

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

ADMINISTRATIVE PROCEDURES NOTICE FILING

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|---|------------------------|---|----------------------------------|--------------|
| 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 sam.portera@dor.ms.gov | SUBMIT DATE 4/12/19 | Name or number of rule(s): Title 35, Part II, Subpart 2, Chapter 04 Hours and Days During Which Alcoholic Beverages May Be Sold by On-Premises Permittees, Package Stores and Caterers | | |

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: Paragraphs 102 and 103 of the rule were amended to include that a governing authority may petition the DOR to shorten or extend the hours of consumption in addition to the hours of sales. The hours of sales and hours of consumption are the same unless designated otherwise.

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List all rules repealed, amended, or suspended by the proposed rule: Miss.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.2.04 Hours and Days During Which Alcoholic Beverages May Be Sold by On-Premises Permittees, Package Stores and Caterers

ORAL PROCEEDING:

An oral proceeding is scheduled for this rule on Date: 3/27/19 Time: 1:30 p.m. 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 |
|--|---|--|
| <input type="checkbox"/> Original filing <input type="checkbox"/> Renewal of effectiveness To be in effect in _____ days Effective date: <input type="checkbox"/> Immediately upon filing <input type="checkbox"/> Other (specify): _____ | Action proposed: <input type="checkbox"/> New rule(s) <input type="checkbox"/> Amendment to existing rule(s) <input type="checkbox"/> Repeal of existing rule(s) <input type="checkbox"/> Adoption by reference Proposed final effective date: <input type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): _____ | Date Proposed Rule Filed: 2/21/19 Action taken: <input checked="" type="checkbox"/> Adopted with no changes in text <input type="checkbox"/> Adopted with changes <input type="checkbox"/> Adopted by reference <input type="checkbox"/> Withdrawn <input type="checkbox"/> Repeal adopted as proposed Effective date: <input type="checkbox"/> 30 days after filing <input checked="" type="checkbox"/> Other (specify): <u>5/15/19</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

| OFFICIAL FILING STAMP | DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP | 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.