premises and to possess, store and consume those alcoholic beverages in the permitted premises.

**SECTION 2.** Section 1, Senate Bill No. 2145, 2025 Regular Session, is amended as follows:

Section 1. As used in Sections 1 through 9 of this act, the following words shall have the meanings as defined in this section unless the context otherwise requires:

(a) "Common carrier" means a person that holds itself out to the general public as engaged in the business of transporting goods for a fee and is engaged in the business of transporting and delivering alcoholic beverages from a direct wine shipper directly to a consumer or fulfillment provider, or from a fulfillment provider to a consumer, in this state.

(b) "Department" means the Department of Revenue.

(c) "Direct wine shipper" means a wine manufacturer or a fulfillment provider that holds a direct wine shipper's permit under Section 67-1-51 and meets the requirements of Sections 1 through 9 of this act.

(d) "Fulfillment provider" means \* \* \* a person or entity acting on behalf of a direct wine shipper to ship wine to a consumer and arranges for transport of wine to the consumer by a common carrier.



(e) "Wine" means any product obtained from the alcoholic fermentation of the juice of sound, ripe grapes, fruits or berries, made in accordance with the revenue laws of the United States, and containing more than five percent (5%) of alcohol by weight.

In addition, the definitions in Section 67-1-5 shall apply to the terms used in Sections 1 through 9 of this act, unless the context requires otherwise.

**SECTION 3.** Section 9, Senate Bill No. 2145, 2025 Regular Session, is amended as follows:

Section 9. (1) Any person who makes, participates in, transports, imports or receives a sale or shipment of wine in violation of Sections 1 through 9 of this act \* \* \* shall be subject to a civil penalty not exceeding One Thousand Dollars (\$1,000.00) \* \* \*. Each sale or shipment in violation of Sections 1 through 9 of this act shall constitute a separate offense subject to the civil penalty.

(2) If any holder of a direct wine shipper's permit violates any provision of Sections 1 through 9 of this act, the department may suspend or revoke the permit and impose civil penalties as authorized under Section 67-1-1 et seq.

(3) Notwithstanding subsection (1) of this section, a consumer who receives a direct shipment of wine in compliance with the conditions in Sections 1 through 9 of this act, and who is of legal age as specified in Section 7 of this act, shall not be



729 subject to penalties under this section for merely receiving such  
730 a shipment. This exemption applies if the consumer reasonably  
731 believes the shipment is in accordance with the permits and  
732 regulatory requirements established by the state.

733 **SECTION 4.** This act shall take effect and be in force from  
734 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 67-1-51, MISSISSIPPI CODE OF 1972, AS  
2 AMENDED BY SENATE BILL NO. 2145, 2025 REGULAR SESSION, AS AMENDED  
3 BY HOUSE BILL NO. 1284, 2025 REGULAR SESSION, AS AMENDED BY HOUSE  
4 BILL NO. 1502, 2025 REGULAR SESSION, TO PROVIDE THAT, WHERE AN  
5 ON-PREMISES RETAILER'S PERMIT IS ISSUED TO AN ESTABLISHMENT  
6 LOCATED IN A QUALIFIED RESORT AREA CREATED BY SECTION  
7 67-1-5(O)(III)(18), PERSONS IN THE PERMITTED PREMISES ARE ALLOWED  
8 TO BRING ALCOHOLIC BEVERAGES INTO THE PERMITTED PREMISES AND TO  
9 POSSESS, STORE AND CONSUME THOSE ALCOHOLIC BEVERAGES IN THE  
10 PERMITTED PREMISES; TO REMOVE THE WINE FULFILLMENT PROVIDER'S  
11 PERMIT AUTHORIZED UNDER SENATE BILL NO. 2145, 2025 REGULAR  
12 SESSION; TO AMEND SECTION 1, SENATE BILL NO. 2145, 2025 REGULAR  
13 SESSION, TO CONFORM, AND TO PROVIDE FOR THE OBTAINING OF A DIRECT  
14 WINE SHIPPER'S PERMIT BY A FULFILLMENT PROVIDER; TO AMEND SECTION  
15 9, SENATE BILL NO. 2145, 2025 REGULAR SESSION, TO CHANGE THE  
16 PENALTY FOR VIOLATION OF THE DIRECT WINE SHIPMENT LAW FROM A  
17 MISDEMEANOR CRIMINAL PENALTY TO A CIVIL PENALTY; AND FOR RELATED  
18 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

X (SIGNED)  
Bryant W. Clark

X (SIGNED)  
Kevin Ford

