MISSISSIPPI LEGISLATURE REGULAR SESSION 2021

By: Representative Anderson (110th) To: Ways and Means

HOUSE BILL NO. 452

AN ACT TO AMEND SECTION 67-1-83, MISSISSIPPI CODE OF 1972, TO ALLOW HOLDERS OF PACKAGE RETAILER'S PERMITS UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW TO SELL ALCOHOL BEVERAGES ON SUNDAY; AND FOR RELATED PURPOSES.

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

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

67-1-83. (1) It shall be unlawful for any permittee or other person to sell or furnish any alcoholic beverage to any person who is visibly intoxicated, or to any person who is known to habitually drink alcoholic beverages to excess, or to any person who is known to be an habitual user of narcotics or other habit-forming drugs. It shall also be unlawful for the holder of any package retailer's permit to sell any alcoholic beverages except by delivery in person to the purchaser at the place of business of the permittee.

(2) It shall be unlawful for any permittee or other person to sell or furnish any alcoholic beverage to any person to whom the *** * *** <u>department</u> has, after investigation, decided to prohibit

the sale of those beverages because of an appeal to the * * * department so to do by the husband, wife, father, mother, brother, sister, child, or employer of the person. The interdiction in those cases shall last until removed by the * * * department, but no person shall be held to have violated this subsection unless he has been informed by the * * * department, by registered letter, that it is forbidden to sell to that individual or unless that fact is otherwise known to the permittee or other person.

(3) It shall be unlawful for any holder of a package retailer's permit, or any employee or agent thereof, engaged solely in the business of package retail sales under this chapter to sell or furnish any alcoholic beverage before 10:00 a.m. and after 10:00 p.m., to sell or furnish any alcoholic beverage before 12:00 noon and after 10:00 p.m. on Sunday or to sell alcoholic beverages on * * * Christmas Day.

(4) Any person who violates any of the provisions of this section shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than Five Hundred Dollars ($500.00) or by imprisonment in the county jail for a term of not more than six (6) months, or by both that fine and imprisonment, in the discretion of the court. In addition, the * * * department shall immediately revoke the permit of any permittee who violates the provisions of this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.