

Act No. 41  
Public Acts of 1989  
Approved by the Governor  
June 5, 1989  
Filed with the Secretary of State  
June 5, 1989

**STATE OF MICHIGAN  
85TH LEGISLATURE  
REGULAR SESSION OF 1989**

Introduced by Reps. Van Regenmorter and Webb

# **ENROLLED HOUSE BILL No. 4317**

AN ACT to amend Act No. 8 of the Public Acts of the Extra Session of 1933, entitled as amended "An act to create a liquor control commission for the control of the alcoholic beverage traffic within the state of Michigan, and to prescribe its powers, duties and limitations; to provide for the control of the alcoholic liquor traffic within the state of Michigan and the establishment of state liquor stores; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges thereto; to provide for the licensing and taxation thereof, and the disposition of the moneys received under this act; to prescribe liability for retail licensees under certain circumstances; to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for the confiscation and disposition of property seized under the provisions of this act; to provide a referendum in certain cases; and to repeal certain acts and parts of acts," as amended, being sections 436.1 to 436.58 of the Michigan Compiled Laws, by adding section 57a.

*The People of the State of Michigan enact:*

Section 1. Act No. 8 of the Public Acts of the Extra Session of 1933, as amended, being sections 436.1 to 436.58 of the Michigan Compiled Laws, is amended by adding section 57a to read as follows:

Sec. 57a. (1) Notwithstanding section 56, a city, village, or township in which there are no retail licenses for the sale of alcoholic beverages may, by ordinance, prohibit the retail sale of alcoholic beverages within its borders.

(2) An ordinance adopted under subsection (1) remains in effect until the next general or special election that is held not less than 45 days after the adoption of the ordinance. At that election, the ordinance shall be submitted to the electors of the city, village, or township for affirmance or revocation. A revocation of the ordinance is effective on the date of the certification of the election results.

(3) The commission shall not issue a license in violation of an ordinance adopted pursuant to subsection (1).

(4) As used in this section, "alcoholic beverage" means alcoholic liquor as defined in section 2.

This act is ordered to take immediate effect.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved.....

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Governor.

