## Mississippi Secretary of State

700 North Street P. O. Box 136, Jackson, MS 39205-0136

# ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME		CONTACT PERSON	TELEPHONE NUMBER		
Mississippi Department of Revenue		Sam Portera, CPA	601-923-731	601-923-7317	
ADDRESS		CITY	STATE	ZIP	
PO Box 1033		Jackson	MS	39215	
EMAIL	SUBMIT DATE	Name or number of rule(s):			
sam.portera@dor.ms.gov	10/9/20	Title 35. Part II. Subpart 3. Chapter 02 Permit Limit			

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: In section 100, the second sentence was deleted. In section 101, the first sentence was amended to clarify that a person may own interest in a package retailer's permit and own interest in one or more on-premises retailer's permit. The second sentence in 101 is being deleted. Section 103 was amended to include that the chapter shall not be construed to prohibit rendering professional services for more than one package retailer so long as such professional services do not constitute an ownership interest based on the fee being collected. 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List all rules repealed, amended, or suspended by the proposed rule: Miss.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.3.02 Permit Limit

### **ORAL PROCEEDING:**

An oral proceeding is scheduled for this rule on Date: Time: Place:

#### 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.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES Date Proposed Rule Filed:
Original filing	Action proposed:	Action taken:
Renewal of effectiveness To be in effect in days Effective date: Immediately upon filing	New rule(s)   Amendment to existing rule(s)   Repeal of existing rule(s)   Adoption by reference	<u>X</u> Adopted with no changes in text Adopted with changes Adopted by reference Withdrawn
Other (specify):	Proposed final effective date: 30 days after filing Other (specify):	Repeal adopted as proposed   Effective date:   30 days after filing   X Other (specify): _12/1/20

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

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
Accepted for filing by	Accepted for filing by	Accepted for filing by

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.