

**Mississippi Secretary of State**  
700 North Street P. O. Box 136, Jackson, MS 39205-0136

**ADMINISTRATIVE PROCEDURES NOTICE FILING**

|   |                        |  |                                  |              |
|---|------------------------|--|----------------------------------|--------------|
| AGENCY NAME<br>Mississippi Department of Revenue                            |                        | CONTACT PERSON<br>Sam Portera, CPA   | TELEPHONE NUMBER<br>601-923-7317 |              |
| ADDRESS<br>PO Box 1033  |                        | CITY<br>Jackson  | STATE<br>MS                      | ZIP<br>39215 |
| EMAIL<br><a href="mailto:sam.portera@dor.ms.gov">sam.portera@dor.ms.gov</a> | SUBMIT DATE<br>6/25/21 | Name or number of rule(s):<br>Title 35, Part II, Subpart 1, Chapter 01 Definitions |                                  |              |

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: Paragraph 100 was amended to reflect statutory changes in HB 1091 in the 2021 Regular Session. Both the definitions of "alcoholic beverage" and "On-premise retailer permittee" were amended in the reg. Other minor changes were made.

Specific legal authority authorizing the promulgation of rule: Miss. Code Ann. Section 67-1-37(h), "To adopt and promulgate, repeal and amend, such rules, regulations, standards, requirements and orders, not inconsistent with this chapter or any law of this state or of the United States, as it deems necessary to control the manufacture, importation, transportation, distribution and sale of alcoholic liquor, whether intended for beverage or nonbeverage use in a manner not inconsistent with the provisions of this chapter or any other statute, including the native wine laws."

List all rules repealed, amended, or suspended by the proposed rule: Miss. Admin Code Title 35.II.1.01 Definitions.

**ORAL PROCEEDING:**

An oral proceeding is scheduled for this rule on Date: 6/23/21 Time: 1:30 PM Place: Mississippi Department of Revenue, 500 Clinton Center Drive, Clinton, MS 39056

Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

**ECONOMIC IMPACT STATEMENT:**

Economic impact statement not required for this rule.  Concise summary of economic impact statement attached.

| TEMPORARY RULES  | PROPOSED ACTION ON RULES  | FINAL ACTION ON RULES   |
|--|---|---|
| _____ Original filing<br>_____ Renewal of effectiveness<br>To be in effect in _____ days<br>Effective date:<br>_____ Immediately upon filing<br>_____ Other (specify): _____ | <b>Action proposed:</b><br>_____ New rule(s)<br>_____ Amendment to existing rule(s)<br>_____ Repeal of existing rule(s)<br>_____ Adoption by reference<br><b>Proposed final effective date:</b><br>_____ 30 days after filing<br>_____ Other (specify): _____ | <b>Date Proposed Rule Filed: 5/28/21</b><br><b>Action taken:</b><br><input checked="" type="checkbox"/> Adopted with no changes in text<br>_____ Adopted with changes<br>_____ Adopted by reference<br>_____ Withdrawn<br>_____ Repeal adopted as proposed<br><b>Effective date:</b><br>_____ 30 days after filing<br><input checked="" type="checkbox"/> Other (specify): <u>7/28/2021</u> |

Printed name and Title of person authorized to file rules: Sam Portera, CPA, Deputy Office Director, Tax Policy

Signature of person authorized to file rules: *Sam Portera* Sam Portera

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| <b>OFFICIAL FILING STAMP</b><br><div style="border: 1px solid black; height: 150px; width: 100%;"></div> <p>Accepted for filing by</p> | <b>DO NOT WRITE BELOW THIS LINE</b><br><b>OFFICIAL FILING STAMP</b><br><div style="border: 1px solid black; height: 150px; width: 100%;"></div> <p>Accepted for filing by</p> | <b>OFFICIAL FILING STAMP</b><br><div style="border: 1px solid black; height: 150px; width: 100%;"></div> <p>Accepted for filing by</p> |
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The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.