

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

**ADMINISTRATIVE PROCEDURES NOTICE FILING**

AGENCY NAME Mississippi Department of Revenue		CONTACT PERSON Sam Portera, CPA	TELEPHONE NUMBER 601-923-7317	
ADDRESS PO Box 1033		CITY Jackson	STATE MS	ZIP 39215
EMAIL <a href="mailto:sam.portera@dor.ms.gov">sam.portera@dor.ms.gov</a>	SUBMIT DATE 8/26/20	Name or number of rule(s): Title 35, Part II, Subpart 3, Chapter 05 Permit Transfer		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: A second sentence was added to section 100 to state that a permit cannot be transferred if there is an ongoing administrative disciplinary action, including an action under appeal. A second sentence was added to section 103 to clarify that if a funeral home or church refuses to sign a new waiver, a transfer may not be initiated.

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List all rules repealed, amended, or suspended by the proposed rule: Miss.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.3.05 Permit Transfer

**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.  Concise summary of economic impact statement attached.

**TEMPORARY RULES**

Original filing  
 Renewal of effectiveness  
 To be in effect in \_\_\_\_\_ days  
 Effective date:  
 Immediately upon filing  
 Other (specify): \_\_\_\_\_

**PROPOSED ACTION ON RULES**

**Action proposed:**  
 New rule(s)  
 Amendment to existing rule(s)  
 Repeal of existing rule(s)  
 Adoption by reference  
**Proposed final effective date:**  
 30 days after filing  
 Other (specify): \_\_\_\_\_

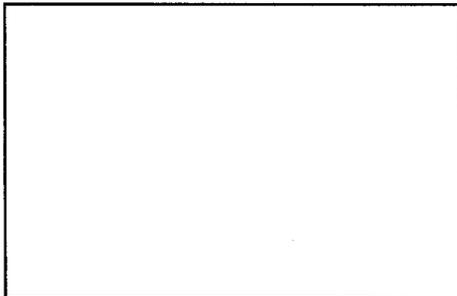
**FINAL ACTION ON RULES**

**Date Proposed Rule Filed:**  
**Action taken:**  
 Adopted with no changes in text  
 Adopted with changes  
 Adopted by reference  
 Withdrawn  
 Repeal adopted as proposed  
**Effective date:**  
 30 days after filing  
 Other (specify): \_\_\_\_\_

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

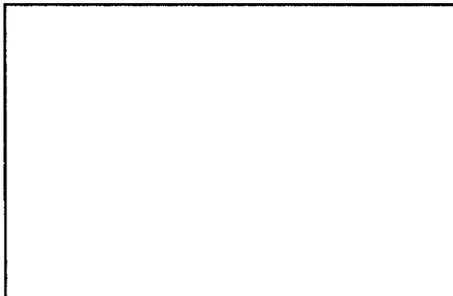
Signature of person authorized to file rules: *Sam Portera* Sam Portera

**OFFICIAL FILING STAMP**



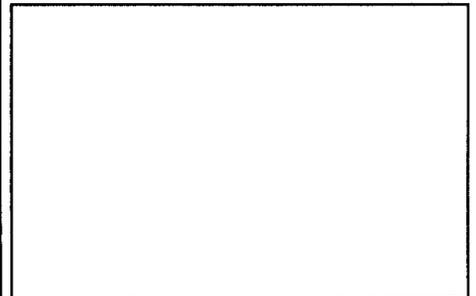
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The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.