

### **35-II-3-5. Permit Transfer**

- 100 No permit or any beneficial interest in a permit shall be transferred by any permittee to any other person or any other place except with the written consent of the Department. A permit shall not be eligible for transfer if it is the subject of an ongoing administrative disciplinary action, including any action under appeal.
- 101 Notice of the intended transfer of location or beneficial interest must be published for two consecutive issues in a newspaper having general circulation in the city or town in which the transfer applicant's place of business is located. In instances where the business is not located within a city or town, publication should occur in a newspaper of general circulation in the county where the business is located. Proof of publication must be filed with the application to transfer location or interest.
- 102 This chapter shall not be construed to require publication of a mere change in trade name or the officers of a corporation where there is no change in the ownership. However, any such contemplated changes must be submitted to the Department for prior approval.
- 103 An applicant for transfer of ownership of a permit for which there exists an exemption from distance requirements as provided for in Miss. Code Ann. Section 67-1-51 (3) must submit an updated waiver from the funeral home or church. If the funeral home or church refuses to sign a new waiver, a transfer may not be initiated.
- 104 All original applicants for permits and/or proposed recipients of beneficial interest in such permits must be not less than 21 years of age and may not have been convicted of a felony in any state or federal court. An individual who is an applicant for a package retailer's permit must be a resident of the State of Mississippi. If the applicant is a partnership, each member of the partnership must be a resident of the state. If the applicant is a corporation or LLC, the designated manager must be a resident of the state.
- 105 (Reserved)

*35.II.3.05 revised effective November 1, 2020*

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