



STATE OF MICHIGAN
JOCELYN BENSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

January 27, 2025

NOTICE OF FILING
ADMINISTRATIVE RULES

To: Secretary of the Senate
Clerk of the House of Representatives
Joint Committee on Administrative Rules
Michigan Office of Administrative Hearings and Rules (Administrative Rule #24-056-LR)
Legislative Service Bureau (Secretary of State Filing #25-01-02)
Department of Licensing and Regulatory Affairs

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Michigan Office of Administrative Hearings and Rules filed Administrative Rule #2024-056-LR (Secretary of State Filing #25-01-02) on this date at 10:43 A.M. for the Department of Licensing and Regulatory Affairs entitled, "Beer".

These rules become effective immediately after filing with the secretary of state unless adopted under section 33, 44, or 45a(9) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

Sincerely,

Jocelyn Benson
Secretary of State

Lashana Threlkeld, Departmental Supervisor
Office of the Great Seal

Enclosure



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MARLON I. BROWN, DPA
DIRECTOR

January 27, 2025

The Honorable Jocelyn Benson
Secretary of State
Office of the Great Seal
Richard H. Austin Building – 1st Floor
430 W. Allegan
Lansing, MI 48909

Dear Secretary Benson:

Re: Michigan Administrative Rules #: 2024-56 LR

The Michigan Office of Administrative Hearings and Rules received administrative rules, dated December 19, 2024 for the Department of Licensing and Regulatory Affairs “**Beer**”. We are transmitting these rules to you pursuant to the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6.

Sincerely,

A handwritten signature in black ink, appearing to be "W. Brown".

Michigan Office of Administrative Hearings and Rules



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MARLON I. BROWN, DPA
DIRECTOR

LEGAL CERTIFICATION OF RULES

I certify that I have examined the attached administrative rules, dated December 19, 2024, in which the Department of Licensing and Regulatory Affairs proposes to modify a portion of the Michigan Administrative Code entitled "Beer" by:


- ◆ Amending R 436.1621.
- ◆ Rescinding R 436.1633.

The Legislative Service Bureau has approved the proposed rules as to form, classification, and arrangement.

I approve the rules as to legality pursuant to the Administrative Procedures Act, MCL 24.201 *et seq.* and Executive Order No. 2019-6. In certifying the rules as to legality, I have determined that they are within the scope of the authority of the agency, do not violate constitutional rights, and are in conformity with the requirements of the Administrative Procedures Act.

Dated: January 6, 2025

Michigan Office of Administrative Hearings and Rules

By: 
Ashlee N. Lynn,
Attorney



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MARLON I. BROWN, DPA
DIRECTOR

CERTIFICATE OF ADOPTION

By authority conferred on the Liquor Control Commission by Section 40 of Article IV of the State Constitution of 1963, Sections 201 and 215(1) of the Michigan Liquor Control Code of 1998, 1998 PA 58, MCL 436.1201 and 436.1215, and Executive Reorganization Order No. 2011-4, MCL 445.2030, the Liquor Control Commission at a meeting held on January 23, 2025, formally adopted the amendments to R 436.1621 of the Michigan Administrative Code and the rescission of R 436.1633 of the Michigan Administrative Code.

Date: January 23, 2025

Kristin Beltzer
Chair
Liquor Control Commission



Since 1941

Legal Division

Timothy H. Shields, Director

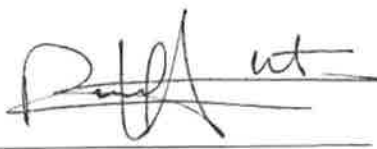
CERTIFICATE OF APPROVAL

On behalf of the Legislative Service Bureau, and as required by section 45 of the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.245, I have examined the proposed rules of the Department of Licensing and Regulatory Affairs dated December 19, 2024, amending R 436.1621, and rescinding R 436.1633, of the Department's rules entitled "Beer." I approve the rules as to form, classification, and arrangement.

Pursuant to section 44(1) of the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.244(1), these rules are being processed without a public hearing.

Dated: January 6, 2025

LEGISLATIVE SERVICE BUREAU

By 
Rachel M. Hughart,
Legal Counsel

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

LIQUOR CONTROL COMMISSION

BEER

Filed with the secretary of state on January 27, 2025

These rules become effective immediately after filing with the secretary of state unless adopted under section 33, 44, or 45a(9) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

(By authority conferred on the liquor control commission by section 40 of article IV of the state constitution of 1963, sections 201 and 215(1) of the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1201 and 436.1215, and Executive Reorganization Order No. 2011-4, MCL 445.2030)

R 436.1621 of the Michigan Administrative Code is amended, and R 436.1633 is rescinded, as follows:

R 436.1621 Excise tax on beer; reports.

Rule 21. (1) Each wholesaler, brewer, and micro brewer licensed in this state that does not designate a wholesaler to pay the beer tax shall submit to the commission, on forms acceptable to the commission and postmarked not later than the fifteenth day of each calendar quarter, a beer tax report of all beer sold in this state during the previous calendar quarter and the payment of the required beer excise tax due pursuant to section 409 of the act, MCL 436.1409.

(2) The beer excise tax reports submitted pursuant to subrule (1) of this rule by a wholesaler, brewer, or micro brewer licensed in this state must include all of the following information:

(a) The total sales of beer made into this state during the period covered by the report.

(b) The total amount of the beer excise tax due.

(c) The date that each sale of beer was made.

(d) The name and address of the retailer licensed in this state that received each shipment of beer.

(e) The invoice number for each shipment of beer.

(f) The brand name, quantity, and container size for each shipment of beer.

(3) Each brewer or micro brewer licensed in this state that designates a wholesaler to report and pay its beer taxes shall notify the commission of its selection through electronic mail. Each brewer or micro brewer licensed in this state that designates a wholesaler shall select a wholesaler or wholesalers sufficient to cover all areas of the state where the brewer's or micro brewer's products are distributed. The commission and the wholesaler shall receive notification of the designation of a wholesaler to report and pay the beer taxes not later than April 1. The selection of a wholesaler to report and pay the beer taxes may be changed only by the brewer or micro brewer licensed in this state

by notification to the commission not later than April 1. The change of designated wholesalers is effective on May 1. A brewer or micro brewer licensed in this state that does not properly designate a wholesaler and notify the commission of its selection shall be responsible for the submission of the beer tax reports and payment of the beer tax required under subrules (1) and (2) of this rule.

(4) Each brewer and micro brewer licensed in this state shall submit to the commission, on forms acceptable to the commission and postmarked not later than the fifteenth day of each calendar quarter, a beer tax report of all beer sold or consumed on the licensed premises of its manufacturing facility and tasting rooms during the previous calendar quarter. Payment of the required beer excise tax due pursuant to section 409 of the act, MCL 436.1409, must accompany the beer tax report.

R 436.1633 Rescinded.

FILED WITH SECRETARY OF STATE

ON 1/27/25 AT 10:43 A.M.