

SB 2803 -- Redline

As Passed the upper to Current version -- Local Option Alcoholic Beverage Control Law; revise definition of "qualified resort area."

Deletions ~~struck~~ · Insertions underlined

Finance ~~COMMITTEE SUBSTITUTE FOR~~ SENATE BILL NO.

2803 ~~(As Sent to Governor)~~ AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, ~~TO AS REVISE~~ AMENDED ~~THE BY DEFINITION~~ SENATE OF BILL ~~THE NO.~~ TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW;

2457, 2024 REGULAR SESSION, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW;

TO AUTHORIZE THE GOVERNING AUTHORITIES OF CERTAIN MUNICIPALITIES THAT ARE DESIGNATED AS QUALIFIED RESORT AREAS UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW TO SPECIFY THE HOURS OF OPERATION OF FACILITIES OFFERING ALCOHOLIC BEVERAGES FOR SALE, TO SPECIFY THE PERCENTAGE OF REVENUE THAT FACILITIES OFFERING ALCOHOLIC BEVERAGES FOR SALE MUST DERIVE FROM THE PREPARATION, COOKING AND SERVING OF MEALS AND NOT FROM THE SALE OF BEVERAGES, AND TO DESIGNATE THE AREAS IN WHICH FACILITIES OFFERING ALCOHOLIC BEVERAGES FOR SALE MAY BE LOCATED;

TO AMEND SECTION 67-1-7, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO.

776, 2024 REGULAR SESSION, TO AUTHORIZE THE GOVERNING AUTHORITIES FOR CERTAIN QUALIFIED RESORT AREAS TO PROVIDE, BY ORDINANCE, THAT PACKAGE RETAILER'S PERMITS MAY BE ISSUED IN THE APPLICABLE QUALIFIED RESORT AREAS AND THAT ALCOHOLIC BEVERAGES MAY BE RECEIVED, STORED, SOLD, POSSESSED AND DISTRIBUTED IN ACCORDANCE WITH SUCH PERMITS;

Section 67-1-5, Mississippi Code of 1972, ~~is as~~ amended ~~as by follows:~~ Senate Bill No.

2457, 2024 Regular Session, is amended as follows:

~~(a) "Alcoholic beverage" means any alcoholic liquid, including wines of more than five percent (5%) of alcohol by weight, capable of being consumed as a beverage by a human being, but shall not include light wine, light spirit product and beer, as defined in Section 67-3-3, Mississippi Code of 1972, but shall include native wines and native spirits.~~

~~The words "alcoholic beverage" shall not include ethyl alcohol manufactured or distilled solely for fuel purposes or beer of an alcoholic content of more than eight percent (8%) by weight if the beer is legally manufactured in this state for sale in another state.~~

2803 ~~*SS26/R1084CS*~~ SS26/R1084SG* ~ OFFICIAL ~ G1/2 ~~24/SS26/R1084CS~~ 24/SS26/R1084SG PAGE 1 ~~(b)~~ (a) ~~"Alcohol"~~ "Alcoholic beverage" means ~~the any product~~ any alcoholic liquid, including wines of distillation more than five percent (5%) of any alcohol fermented by liquid weight, whatever capable the of origin being thereof, consumed and as includes a synthetic beverage ethyl by alcohol, a human being, but does shall not include denatured light alcohol wine, or light wood spirit alcohol, product and beer, as defined in Section 67-3-3, Mississippi Code of 1972, but shall include native wines and native spirits.

The words "alcoholic beverage" shall not include ethyl alcohol manufactured or distilled solely for fuel purposes or beer of an alcoholic content of more than eight percent (8%) by weight if the beer is legally manufactured in this state for sale in another state.

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

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

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

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

2803 ~~*SS26/R1084CS*~~ SS26/R1084SG* ~ OFFICIAL ~ ~~24/SS26/R1084CS~~ 24/SS26/R1084SG PAGE 2 ~~(i)~~ (f) ~~"State Tax Commission," "commission" or "department"~~ means ~~the any Department person of engaged Revenue of the State of Mississippi, which shall create a division in its manufacturing, organization distilling, to rectifying, be blending known or as bottling the any Alcoholic alcoholic Beverage beverage. Control Division.~~

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

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

(i) "State Tax Commission," "commission" or "department" means the Department of Revenue of the State of

Mississippi, which shall create a division in its organization to be known as the Alcoholic Beverage Control Division.

(l) "Hotel" means an establishment within a municipality, or within a qualified resort area approved as such by the department, where, in consideration of payment, food and lodging are habitually furnished to travelers and wherein are ~~located~~S. at least twenty (20) adequately furnished and completely separate sleeping rooms with adequate facilities that persons usually apply for and receive as overnight accommodations.

~~Hotels in towns or cities of more than twenty-five thousand (25,000) population are similarly defined except that they must have fifty (50) or more sleeping rooms.~~

~~Any such establishment described in this paragraph with less than fifty (50) beds shall operate one or more regular dining rooms designed to be constantly frequented by customers each day.~~

~~When used in this article, the word "hotel" shall also be construed to include any establishment that meets S.~~

2803 *SS26/R1084CS*~OFFICIAL~ 24/SS26/R1084CS24/SS26/R1084SG PAGE 3 ~~the located definition of at least "bed and breakfast inn" as provided in this section.~~at least "bed and breakfast inn" as provided in this section.

Hotels in towns or cities of more than twenty-five thousand (25,000) population are similarly defined except that they must have fifty (50) or more sleeping rooms.

Any such establishment described in this paragraph with less than fifty (50) beds shall operate one or more regular dining rooms designed to be constantly frequented by customers each day.

When used in this article, the word "hotel" shall also be construed to include any establishment that meets the definition of "bed and breakfast inn" as provided in this section.

Except as otherwise provided in this paragraph, no place shall qualify as a restaurant under this article unless twenty-five percent (25%) or more of the revenue derived from such place shall be from the preparation, cooking and serving of meals and not from the sale of beverages, or unless the value of food given ~~S. to and consumed by customers is equal to twenty-five percent (25%) or more of total revenue;~~

~~or (ii) Any privately owned business located in a building in a historic district where the district is listed in the National Register of Historic Places, where the building has a total occupancy rating of not less than one thousand (1,000) and where the business regularly utilizes ten thousand (10,000) square feet or more in the building for live entertainment, including not only the stage, lobby or area where the audience sits and/or stands, but also any other portion of the building necessary for S.~~

2803 *SS26/R1084CS*~OFFICIAL~ 24/SS26/R1084CS24/SS26/R1084SG PAGE 4 ~~the given operation to of and the consumed business, by including customers any is kitchen equal area, to bar twenty-five area, percent storage (25%) area or and more office of space, total but revenue; excluding any area for parking.~~

or (ii) Any privately owned business located in a building in a historic district where the district is listed in the National Register of Historic Places, where the building has a total occupancy rating of not less than one thousand (1,000) and where the business regularly utilizes ten thousand (10,000) square feet or more in the building for live entertainment, including not only the stage, lobby or area where the audience sits and/or stands, but also any other portion of the building necessary for the operation of the business, including any kitchen area, bar area, storage area and office space, but excluding any area for parking.

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

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

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

~~(v) The affairs and management of which are conducted by a board of directors, board of governors, executive S.~~

2803 *SS26/R1084CS*~OFFICIAL~ 24/SS26/R1084CS24/SS26/R1084SG PAGE 5 ~~committee, (ii) or organized similar not governing primarily body for chosen pecuniary by profit but for the members promotion at of a some regular common meeting object held other at than some the periodic sale interval, or consumption of alcoholic beverages;~~

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

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

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

In order to qualify under this paragraph, a club must file with the department, at the time of its application for a license under this article, two (2) copies of a list of the names and residences of its members and similarly ~~file, S., within ten (10) days after the election of any additional member, his name and address.~~

~~Each club applying for a license shall also file with the department at the time of the application a copy of its articles of association, charter of incorporation, bylaws or other instruments governing the business and affairs thereof.~~

~~(o) "Qualified resort area" means any area or locality outside of the limits of incorporated municipalities in this state commonly known and accepted as a place which regularly and customarily attracts tourists, vacationists and other transients because of its historical, scenic or recreational facilities or S.~~

2803 ~~*SS26/R1084CS*~~*SS26/R1084SG* ~ OFFICIAL ~ ~~24/SS26/R1084CS~~24/SS26/R1084SG PAGE 6 ~~attractions, file, or within because ten of (10) other days attributes after which the regularly election and of customarily any appeal additional to member, and his attract name tourists, vacationists and other address. transients in substantial numbers;~~

Each club applying for a license shall also file with the department at the time of the application a copy of its articles of association, charter of incorporation, bylaws or other instruments governing the business and affairs thereof.

(o) "Qualified resort area" means any area or locality outside of the limits of incorporated municipalities in this state commonly known and accepted as a place which regularly and customarily attracts tourists, vacationists and other transients because of its historical, scenic or recreational facilities or attractions, or because of other attributes which regularly and customarily appeal to and attract tourists, vacationists and other transients in substantial numbers;

Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the convent or monastery having the authority to execute such a waiver, and the ~~waiver S., shall be filed with and verified by the department before becoming effective.~~

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

~~(ii) The term includes any state park which is declared a resort area by the department; however, such S.~~

2803 ~~*SS26/R1084CS*~~*SS26/R1084SG* ~ OFFICIAL ~ ~~24/SS26/R1084CS~~24/SS26/R1084SG PAGE 7 ~~declaration waiver may shall only be initiated filed in with a and written verified request by for resort area status made to the department by before the becoming Executive effective. Director of the Department of Wildlife, Fisheries and Parks, and no permit for the sale of any alcoholic beverage, as defined in this article, except an on-premises retailer's permit, shall be issued for a hotel, restaurant or bed and breakfast inn in such park.~~

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

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

The clubhouse and associated golf course, tennis courts and related facilities and swimming pool and related facilities where the golf course, tennis courts and related ~~facilities S. and swimming pool and related facilities~~ are adjacent to one or more planned residential developments and the golf course and all such developments collectively include at least seven hundred fifty (750) acres and at least four hundred (400) residential units;

~~3-~~

~~Any facility located on property that is a game reserve with restricted access that consists of at least 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;~~

~~S.~~

2803 ~~*SS26/R1084CS*~~*SS26/R1084SG* ~ OFFICIAL ~ ~~24/SS26/R1084CS~~24/SS26/R1084SG PAGE 8 ~~4-facilities and swimming pool and related facilities are adjacent to one or more planned residential developments and the golf course and all such developments collectively include at least seven hundred fifty (750) acres~~

and at least four hundred (400) residential units;

3.

Any facility located on property that is a game reserve with restricted access that consists of at least 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 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 S. a population in excess of forty-five thousand (45,000) according to the latest federal decennial census;~~

B.

No.

2803 *SS26/R1084SG* ~ OFFICIAL ~ 24/SS26/R1084SG PAGE 9 with a population in excess of forty-five thousand (45,000) according to the latest federal decennial census;

Owned by the Pearl River Valley Water Supply District, and/or ~~S.~~B.

~~B.~~

~~No.~~

~~2803 *SS26/R1084CS* ~ OFFICIAL ~ 24/SS26/R1084CS PAGE 9 B.~~

Specify the percentage of revenue that facilities that offer alcoholic beverages for sale ~~must S. derive from the preparation, cooking and serving of meals and not from the sale of beverages, and C.~~ Derive from the preparation, cooking and serving of meals and not from the sale of beverages, and C.

~~9.~~

~~Any facility located on property that is a game reserve with restricted access that consists of at least eight hundred (800) contiguous acres with no public roads, that offers as a service hunts for a fee to overnight guests of the S.~~

2803 ~~*SS26/R1084CS*~~*SS26/R1084SG* ~ OFFICIAL ~ ~~24/SS26/R1084CS~~24/SS26/R1084SG PAGE 10 ~~facility, must derive from the preparation, cooking and has serving accommodations of for meals at and least not fifty from (50) the overnight sale guests; of beverages, and C.~~

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

9.

Any facility located on property that is a game reserve with restricted access that consists of at least 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;

~~a.~~S.

~~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 S.~~

2803 ~~*SS26/R1084CS*~~*SS26/R1084SG* ~ OFFICIAL ~ ~~24/SS26/R1084CS~~24/SS26/R1084SG PAGE 11 ~~c.~~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.

outside of but in close proximity to a municipality in such county S. which has voted under Section 67-1-14, after January 1, 2013, to come out from under the dry law;

B.

No.

2803 *SS26/R1084SG* ~ OFFICIAL ~ 24/SS26/R1084SG PAGE 12 county which has voted under Section 67-1-14, after January 1, 2013, to come out from under the dry law;

Land that is planned for mixed-use development and consists of at least two hundred (200) contiguous S. acres with one or more planned residential developments collectively planned to include at least two hundred (200) residential units when completed, and also including a facility that consists of at least four thousand (4,000) square feet that is not part of such land but is located adjacent to or in close proximity thereto, and which land is located:

~~B.~~

~~No.~~

~~2803 *SS26/R1084CS* ~ OFFICIAL ~ 24/SS26/R1084CS PAGE 12 acres with one or more planned residential developments collectively planned to include at least two hundred (200) residential units when completed, and also including a facility that consists of at least four thousand (4,000) square feet~~

~~that is not part of such land but is located adjacent to or in close proximity thereto, and which land is located:~~

~~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 in which facilities that offer alcoholic beverages for sale may be located;~~

2803 ~~*SS26/R1084CS*~~*SS26/R1084SG* ~ OFFICIAL ~ ~~24/SS26/R1084CS~~24/SS26/R1084SG PAGE 13 ~~16.~~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 in which facilities that offer alcoholic beverages for sale may be located;
16.

Land that is owned by a state institution of higher learning, ~~and~~ land that is owned by an entity that is bound by an affiliation agreement with a state institution of higher learning, or land that is owned by one or more other entities so long as such other entities are solely owned, either directly or S.

~~a.~~

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

~~Adjacent to but outside the incorporated limits of a municipality that has elected by majority vote to permit the sale, receipt, storage and transportation of light wine and beer pursuant to Section 67-3-9. If any portion of the land described in this item 18 has been declared a qualified resort area by the department before July 1, S.~~

2803 ~~*SS26/R1084CS*~~*SS26/R1084SG* ~ OFFICIAL ~ ~~24/SS26/R1084CS~~24/SS26/R1084SG PAGE 14 ~~2020, through the additional that entities, qualified by resort an area institution shall of be higher incorporated learning into and/or the one qualified or resort more area entities created bound by this affiliation item agreements 18, with such institution, and:~~

a.

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

and b.

A.

Located adjacent to but outside the incorporated limits of a municipality that has elected by majority vote to permit the sale, receipt, storage and transportation of light wine and beer pursuant to Section 67-3-9;

or B.

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

Highway 82.

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

~~a-S.~~

B.

No.

2803 *SS26/R1084SG* ~ OFFICIAL ~ 24/SS26/R1084SG PAGE 15 a.

Highway 82 intersects with Mississippi S. Highway 9 and located in a county that is partially bordered on one (1) side by the Big Black River;

S.

2803 ~~*SS26/R1084CS*~~*SS26/R1084SG* ~ OFFICIAL ~ ~~24/SS26/R1084CS~~24/SS26/R1084SG PAGE ~~15~~16 ~~Highway 22.-9 and located in a county that is partially bordered on one (1) side by the Big Black River;~~
~~22.~~

27.

A municipality in which U.S.

Highway 82 and Old Highway 61 intersect;

2803 ~~*SS26/R1084CS*~~*SS26/R1084SG* ~ OFFICIAL ~ ~~24/SS26/R1084CS~~24/SS26/R1084SG PAGE ~~1617~~ 27-28.

~~A municipality in which U.S.~~

~~Highway 82 and Old Highway 61 intersect;~~

~~28.~~

Is situated on a tract of land consisting of approximately one and one-tenth (1.10) acres, and the adjacent property to the west consisting of approximately 0.5 ~~S.~~acres, located in a municipality which is the seat of county government, situated south of Interstate 10, traversed by U.S.

S.

2803 ~~*SS26/R1084CS*~~*SS26/R1084SG* ~ OFFICIAL ~ ~~24/SS26/R1084CS~~24/SS26/R1084SG PAGE ~~1718~~ acres, Highway located 90, in partially a bordered municipality on which one is (1) side by the seat Pascagoula of River county and government, having situated its southmost southern boundary bordered by the Gulf of Interstate Mexico, 10, with traversed a by population U.S. greater than twenty-two thousand (22,000) according to the 2010 federal decennial census;

~~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;~~

ALSO, S.

2803 ~~*SS26/R1084CS*~~*SS26/R1084SG* ~ OFFICIAL ~ ~~24/SS26/R1084CS~~24/SS26/R1084SG PAGE ~~1819~~ ALSO, The Northeast 38 acres of the Southwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi.

then running to a ~~S.~~point at the intersection of King Street and E.

Main Street;

then S.

2803 ~~*SS26/R1084CS*~~*SS26/R1084SG* ~ OFFICIAL ~ ~~24/SS26/R1084CS~~24/SS26/R1084SG PAGE ~~1920~~ running to a point at the intersection of King Street and E.

~~Main Street;~~

~~then running to a point at the intersection of E.~~

43.

Any facility located on land more particularly described as follows:

2803 ~~*SS26/R1084CS*~~*SS26/R1084SG* ~ OFFICIAL ~ ~~24/SS26/R1084CS~~24/SS26/R1084SG PAGE ~~2021~~ 43. The East Half (E 1/2) of the Southwest Quarter (SW 1/4) of Section 15, Township 3 North, Range 2 East;

~~Any facility located on land more 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;~~

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 ~~S.~~said Oil Mill Road 194 feet to center of driveway running southwest from said Oil Mill Road to U.S.

Highway 49-E;

thence S.

2803 ~~*SS26/R1084CS*~~*SS26/R1084SG* ~ OFFICIAL ~ ~~24/SS26/R1084CS~~24/SS26/R1084SG PAGE ~~2122~~ said South Oil 66? Mill West Road along 194 center of said driveway 128 feet to center point of driveway beginning, running being southwest situated from in said Northwest Oil Quarter Mill of Road Southeast to Quarter U.S. of Section 11, together with all improvements situated thereon;

~~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;~~

~~S. 47.~~

The clubhouse and associated nine-hole golf course, tennis courts and related facilities and swimming S.

2803 ~~*SS26/R1084CS*~~*SS26/R1084SG* ~ OFFICIAL ~ ~~24/SS26/R1084CS~~24/SS26/R1084SG PAGE ~~2223~~ 47. pool and related facilities located on or near U.S.

~~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.~~

~~and S.C.~~

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

S.

2803 ~~*SS26/R1084CS*~~*SS26/R1084SG* ~ OFFICIAL ~ ~~24/SS26/R1084CS~~24/SS26/R1084SG PAGE ~~2324~~ c. 53.

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

~~53.~~

Any facility located on the west side of Sunflower Avenue to the Sunflower River between the southern side of 6th Street and the northern side of 8th Street and which is operated as and/or was operated as a hotel or lodging facility, in consideration of payment, regardless of whether the facility S-meets the criteria for the definition of the term "hotel" in paragraph (l) of this section;

and S.

2803 ~~*SS26/R1084CS*~~*SS26/R1084SG* ~ OFFICIAL ~ ~~24/SS26/R1084CS~~24/SS26/R1084SG PAGE ~~2425~~ meetsd. ~~the criteria for the definition of the term "hotel" in paragraph (l) of this section;~~

~~and d.~~

60.

Any facility located on land more particularly described as follows:

2803 ~~*SS26/R1084CS*~~*SS26/R1084SG* ~ OFFICIAL ~ ~~24/SS26/R1084CS~~24/SS26/R1084SG PAGE ~~2526~~ 60. ~~A certain parcel of land being situated in the Southeast 1/4 of the Northeast 1/4 of Section 9, T3N-R3E, Rankin County, Mississippi, and being more particularly described as follows:~~

~~Any facility located on land more particularly described as follows:~~

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

~~run thence North 03 degrees 08 minutes 15 seconds East for a distance of 170.22 feet to an existing 1/2" iron pin on~~ S-the North line of the aforesaid Southeast 1/4 of the Northeast 1/4 of Section 9;

run thence North 89 degrees S.

2803 ~~*SS26/R1084CS*~~*SS26/R1084SG* ~ OFFICIAL ~ ~~24/SS26/R1084CS~~24/SS26/R1084SG PAGE ~~2627~~ the ~~46 minutes 45 seconds East along said North line of the~~ aforesaid Southeast 1/4 of the Northeast 1/4 of Section 9; ~~for a distance of 1,305.51 feet to an existing 1/2" iron pin marking Northeast corner thereof;~~

~~run thence North 89 degrees 46 minutes 45 seconds East along said North line of the Southeast 1/4 of the Northeast 1/4 of Section 9 for a distance of 1,305.51 feet to an existing 1/2" iron pin marking Northeast corner thereof;~~

Begin at an existing 1/2" iron pin marking the Southwest corner of the aforesaid Southeast 1/4 of the Northeast 1/4 of Section 9, T3N-R3E and run thence North 00 degrees 06 minutes 13 seconds East along the East S-line of the Southeast 1/4 of the Northeast 1/4 for a distance of 33.18 feet to an existing 1/2" iron pin;

S.

2803 ~~*SS26/R1084CS*~~*SS26/R1084SG* ~ OFFICIAL ~ ~~24/SS26/R1084CS~~24/SS26/R1084SG PAGE ~~2728~~ leaving said East line of the Southeast 1/4 of the Northeast ~~1/4 of the Northeast 1/4, run thence South 89 degrees 53 minutes 47~~ seconds East ~~for a distance of 33.182.08 feet to an existing 1/2" iron pin;~~

~~leaving said East line of the Southeast 1/4 of the Northeast 1/4, run thence South 89 degrees 53 minutes 47 seconds East for a distance of 2.08 feet to an existing 1/2" iron pin;~~

S-62.

~~B-~~

~~No-~~

~~2803 *SS26/R1084CS* ~ OFFICIAL ~ 24/SS26/R1084CS PAGE 28 62.~~

4969 201 ~~000;~~S.

B.

No.

2803 *SS26/R1084SG* ~ OFFICIAL ~ 24/SS26/R1084SG PAGE 29 000;

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

S.

2803 ~~*SS26/R1084CS*~~*SS26/R1084SG* ~ OFFICIAL ~ ~~24/SS26/R1084CS~~24/SS26/R1084SG PAGE ~~2030~~ Brownsville ~~67.~~ Road passes over Interstate 20, with GPS coordinates of approximately 32.349067271758955, -90.4596221146197;

~~67-~~

S-71.

Any facility located on Raj Road approximately three-tenths (0.3) of a mile south of Mississippi S.

2803 ~~*SS26/R1084CS*~~*SS26/R1084SG* ~ OFFICIAL ~ ~~24/SS26/R1084CS~~24/SS26/R1084SG PAGE ~~3031~~ 71. ~~Highway 57/63, with GPS coordinates of approximately 31.139553708288418, -88.53411203512971;~~

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

~~and-73.~~

~~AnAny areamunicipality ofthrough landwhich inrun GeorgeU.S. County of approximately eight and five hundredths (8.05) acres, bordered on the east and northeast by Brushy Creek, on the northwest by Brushy Creek Road, on the west by Beaver Creek Road, and on the south by a property boundary running east and west.~~

Highway 45 and Mississippi Highway 145 and in which Mississippi Highway 370 and Mississippi Highway 145 intersect;

however, this designation as a qualified resort area shall only apply to the portion of such municipality which is located in a county that has not voted to come out from under the dry law;

74.

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

75.

Lot Three (3) in Block One Hundred Seventy-eight (178) of the D.H.

McInnis First Survey, sometimes referred to as D.H.

McInnis Railroad Addition, to the City of Hattiesburg, the said lot having a frontage of thirty (30) feet on the Eastern side of Front Street and extending back between parallel lines ninety (90) feet to an alley, and being located in the Northwest Quarter of Section 10, Township 4 North, Range 13 West, Forrest County, Mississippi;

76.

An area of land in George County of approximately eight and five hundredths (8.05) acres, bordered on S. B.

No.

2803 *SS26/R1084SG* ~ OFFICIAL ~ 24/SS26/R1084SG PAGE 32 the east and northeast by Brushy Creek, on the northwest by Brushy Creek Road, on the west by Beaver Creek Road, and on the south by a property boundary running east and west;

77.

A municipality in which Mississippi Highway 15 intersects with Webster Street, and in which Webster Street splits into Mill Street and Mahen Starkville Road;

78.

A municipality in which Mississippi Highway 492 meets Mississippi Highway 35;

79.

A facility operating as an event venue and located on Mississippi Highway 589, with GPS coordinates of 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;

S.

B.

No.

2803 *SS26/R1084SG* ~ OFFICIAL ~ 24/SS26/R1084SG PAGE 33 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 inch 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 feet) a distance of 234.62 feet to a mag-nail on the centerline of Union County Road No.

137, thence North 11 degrees 00 minutes 29 seconds East a distance of 187.87 feet to a one-half inch iron pin on the West edge of said road, thence North 29 degrees 41 minutes 28 seconds East a distance of 59.28 feet to a point on the centerline of said road, thence South 89 degrees 13 minutes 02 seconds East (passing through a one-half inch iron pin at 30.0 feet) along the South line of the Bernard Whiteside property as recorded in Deed Book 117, Pages 517-518 and Deed Book 214, page 109, a distance of S.

B.

No.

2803 *SS26/R1084SG* ~ OFFICIAL ~ 24/SS26/R1084SG PAGE 34 646.07 feet to a concrete monument, thence South 89 degrees 13 minutes 02 seconds East a distance of 751.31 feet to a one-half inch iron pin, thence South 00 degrees 31 minutes 39 seconds East, along the aforesaid Section line, a distance of 52.93 feet to the point of beginning, said tract lying in the Southeast Quarter of Section 27, and the Northeast Quarter of Section 34, Township 6 South, Range 3 East and containing 6.99 acres.

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

A 25.0 foot easement for ingress and egress, being 12.5 feet to 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 S.

B.

No.

2803 *SS26/R1084SG* ~ OFFICIAL ~ 24/SS26/R1084SG PAGE 35 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.

The clubhouse at 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 and Mississippi Highway 15, with GPS coordinates of approximately 33.905581, -89.00200;

85.

Any facility located on land more particularly described as follows:

Commencing at the Southeast corner of Section 4, Township 6 South, Range 18 West, Pearl River County, S.

B.

No.

2803 *SS26/R1084SG* ~ OFFICIAL ~ 24/SS26/R1084SG PAGE 36 Mississippi;

thence West 1310.00 feet to a T-bar;

thence North 745.84 feet;

thence East 132.00 feet to a 1" iron pipe;

thence North 83.61 feet for the Point of Beginning;

thence South 79 degrees 02 minutes 61 seconds West 248.28 feet;

thence West 76.35 feet;

thence North 20 degrees 00 minutes 00 seconds West 185.54 feet;

thence North 52 degrees 43 minutes 14 seconds East 365.98 feet to a 1" iron pipe on the West margin of Henry Smith Road, a gravel/paved, public road;

thence along said margin South 17 degrees 59 minutes 13 seconds East 299.09 feet;

thence South 64.39 feet to the Point of Beginning.

This parcel containing 2.19 acres and being a part of the East 1/2 of Section 4, Township 6 South, Range 18 West, Pearl River County, Mississippi.

INDEXING:

BEING A PART OF THE EAST 1/2 OF SECTION 4, TOWNSHIP 6 SOUTH, RANGE 18 WEST, PEARL RIVER COUNTY,

MISSISSIPPI;

86.

Any facility located on land in a county through which run Mississippi Highway 25 and U.S. Highway 82 and more particularly described as follows:

Beginning at a point with GPS coordinates of approximately 33.331869, -88.715054;

then running in a straight line to a point with GPS coordinates of approximately 33.336207, -88.713453;
then running in a straight line to a point with GPS coordinates of approximately 33.335369, S.

B.

No.

2803 *SS26/R1084SG* ~ OFFICIAL ~ 24/SS26/R1084SG PAGE 37 -88.709835;

then running in a straight line to a point with GPS coordinates of approximately 33.330870, -88.711496;

then running in a straight line to a point with GPS coordinates of approximately 33.331869, -88.715054
and the point of the beginning;

87.

Any facility located on land that is owned by a community college that is located in a county through which run U.S.

Highway 51 and Mississippi Highway 4;

88.

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

89.

Any facility located on U.S.

Highway 51 in a municipality through which run Interstate 55, U.S.

Highway 51 and the Natchez Trace Parkway, with GPS coordinates of approximately 32.42042°N, 90.13473°W;

90.

Any facility located on Mullican Road in a county through which run U.S.

Highway 84 and Interstate 59, with GPS coordinates of approximately 31.73395N, 89.18186W;

91.

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

Highway 82 and more particularly described as follows:

Beginning at a point with GPS coordinates of approximately 33.37391, -88.80645;

then running in a straight line to a point with GPS coordinates of approximately 33.37391, -88.79972;
then running in a straight line S.

B.

No.

2803 *SS26/R1084SG* ~ OFFICIAL ~ 24/SS26/R1084SG PAGE 38 to a point with GPS coordinates of approximately 33.36672, -88.80644;

then running in a straight line to a point with GPS coordinates of approximately 33.36674, -88.79971;

then running in a straight line to a point with GPS coordinates of approximately 33.37391, -88.80645 and
the point of the beginning;

92.

Any facility located on land more particularly described as follows:

All that part of the South half (S 1/2) of the SE 1/4 of NE 1/4 of Section 14, Township 4 North, Range 15 West, lying and being West of State Highway No.

589, containing one (1) acre, more or less.

LESS AND EXCEPT:

Begin at the point of intersection of the North line of the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 14, Township 4 North, Range 15 West with the present Southwesterly right-of-way line of Mississippi Highway No.

589, said point is also the Northeast corner of grantor property;

said point is 50.6 feet West of Station 7 + 59.27 on the centerline of survey of Mississippi Highway No.

589 as shown on the plans for State Project No.

SP-0014-2(10);

from said POINT OF BEGINNING run thence South 08°57' East along said present Southwesterly right-of-way line, a distance of 37.1 feet to a point that is perpendicular to and 50 feet Southwesterly of Station 7 + 30 on the centerline S.

B.

No.

2803 *SS26/R1084SG* ~ OFFICIAL ~ 24/SS26/R1084SG PAGE 39 of survey of Mississippi Highway 589 as shown on the plans for said project;

run thence South 81°03' West, a distance of 35.7 feet to the West line of the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of said Section 14 and the West line of grantors property;

run thence North along said West property line, a distance of 42.2 feet to the Northwest corner of the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of said Section 14 and the Northwest corner of grantors property;

run thence East along grantors North property line, a distance of 29.5 feet to the POINT OF BEGINNING containing 0.03 acres, more or less, and all being situated in and a part of the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 14, Township 4 North, Range 15 West, Lamar County, Mississippi.

LESS AND EXCEPT:

A part of the South one-half of the Southeast 1/4 of Northeast 1/4, Northerly of a certain fence and West of Mississippi State Highway 589, in Section 14, Township 4 North, Range 15 West, Lamar County, Mississippi and more particularly described as commencing at a pine (lighter) stake being used as the Southwest corner of the Northeast 1/4 of Southeast 1/4 of the above said Section 14, thence North and along the West line of the East 1/4 of the above said Section 14 1638.8 feet to the POINT OF S.

B.

No.

2803 *SS26/R1084SG* ~ OFFICIAL ~ 24/SS26/R1084SG PAGE 40 BEGINNING.

Thence continue North and along the West line of the East 1/4 of the above said Section 14, 278.5 feet to the Southerly line of the property Bobby G.

Aultman and Marilyn S.

Aultman previously sold to the Mississippi State Highway Department;

thence North 81°03' East and along the above said Southerly property line for 35.7 feet more or less to the Westerly right-of-way line of Mississippi State Highway 589;

thence Southeasterly and along the above said Westerly right-of-way line 232.7 feet to a concrete right-of-way marker;

thence South 51°39' West and along the Northerly line of a wooden fence 88 feet to the POINT OF BEGINNING.

AND ALSO:

A parcel of land in a part of the Southeast 1/4 of Northwest 1/4 and a part of the Southwest 1/4, Section 14, Township 4 North, Range 15 West, Lamar County, Mississippi, and more particularly described as beginning at a point where the Southerly right-of-way line of U.S.

Highway 98 intersects the West line of the above said Southeast 1/4 of Northwest 1/4;

thence North 67°34' East and along the Southerly right-of-way line of said highway 208.75 feet;

thence South 208.75 feet;

thence South 67°34' West 208.75 feet;

thence South 141.3 feet;

thence North 89°07'30" West 388.9 feet to the S.

B.

No.

2803 *SS26/R1084SG* ~ OFFICIAL ~ 24/SS26/R1084SG PAGE 41 centerline of Parkers Creek;

thence Northerly and along the centerline of said creek for the next three (3) calls:

North 35°53' East 115.6 feet;

North 25°05' East 68.5 feet;

North 09°51'30" West 64.3 feet to the Southerly right-of-way line of U.S.

Highway 98;

thence North 67°34' East and along the Southerly right-of-way line of said highway 327.85 feet to the POINT OF BEGINNING.

The above described area contains 3.02 acres.

AND ALSO:

Commencing at the Southwest corner of the Southwest 1/4 of the Northeast 1/4 of Section 14, Township 4 North, Range 15 West, Lamar County, Mississippi, run South 88°05'27" East 310.00 feet, thence South 07°53'16" West 60.50 feet to a point on a fence line, thence run along fence line South 88°05'27" East 718.93 feet to the POINT OF BEGINNING, thence North 08°48'10" West 714.67 feet to a point on the South right-of-way line of Highway No.

98, thence along said right-of-way along a curve to the right with a delta angle of 02°04'26" having a

radius of 5603.58 feet and an arc length of 202.84 feet, with a chord bearing a distance of North 71°53'47" East 202.83 feet to a Concrete Highway right-of-way marker, thence South 20°09'13" East 328.13 feet, thence South 69°00'47" East 117.68 feet, thence South 0°58'19" West 429.12 feet S.

B.

No.

2803 *SS26/R1084SG* ~ OFFICIAL ~ 24/SS26/R1084SG PAGE 42 to a Point on Possession Line fence, thence along said fence North 88°05'27" West 299.23 feet back to the POINT OF BEGINNING, containing 5.0885 acres, more or less and being situated in the SW 1/4 of the NE 1/4 and the NW 1/4 of the SE 1/4 of said Section 14, together with all improvements and appurtenances thereunto belonging.

AND ALSO:

PARCEL NUMBER ONE:

That part of the Northwest Quarter of the Southwest Quarter (Northwest 1/4 of the Southwest 1/4) of Section 14, Township 4 North, Range 15 West, of Lamar County, Mississippi, being located and situated East of the center thread of Mill Creek as the same presently runs through and bisects said 40-acre tract, and comprising 10.9 acres, more or less, and all being part of the Northwest Quarter of the Southwest Quarter (Northwest 1/4 of the Southwest 1/4) of said Section, Township and Range, Lamar County, Mississippi.

AND ALSO:

PARCEL NUMBER TWO:

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

S.

B.

No.

2803 *SS26/R1084SG* ~ OFFICIAL ~ 24/SS26/R1084SG PAGE 43 Beginning at a point where the South margin of State Highway 98 intersects the West margin of the Southeast 1/4 of the Northwest 1/4 of Section 14, Township 4 North, Range 15 West, and run Easterly along the South margin of said highway right-of-way 208.75 feet;

thence South 208.75 feet;

thence Westerly parallel with the South margin of said highway right-of-way 208.75 feet to the West forty line;

thence North 208.75 feet to the POINT OF BEGINNING, containing 1 acre, more or less.

LESS AND EXCEPT:

Begin at the point of intersection of an Easterly line of grantors property with the present Southerly right-of-way line of U.S.

Highway 98 as shown on the plans for State Project No.

97-0014-02-044-10;

from said POINT OF BEGINNING run thence South 02°56' West along said Easterly property line, a distance of 127.6 feet;

thence run South 69°11' West, a distance of 52.9 feet;

thence run South 67°13' West, a distance of 492.7 feet to the Westerly line of grantors property and the center of a creek;

thence run Northerly along said Westerly property line and said center of creek, a distance of 122.8 feet to said present Southerly right-of-way line;

thence run North 67°13' East along said present Southerly right-of-way line, a distance of 553.4 feet to the POINT OF BEGINNING, containing 1.43 acres, more or S.

B.

No.

2803 *SS26/R1084SG* ~ OFFICIAL ~ 24/SS26/R1084SG PAGE 44 less, and being situated in and a part of the North 1/2 of the Southwest 1/4 of Section 14, Township 4 North, Range 15 West, Lamar County, Mississippi.

LESS AND EXCEPT:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 14, TOWNSHIP 4 NORTH, RANGE 15 WEST, LAMAR COUNTY, MISSISSIPPI, PROCEED EAST 2136.60 FEET;

THENCE NORTH 2508.67 FEET TO AN IRON PIN AND THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED.

FROM THE DESCRIBED POINT OF BEGINNING, PROCEED NORTH 11°19'49 " EAST 217.55 FEET TO AN IRON PIN;

THENCE NORTH 40 °11'01" EAST 118.28 FEET TO AN IRON PIN;

THENCE NORTH 22°24'39" WEST 179.15 FEET TO AN IRON PIN ON THE SOUTHERN BOUNDARY OF U.S. HIGHWAY 98;

THENCE ALONG THE SOUTHERN RIGHT-OF-WAY BOUNDARY OF SAID HIGHWAY AS FOLLOWS:

SOUTH 67°35'21" WEST 699.55 FEET TO AN IRON PIN;

THENCE SOUTH 69°16'57" WEST 67.67 FEET TO A CONCRETE RIGHT-OF-WAY MARKER;

THENCE SOUTH 67°35'21" WEST 310.34 FEET TO AN IRON PIN;

THENCE LEAVING SAID RIGHT-OF-WAY SOUTH 01°25'53" WEST 667.21 FEET TO AN IRON PIN;

THENCE NORTH 67°35'21" EAST 491.91 FEET TO AN IRON PIN;

THENCE NORTH 22°24'39" WEST 193.77 FEET TO AN IRON PIN;

THENCE NORTH 67°35'21" EAST 629.48 FEET BACK TO THE POINT OF BEGINNING.

S.

B.

No.

2803 *SS26/R1084SG* ~ OFFICIAL ~ 24/SS26/R1084SG PAGE 45 SAID PARCEL CONTAINS 12.39 ACRES AND IS LOCATED PART IN THE SE 1/4 OF THE NW 1/4, PART IN THE NE 1/4 OF THE SW 1/4, AND PART IN THE NW 1/4 OF THE SW 1/4, ALL IN SECTION 14, TOWNSHIP 4 NORTH, RANGE 15 WEST, LAMAR COUNTY, MISSISSIPPI.

The governing authorities of a municipality described, in whole or in part, in item 6, 21, 24, 25, 26, 27, 28, 29, 30, 31, 34, 35, 36, 37, 38, 39, 46, 48, 51, 53, 54, 55, 56, 58, 59, 61, 63, 64, 66, 67 * * *, 68, 73, 74, 83 or ~~68~~84 of this paragraph (o)(iii) may by ordinance, with respect to the qualified resort area described in the same item:

specify the percentage of revenue that facilities offering alcoholic beverages for sale must derive from ~~S.~~the preparation, cooking and serving of meals and not from the sale of beverages;

and designate the areas in which facilities offering alcoholic beverages for sale may be located.

(p) "Native wine" means any product, produced in Mississippi for sale, having an alcohol content not to exceed twenty-one percent (21%) by weight and made in accordance with revenue laws of the United States, which shall be obtained S.

~~2803 *SS26/R1084CS*~SS26/R1084SG* ~ OFFICIAL ~ 24/SS26/R1084CS24/SS26/R1084SG PAGE 3146 primarily from the preparation, alcoholic cooking fermentation and of serving the juice of meals ripe and grapes, not fruits, from berries, the honey sale or of vegetables beverages; grown and produced in Mississippi;~~

~~and designate the areas in which facilities offering alcoholic beverages for sale may be located.~~

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

~~(r) "Bed and breakfast inn" means an establishment within a municipality where in consideration of payment, breakfast and lodging are habitually furnished to travelers and wherein are located not less than eight (8) and not more than nineteen (19) adequately furnished and completely separate sleeping rooms with adequate facilities, that persons usually apply for and receive as S.overnight accommodations;~~

~~B.~~

~~No.~~

~~2803 *SS26/R1084CS* ~ OFFICIAL ~ 24/SS26/R1084CS PAGE 32 overnight accommodations;~~

~~(s)S. "Board" shall refer to the Board of Tax Appeals of the State of Mississippi.~~

B.

No.

2803 *SS26/R1084SG* ~ OFFICIAL ~ 24/SS26/R1084SG PAGE 47 (s) "Board" shall refer to the Board of Tax Appeals of the State of Mississippi.

For purposes of this paragraph, the definition of ~~S.~~cooking school shall not include schools or classes offered by grocery stores, convenience stores or drugstores.

(w) "Campus" means property owned by a public school district, community or junior college, college or university in this state where educational courses are taught, school functions are held, tests and examinations are administered or academic course credits are awarded;

however, the term shall not include any "restaurant" or "hotel" that is located on property owned by a S.

~~2803 *SS26/R1084CS*~SS26/R1084SG* ~ OFFICIAL ~ 24/SS26/R1084CS24/SS26/R1084SG PAGE 3348 cookingcommunity schoolor shalljunior notcollege, includecollege schools or classesuniversity offeredin this state, and is operated by grocerya stores, third convenienceparty storeswho orreceives drugstores. all revenue generated from food and alcoholic beverage sales.~~

~~(w) "Campus" means property owned by a public school district, community or junior college, college or~~

~~university in this state where educational courses are taught, school functions are held, tests and examinations are administered or academic course credits are awarded; however, the term shall not include any "restaurant" or "hotel" that is located on property owned by a 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.~~

~~S.~~ SECTION 2.

Section 67-1-7, Mississippi Code of 1972, as amended by House Bill No.

776, 2024 Regular Session, is amended as follows:

67-1-7.

(1) Except as otherwise provided in Section 67-9-1 for the transportation and possession of limited amounts of alcoholic beverages for the use of an alcohol processing permittee, and subject to all of the provisions and restrictions contained in this article, the manufacture, sale, distribution, S.

2803 *SS26/R1084SG* ~ OFFICIAL ~ 24/SS26/R1084CS24/SS26/R1084SG PAGE 3449 SECTION and 2-transportation of alcoholic beverages shall be lawful, subject to the restrictions hereinafter imposed, in those counties and municipalities of this state in which, at a local option election called and held for that purpose under the provisions of this article, a majority of the qualified electors voting in such election shall vote in favor thereof.

ThisBeginning acton shallApril take16, effect2021, andexcept beas otherwise provided in forceSection from67-1-51 andfor afterholders Julyof 1,a 2024,caterer's permit, the manufacture, sale and distribution of alcoholic beverages shall standnot repealedbe onpermissible Juneor 30,lawful 2024.in counties except in (a) incorporated municipalities located within such counties, (b) qualified resort areas within such counties approved as such by the department, or (c) clubs within such counties, whether within a municipality or not.

However, any permits issued by the department between July 1, 2020, and April 15, 2021, for the manufacture, sale and distribution of alcoholic beverages, whether or not issued to permittees in such municipalities, qualified resort areas or clubs, shall be eligible for renewal on or after April 16, 2021.

The manufacture, sale, distribution and possession of native wines or native spirits shall be lawful in any location within any such county except those locations where the manufacture, sale or distribution is prohibited by law other than this section or by regulations of the department.

However, notwithstanding this provision, municipalities that have voted in favor of coming out S.

B.

No.

2803 *SS26/R1084SG* ~ OFFICIAL ~ 24/SS26/R1084SG PAGE 50 from under the dry law may enforce such proper rules and regulations for fixing zones and territories to promote public health, morals, and safety, as they may by ordinance provide.

The board of supervisors of any county that has voted in favor of coming out from under the dry law may make such rules and regulations as to territory outside of municipalities as are herein provided for municipalities.

Notwithstanding the provisions of any other law, municipalities may enforce such proper location of package retailer stores within the municipality by application of a properly adopted zoning ordinance.

(2) Notwithstanding the foregoing, within any state park or any state park facility that has been declared a qualified resort area by the department, and within any qualified resort area as defined under Section 67-1-5(o)(iii), an on-premises retailer's permit may be issued for the qualified resort area, and the permittee may lawfully sell alcoholic beverages for consumption on his licensed premises regardless of whether or not the county or municipality in which the qualified resort area is located has voted in favor of coming out from under the dry law, and it shall be lawful to receive, store, sell, possess and consume alcoholic beverages on the licensed premises, and to sell, distribute and transport alcoholic beverages to the licensed premises.

Moreover, the governing authorities of a municipality in which a qualified resort area defined under Section 67-1-5(o)(iii)5, 7, 21, 39 or 46 S.

B.

No.

2803 *SS26/R1084SG* ~ OFFICIAL ~ 24/SS26/R1084SG PAGE 51 is located, the Pearl River Valley Water Supply District Board which governs the qualified resort area defined under Section 67-1-5(o)(iii)8.a.A, the board of supervisors of the county in which qualified resort area defined under Section 67-1-5(o)(iii)8.a.B and C is located, and the board of supervisors of * * * a county in which * * * a qualified resort area defined under Section 67-1-5(o)(iii)44 or 80 is located, may, by ordinance or resolution, provide that package retailer's permits may be issued in the applicable qualified resort area, and that it shall be lawful to receive, store, sell, possess and distribute alcoholic beverages in accordance with such package retailer's permits.

SECTION 3.

This act shall take effect and be in force from and after July 1, 2024.

2803 ~~*SS26/R1084CS*~~*SS26/R1084SG* ~ OFFICIAL ~ ~~24/SS26/R1084CS~~24/SS26/R1084SG ST:
Local Option Alcoholic Beverage Control PAGE ~~35~~52 Law;

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