

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 6007

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 109, 111, 113, 113a, 205, 307, 513, 525, 537, 543, 603, 609, 1025, 1027, 1111, 1113, 1114, and 1115 (MCL 436.1109, 436.1111, 436.1113, 436.1113a, 436.1205, 436.1307, 436.1513, 436.1525, 436.1537, 436.1543, 436.1603, 436.1609, 436.2025, 436.2027, 436.2111, 436.2113, 436.2114, and 436.2115), sections 111, 525, 537, and 1027 as amended by 2008 PA 218, sections 113 and 543 as amended and section 113a as added by 2005 PA 269, section 205 as amended by 2001 PA 274, section 513 as amended by 2009 PA 48, section 603 as amended by 2009 PA 2, section 1025 as amended by 2008 PA 11, and section 1113 as amended and section 1114 as added by 2004 PA 134, and by adding sections 545

and 546.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 109. (1) "Manufacturer" means a person engaged in the
2 manufacture of alcoholic liquor, including, but not limited to, a
3 distiller, a rectifier, a wine maker, and a brewer.

4 (2) **"MASTER DISTRIBUTOR" MEANS A WHOLESALER WHO ACTS IN THE**
5 **SAME OR SIMILAR CAPACITY AS A BREWER, WINE MAKER, OUTSTATE SELLER**
6 **OF WINE, OR OUTSTATE SELLER OF BEER FOR A BRAND OR BRANDS OF BEER**
7 **OR WINE TO OTHER WHOLESALERS ON A REGULAR BASIS IN THE NORMAL**
8 **COURSE OF BUSINESS.**

9 (3) ~~(2)~~"Micro brewer" means a brewer that produces in total
10 less than 30,000 barrels of beer per year and that may sell the
11 beer produced to consumers at the licensed brewery premises for
12 consumption on or off the licensed brewery premises. In determining
13 the 30,000-barrel threshold, all brands and labels of a brewer,
14 whether brewed in this state or outside this state, shall be
15 combined and all facilities for the production of beer that are
16 owned or controlled by the same person shall be treated as a single
17 facility.

18 (4) ~~(3)~~"Minor" means a person less than 21 years of age.

19 (5) ~~(4)~~"Mixed spirit drink" means a drink produced and
20 packaged or sold by a mixed spirit drink manufacturer or an
21 outstate seller of mixed spirit drink which contains 10% or less
22 alcohol by volume consisting of distilled spirits mixed with
23 nonalcoholic beverages or flavoring or coloring materials and which
24 may also contain 1 or more of the following:

25 (a) Water.

1 (b) Fruit juices.

2 (c) Fruit adjuncts.

3 (d) Sugar.

4 (e) Carbon dioxide.

5 (f) Preservatives.

6 (6) ~~(5)~~—"Mixed spirit drink manufacturer" means any person
7 licensed under this act to manufacture mixed spirit drink in this
8 state and to sell mixed spirit drink to a wholesaler. For purposes
9 of rules promulgated by the commission, a mixed spirit drink
10 manufacturer shall be treated as a wine manufacturer but is subject
11 to the rules applicable to spirits for purposes of manufacturing
12 and labeling.

13 (7) ~~(6)~~—"Mixed wine drink" means a drink or similar product
14 marketed as a wine cooler and containing less than 7% alcohol by
15 volume, consisting of wine and plain, sparkling, or carbonated
16 water, and containing any 1 or more of the following:

17 (a) Nonalcoholic beverages.

18 (b) Flavoring.

19 (c) Coloring materials.

20 (d) Fruit juices.

21 (e) Fruit adjuncts.

22 (f) Sugar.

23 (g) Carbon dioxide.

24 (h) Preservatives.

25 (8) ~~(7)~~—"Outstate seller of beer" means a person licensed by
26 the commission to sell beer which has not been manufactured in this
27 state to a wholesaler in this state in accordance with rules

1 promulgated by the commission.

2 (9) ~~(8)~~—"Outstate seller of mixed spirit drink" means a person
3 licensed by the commission to sell mixed spirit drink which has not
4 been manufactured in this state to a wholesaler in this state in
5 accordance with rules promulgated by the commission. For purposes
6 of rules promulgated by the commission, an outstate seller of mixed
7 spirit drink shall be treated as an outstate seller of wine but is
8 subject to the rules applicable to spirits for purposes of
9 manufacturing and labeling.

10 (10) ~~(9)~~—"Outstate seller of wine" means a person licensed by
11 the commission to sell wine which has not been manufactured in this
12 state to a wholesaler in this state in accordance with rules
13 promulgated by the commission and to sell sacramental wine as
14 provided in section 301.

15 Sec. 111. (1) "Person" means an individual, firm, partnership,
16 limited partnership, association, limited liability company, or
17 corporation.

18 (2) "Primary source of supply" means, in the case of domestic
19 spirits, the distiller, producer, owner of the commodity at the
20 time it becomes a marketable product, or bottler, or the exclusive
21 agent of any such person and, in the case of spirits imported into
22 the United States, either the foreign distiller, producer, owner of
23 the bottler, or the prime importer for, or the exclusive agent in
24 the United States of, the foreign distiller, producer, owner, or
25 the bottler.

26 (3) "Professional account" means an account established for a
27 person by a class C licensee or tavern licensee whose major

1 business is the sale of food, by which the licensee extends credit
2 to the person for not more than 30 days.

3 (4) "Residence" means the premises in which a person resides
4 permanently.

5 (5) "Retailer" means a person licensed by the commission who
6 sells to the consumer in accordance with rules promulgated by the
7 commission. **RETAILER INCLUDES A BREWPUB BUT DOES NOT INCLUDE A
8 MANUFACTURER OR SUPPLIER, AS DEFINED IN SECTION 603, THAT IS
9 ALLOWED AS A CONDITION OF ITS LICENSE TO SELL TO CONSUMERS IN THIS
10 STATE.**

11 (6) "Sacramental wine" means wine containing not more than 24%
12 of alcohol by volume which is used for sacramental purposes.

13 (7) "Sale" includes the exchange, barter, traffic, furnishing,
14 or giving away of alcoholic liquor. In the case of a sale in which
15 a shipment or delivery of alcoholic liquor is made by a common or
16 other carrier, the sale of the alcoholic liquor is considered to be
17 made in the county within which the delivery of the alcoholic
18 liquor is made by that carrier to the consignee or his or her agent
19 or employee, and venue for the prosecution for that sale may be in
20 the county or city where the seller resides or from which the
21 shipment is made or at the place of delivery.

22 (8) "School" includes buildings used for school purposes to
23 provide instruction to children in grades kindergarten through 12,
24 when that instruction is provided by a public, private,
25 denominational, or parochial school, except those buildings used
26 primarily for adult education or college extension courses. School
27 does not include a proprietary trade or occupational school.

1 (9) "Small distiller" means a manufacturer of spirits annually
2 manufacturing in Michigan not exceeding 60,000 gallons of spirits,
3 of all brands combined.

4 (10) "Small wine maker" means a wine maker manufacturing or
5 bottling not more than 50,000 gallons of wine in 1 calendar year.

6 (11) "Special license" means a contract between the commission
7 and the special licensee granting authority to that licensee to
8 sell beer, wine, mixed spirit drink, or spirits. The license shall
9 be granted only to such persons and such organization and for such
10 period of time as the commission shall determine so long as the
11 person or organization is able to demonstrate an existence separate
12 from an affiliated umbrella organization. If such an existence is
13 demonstrated, the commission shall not deny a special license
14 solely by the applicant's affiliation with an organization that is
15 also eligible for a special license.

16 (12) "Specially designated distributor" means, subject to
17 section 534, a person engaged in an established business licensed
18 by the commission to distribute spirits and mixed spirit drink in
19 the original package for the commission for consumption off the
20 premises.

21 (13) "Specially designated merchant" means a person to whom
22 the commission grants a license to sell beer or wine, or both, at
23 retail for consumption off the licensed premises.

24 (14) "Spirits" means a beverage that contains alcohol obtained
25 by distillation, mixed with potable water or other substances, or
26 both, in solution, and includes wine containing an alcoholic
27 content of more than 21% by volume, except sacramental wine and

1 mixed spirit drink.

2 (15) "State liquor store" means a store established by the
3 commission under this act for the sale of spirits in the original
4 package for consumption off the premises.

5 (16) "Supplier of spirits" means a vendor of spirits, a
6 manufacturer of spirits, or a primary source of supply.

7 Sec. 113. (1) "Tavern" means any place licensed to sell at
8 retail beer and wine for consumption on the premises only.

9 (2) "Vehicle" means any means of transportation by land, by
10 water, or by air.

11 (3) "Vendor" means a person licensed by the commission to sell
12 alcoholic liquor.

13 (4) "Vendor of spirits" means a person selling spirits to the
14 commission.

15 (5) "Warehouse" means a premises or place primarily
16 constructed, used, or provided with facilities for the storage in
17 transit or other temporary storage of perishable goods or for the
18 conduct of a warehousing business, or for both.

19 (6) "Warehouser" means a licensee authorized by the commission
20 to store alcoholic beverages, but prohibited from making sales or
21 deliveries to retailers unless the licensee is also the holder of a
22 wholesaler or manufacturer license issued by the commission.

23 (7) "Wholesaler" means a person who **IS LICENSED BY THE**
24 **COMMISSION AND** sells beer, wine, or mixed spirit drink only to
25 retailers or other licensees, and who sells sacramental wine as
26 provided in section 301. **A WHOLESALER INCLUDES A PERSON WHO MAY**
27 **ALSO ACT AS A MASTER DISTRIBUTOR UNLESS PROHIBITED FROM DOING SO BY**

1 ITS SUPPLIER OR MANUFACTURER IN A WRITTEN AGREEMENT REQUIRED BY
2 EITHER SECTION 305(3)(I) OR 403(3)(I) AND, BY MUTUAL AGREEMENT WITH
3 A MANUFACTURER OR SUPPLIER, CAN BE AUTHORIZED BY THE MANUFACTURER
4 OR SUPPLIER TO DO EITHER OR BOTH OF THE FOLLOWING:

5 (A) REGISTER WITH THE STATE OF MICHIGAN THE LABELS OF THE
6 MANUFACTURER OR SUPPLIER.

7 (B) ON BEHALF OF THE MANUFACTURER OR SUPPLIER, COLLECT EXCISE
8 TAXES LEVIED BY THE STATE OF MICHIGAN.

9 (8) "Wine" means the product made by the normal alcoholic
10 fermentation of the juice of sound, ripe grapes, or any other fruit
11 with the usual cellar treatment, and containing not more than 21%
12 of alcohol by volume, including fermented fruit juices other than
13 grapes and mixed wine drinks.

14 (9) "Wine maker" means any person licensed by the commission
15 to manufacture wine and to sell that wine to a wholesaler, to a
16 consumer by direct shipment, at retail on the licensed winery
17 premises, to sell that wine to a retailer, and as provided for in
18 section 537.

19 Sec. 113a. (1) "Tavern" means any place licensed to sell at
20 retail beer and wine for consumption on the premises only.

21 (2) "Vehicle" means any means of transportation by land, by
22 water, or by air.

23 (3) "Vendor" means a person licensed by the commission to sell
24 alcoholic liquor.

25 (4) "Vendor of spirits" means a person selling spirits to the
26 commission.

27 (5) "Warehouse" means a premises or place primarily

1 constructed, used, or provided with facilities for the storage in
2 transit or other temporary storage of perishable goods or for the
3 conduct of a warehousing business, or for both.

4 (6) "Warehouser" means a licensee authorized by the commission
5 to store alcoholic liquor, but prohibited from making sales or
6 deliveries to retailers unless the licensee is also the holder of a
7 wholesaler license issued by the commission.

8 (7) "Wholesaler" means a person who **IS LICENSED BY THE**
9 **COMMISSION AND** sells beer, wine, or mixed spirit drink only to
10 retailers or other licensees, and who sells sacramental wine as
11 provided in section 301. **A WHOLESALER INCLUDES A PERSON WHO MAY**
12 **ALSO ACT AS A MASTER DISTRIBUTOR UNLESS PROHIBITED FROM DOING SO BY**
13 **ITS SUPPLIER OR MANUFACTURER IN A WRITTEN AGREEMENT REQUIRED BY**
14 **EITHER SECTION 305(3)(I) OR 403(3)(I) AND, BY MUTUAL AGREEMENT WITH**
15 **A MANUFACTURER OR SUPPLIER, CAN BE AUTHORIZED BY THE MANUFACTURER**
16 **OR SUPPLIER TO DO EITHER OR BOTH OF THE FOLLOWING:**

17 (A) REGISTER WITH THE STATE OF MICHIGAN THE LABELS OF THE
18 MANUFACTURER OR SUPPLIER.

19 (B) ON BEHALF OF THE MANUFACTURER OR SUPPLIER, COLLECT EXCISE
20 TAXES LEVIED BY THE STATE OF MICHIGAN.

21 (8) "Wine" means the product made by the normal alcoholic
22 fermentation of the juice of sound, ripe grapes, or any other fruit
23 with the usual cellar treatment, and containing not more than 21%
24 of alcohol by volume, including fermented fruit juices other than
25 grapes and mixed wine drinks.

26 (9) "Wine maker" means any person licensed by the commission
27 to manufacture wine, to sell that wine to a wholesaler, to sell

1 that wine by direct shipment to a consumer, at retail on the
2 licensed winery premises, and as provided for in section 537 but
3 not to sell wine to a retailer.

4 Sec. 205. (1) ~~If the commission privatizes any portion of the~~
5 ~~system existing on December 19, 1996 under which spirits are~~
6 ~~warehoused or distributed, the~~ **THE** commission shall, as provided in
7 section 203(1), by order appoint authorized distribution agents to
8 engage in the warehousing and delivery of spirits in this state so
9 as to ensure that all retail licensees continue to be properly
10 serviced with spirits. An authorized distribution agent is subject
11 to uniform requirements, including business operating procedures,
12 that the commission may prescribe by rule, subject to this section.

13 (2) A person is eligible for appointment by the commission as
14 an authorized distribution agent if the following circumstances
15 exist:

16 (a) The person satisfies all applicable commission rules
17 prescribing qualifications for licensure promulgated under section
18 215.

19 (b) The person has entered into a written agreement or
20 contract with a supplier of spirits for the purposes of warehousing
21 and delivering a brand or brands of spirits of that supplier of
22 spirits.

23 (c) The person has an adequate warehousing facility located in
24 this state for the storing of spirits from which all delivery of
25 spirits to retail licensees shall be made.

26 (3) An authorized distribution agent shall not have a direct
27 or indirect interest in a supplier of spirits or in a retailer. A

1 supplier of spirits or a retailer shall not have a direct or
2 indirect interest in an authorized distribution agent. An
3 authorized distribution agent shall not hold title to spirits.
4 ~~After September 24, 1996, an authorized distribution agent or an~~
5 ~~applicant to become an authorized distribution agent who directly~~
6 ~~or indirectly becomes licensed subsequently as a wholesaler shall~~
7 ~~not be appointed to sell a brand of wine in a county or part of a~~
8 ~~county for which a wholesaler has been appointed to sell that brand~~
9 ~~under an agreement required by this act. A wholesaler who directly~~
10 ~~or indirectly becomes an authorized distribution agent shall not~~
11 ~~sell or be appointed to sell a brand of wine to a retailer in a~~
12 ~~county or part of a county for which another wholesaler has been~~
13 ~~appointed to sell that brand under an agreement required by this~~
14 ~~act, unless that wholesaler was appointed to sell and was actively~~
15 ~~selling that brand to retailers in that county or part of that~~
16 ~~county prior to September 24, 1996, or unless the sale and~~
17 ~~appointment is the result of an acquisition, purchase, or merger~~
18 ~~with the existing wholesaler who was selling that brand to a~~
19 ~~retailer in that county or part of that county prior to September~~
20 ~~24, 1996.~~

21 (4) An authorized distribution agent shall deliver to each
22 retailer located in its assigned distribution area on at least a
23 weekly basis if the order meets the minimum requirements. Except
24 that in those weeks that accompany a state holiday, the commission
25 may order a modified delivery schedule provided that a retailer
26 waits not longer than 9 days between deliveries due to a modified
27 delivery schedule. ~~Until the system established by the commission~~

1 ~~under section 206 is activated, the authorized distribution agent~~
2 ~~shall provide retailers access to a computer application that~~
3 ~~includes the capability to determine whether certain spirits are~~
4 ~~currently available for delivery. Beginning on the date the system~~
5 ~~is established by the commission under section 206, the~~ **THE**
6 commission shall provide for an integrated ~~on-line~~ **ONLINE** ordering
7 system for spirits and shall require the continuance of any
8 ordering system in existence on the ~~effective~~ **ACTIVATION** date of
9 **THE SYSTEM ESTABLISHED UNDER** section 206. The minimum requirements
10 shall be set by the commission and shall be a sufficient number of
11 bottles to comprise not more than 2 cases. A retailer may pick up
12 the product at the authorized distribution agent's warehouse. To
13 avoid occasional emergency outages of spirits, a retail licensee
14 may make up to 12 special emergency orders to an authorized
15 distribution agent per calendar year which order shall be made
16 available to the retail licensee within 18 hours of the placing of
17 the order. A special emergency order placed on Saturday or Sunday
18 shall be made available to the retail licensee before noon on the
19 following Monday. An authorized distribution agent may impose a fee
20 of up to \$20.00 to deliver a special emergency order to a retail
21 licensee.

22 (5) In locations inaccessible to a motor vehicle as that term
23 is defined by the Michigan vehicle code, 1949 PA 300, MCL 257.1 to
24 257.923, the authorized distribution agent shall arrange that a
25 delivery of spirits to a retailer be in compliance with the
26 following procedures:

27 (a) After processing an order from a retailer, an authorized

1 distribution agent shall contact a retailer to confirm the quantity
2 of cases or bottles, or both, and the exact dollar total of the
3 order.

4 (b) The authorized distribution agent shall have the
5 responsibility to coordinate with the retailer the date and time a
6 driver is scheduled to deliver the order to a ferry transport dock,
7 shall arrange any ferry, drayage, or other appropriate service, and
8 shall pick up the retailer's payment at that time.

9 (c) The ferry transport company or company representing any
10 other form of conveyance shall take the retailer's payment to the
11 mainland dock and give that payment to the authorized distribution
12 agent's driver.

13 (d) The ferry transport company or company representing any
14 other form of conveyance shall transport the order to the drayage
15 or other appropriate company at the island dock for immediate
16 delivery to the retailer.

17 (e) The drayage or other appropriate company shall deliver the
18 order to the retailer.

19 (6) The authorized distribution agent is responsible for the
20 payment of all transportation and delivery charges imposed by the
21 ferry, drayage, or other conveyance company and is responsible for
22 all breakage and any shortages, whether attributable to the ferry,
23 drayage, or other conveyance company or any combination of those
24 companies, until the order is delivered to the retailer's
25 establishment. This subsection does not in any way prevent the
26 authorized distribution agent from seeking reimbursement or damages
27 from any company conveying the authorized distribution agent's

1 product.

2 (7) Except as otherwise provided in subsection (4), an
3 authorized distribution agent shall not charge a delivery fee or a
4 split-case fee for delivery of spirits sold by the commission to a
5 retailer.

6 (8) An authorized distribution agent or prospective authorized
7 distribution agent shall maintain and make available to the
8 commission or its representatives, upon notice, any contract or
9 written agreement it may have with a supplier of spirits or other
10 authorized distribution agent for the warehousing and delivery of
11 spirits in this state.

12 (9) For any violation of this act, rules promulgated under
13 this act, or the terms of an order appointing an authorized
14 distribution agent, an authorized distribution agent shall be
15 subject to the suspension, revocation, forfeiture, and penalty
16 provisions of sections 903(1) and 907 in the same manner in which a
17 licensee would be subject to those provisions. An authorized
18 distribution agent aggrieved by a penalty imposed by the commission
19 may invoke the hearing and appeal procedures of section 903(2) and
20 rules promulgated under that section.

21 (10) A specially designated distributor may sell to an on-
22 premises licensee up to 9 liters of spirits during any 1-month
23 period and an on-premises licensee may purchase, collectively from
24 specially designated distributors, up to that amount during any 1-
25 month period. Notwithstanding any other provision of this act or
26 rule promulgated under this act, a specially designated distributor
27 is only liable for knowingly violating this section. Records

1 verifying these purchases shall be maintained by the on-premises
2 licensee and be available to the commission upon request.

3 (11) An authorized distribution agent shall demonstrate that
4 it has made a good faith effort to provide employment to those
5 former state employees who were terminated due to the privatization
6 of the liquor distribution system. A good faith effort is
7 demonstrated by the authorized distribution agent performing at
8 least the following actions:

9 (a) Seeking from the commission a list of names and resumes of
10 all such former state employees who have indicated a desire for
11 continued employment in the distribution of liquor in Michigan.

12 (b) Providing a list of employment opportunities created by
13 the authorized distribution agent in the distribution of liquor in
14 Michigan to each individual whose name and resume is transmitted
15 from the commission.

16 (c) Providing an opportunity for application and interview to
17 any terminated state worker who indicates an interest in pursuing a
18 job opportunity with the authorized distribution agent.

19 (d) Providing a priority in hiring for those individuals who
20 apply and interview under this process.

21 (12) Any former state employees terminated due to
22 privatization who have reason to believe that an authorized
23 distribution agent has not made a good faith effort to provide him
24 or her with employment opportunities as described in subsection
25 (11) may file a complaint with the commission who shall hear the
26 complaint and make a determination on its validity. If the
27 commission determines that the complaint is valid, the violation

1 may be treated as a violation of this act and the authorized
2 distribution agent may be subject to the suspension, revocation,
3 forfeiture, and penalty provisions of sections 903(1) and 907.

4 (13) In addition to paying a vendor of spirits the acquisition
5 price for purchasing spirits, the commission may pay a vendor of
6 spirits an additional amount of not less than \$4.50 and not more
7 than \$7.50 for each case of spirits purchased as an offset to the
8 costs being incurred by that vendor of spirits in contracting with
9 an authorized distribution agent for the warehousing and delivery
10 of spirits to retailers. The payment described in this subsection
11 shall not be included in the cost of purchasing spirits by the
12 commission and shall not be subject to the commission's markup,
13 special taxes, or state sales tax. The per-case offset established
14 by this subsection may be increased by the state administrative
15 board each January to reflect reasonable increases in the
16 authorized distribution agent's cost of warehousing and delivery.
17 As used in this subsection, "case" means a container holding twelve
18 750 ml bottles of spirits or other containers containing spirits
19 which are standard to the industry.

20 Sec. 307. (1) A manufacturer, ~~and AN~~ outstate seller of wine,
21 **AND A MASTER DISTRIBUTOR** shall grant to each of its wholesalers a
22 sales territory within which the wholesaler shall be a distributor
23 of the specified brand or brands of the manufacturer, ~~or~~ outstate
24 seller of wine, **OR MASTER DISTRIBUTOR UNDER AN AGREEMENT AS**
25 **REQUIRED UNDER THIS ACT.** The territory shall be the territory
26 agreed upon between the wholesaler and manufacturer, ~~or~~ outstate
27 seller of wine, **OR MASTER DISTRIBUTOR.** ~~A manufacturer or outstate~~

1 ~~seller of wine may grant the right to sell a specified brand or~~
2 ~~brands in a sales territory to more than 1 wholesaler.~~ EXCEPT AS
3 PROVIDED FOR IN SUBSECTION (9) AND BEGINNING JUNE 1, 2010, A
4 MANUFACTURER, OUTSTATE SELLER OF WINE, OR MASTER DISTRIBUTOR SHALL
5 NOT GRANT THE RIGHT TO SELL A SPECIFIED BRAND OR BRANDS OF WINE IN
6 A SALES TERRITORY TO MORE THAN 1 WINE WHOLESALER. A MASTER
7 DISTRIBUTOR SHALL NOT ITSELF DISTRIBUTE A SPECIFIED BRAND OR BRANDS
8 OF WINE IN THE SAME SALES TERRITORY WHERE THAT MASTER DISTRIBUTOR
9 HAS GRANTED THE RIGHT TO DISTRIBUTE THAT SPECIFIED BRAND OR BRANDS
10 OF WINE IN THAT SALES TERRITORY TO ANOTHER WINE WHOLESALER.
11 NOTWITHSTANDING SECTION 109(2), AS USED IN THIS SECTION, "MASTER
12 DISTRIBUTOR" MEANS A WHOLESALER THAT ACTS IN THE SAME OR SIMILAR
13 CAPACITY AS A WINE MAKER, WINE MANUFACTURER, OR OUTSTATE SELLER OF
14 WINE FOR A BRAND OR BRANDS OF WINE TO OTHER WHOLESALERS ON A
15 REGULAR BASIS IN THE NORMAL COURSE OF BUSINESS.

16 (2) Notwithstanding subsection (1), a brand extension is not
17 considered a new or different brand. A manufacturer or outstate
18 seller of wine shall assign a brand extension to the wholesaler
19 that was granted the sales territory for the brand from which the
20 brand extension resulted.

21 (3) Subsection (2) does not apply where, before January 1,
22 1994, a manufacturer or outstate seller of wine had assigned a
23 brand extension to a wholesaler that was not the appointed
24 wholesaler for the brand from which the brand extension was made.

25 (4) Until July 1, 1995, a manufacturer or outstate seller of
26 wine who acquired or otherwise obtained the right to assign brands
27 of another manufacturer or outstate seller of wine between January

1 1, 1994 and July 1, 1995 shall assign a brand extension to the
2 wholesaler that was granted the sales territory for the brand from
3 which the brand extension resulted. Beginning July 1, 1995, a
4 manufacturer or outstate seller of wine who acquires or otherwise
5 obtains the right to assign brands of another manufacturer or
6 outstate seller of wine is not required to assign a new brand
7 extension to the wholesaler that is granted the exclusive sales
8 territory to the brand from which the new brand extension results.
9 Any brand extension assigned between January 1, 1994 and July 1,
10 1995 shall remain assigned to the assigned wholesaler.

11 (5) A manufacturer of a mixed wine drink, mixed spirit drink
12 manufacturer, outstate seller of a mixed wine drink, or outstate
13 seller of mixed spirit drink shall grant to each of its wholesalers
14 an exclusive sales territory in which the wholesaler shall be a
15 distributor of the specified brand or brands of the manufacturer or
16 outstate seller. The territory shall be the territory agreed upon
17 between the wholesaler and the manufacturer of a mixed wine drink,
18 mixed spirit drink manufacturer, outstate seller of mixed wine
19 drinks, or outstate seller of mixed spirit drink.

20 (6) Notwithstanding subsection (5), a brand extension is not
21 considered a new or different brand. A manufacturer of a mixed wine
22 drink, mixed spirit drink manufacturer, outstate seller of a mixed
23 wine drink, or outstate seller of mixed spirit drink shall assign a
24 brand extension to the wholesaler that was granted the exclusive
25 sales territory for the brand from which the brand extension
26 resulted.

27 (7) Subsection (6) does not apply where, before January 1,

1 1994, a manufacturer of a mixed wine drink, mixed spirit drink
2 manufacturer, outstate seller of a mixed wine drink, or outstate
3 seller of mixed spirit drink had assigned a brand extension to a
4 wholesaler that was not the appointed wholesaler for the brand from
5 which the brand extension was made.

6 (8) Until July 1, 1995, a manufacturer of a mixed wine drink,
7 mixed spirit drink manufacturer, outstate seller of mixed wine
8 drink, or outstate seller of mixed spirit drink who acquired or
9 otherwise obtained the right to assign brands of another
10 manufacturer of a mixed wine drink, mixed spirit drink
11 manufacturer, outstate seller of a mixed wine drink, or outstate
12 seller of mixed spirit drink between January 1, 1994 and July 1,
13 1995 shall assign a brand extension to the wholesaler that was
14 granted the exclusive sales territory for the brand from which the
15 brand extension resulted. Beginning July 1, 1995, a manufacturer of
16 mixed wine drink, mixed spirit drink manufacturer, outstate seller
17 of mixed wine drink, or outstate seller of mixed spirit drink who
18 acquires or otherwise obtains the right to assign brands of another
19 manufacturer of mixed wine drink, mixed spirit drink manufacturer,
20 outstate seller of mixed wine drink, or outstate seller of mixed
21 spirit drink is not required to assign a new brand extension to the
22 wholesaler that is granted the exclusive sales territory to the
23 brand from which the new brand extension results. Any brand
24 extension assigned between January 1, 1994 and July 1, 1995 shall
25 remain assigned to the assigned wholesaler.

26 (9) **SUBSECTION (1) DOES NOT PROHIBIT ANY OF THE FOLLOWING:**

27 (A) **A MANUFACTURER OF WINE, AN OUTSTATE SELLER OF WINE, OR A**

1 MASTER DISTRIBUTOR FROM CONTINUING OR RENEWING AN AGREEMENT UNDER
2 THIS ACT WITH A WHOLESALER FOR A SPECIFIED BRAND OR BRANDS FOR ANY
3 COUNTY OR PART OF A COUNTY WHERE MORE THAN 1 WHOLESALER HAS AN
4 AGREEMENT WITH THE MANUFACTURER OF WINE, OUTSTATE SELLER OF WINE,
5 OR MASTER DISTRIBUTOR IN EFFECT ON JUNE 1, 2010 IF THE WHOLESALER
6 HAD AN AGREEMENT TO DISTRIBUTE THAT SPECIFIED BRAND OR BRANDS IN
7 THAT COUNTY OR THAT PART OF A COUNTY AND WAS A MASTER DISTRIBUTOR
8 OR WAS ACTIVELY SELLING THAT BRAND OR BRANDS OF WINE TO A RETAILER
9 IN THAT COUNTY OR THAT PART OF A COUNTY ON JUNE 1, 2010.

10 (B) A WHOLESALER FROM SELLING OR TRANSFERRING THE WHOLESALER'S
11 DISTRIBUTION RIGHTS OR A MANUFACTURER OF WINE, OUTSTATE SELLER OF
12 WINE, OR MASTER DISTRIBUTOR FROM APPROVING THE SALE OR TRANSFER OF
13 A WHOLESALER'S DISTRIBUTION RIGHTS TO A SPECIFIED BRAND OR BRANDS
14 OF WINE FOR ANY COUNTY OR PART OF A COUNTY TO ANOTHER WHOLESALER IF
15 THE SELLING OR TRANSFERRING WHOLESALER, OR ANY OF ITS PREDECESSORS,
16 HAD THE RIGHT TO DISTRIBUTE THAT BRAND OR BRANDS OF WINE IN THAT
17 COUNTY OR PART OF THAT COUNTY AND WAS ACTIVELY SELLING THAT BRAND
18 OR BRANDS TO A RETAILER IN THAT COUNTY OR THAT PART OF A COUNTY ON
19 JUNE 1, 2010 OR WAS ACTING AS A MASTER DISTRIBUTOR FOR THAT COUNTY
20 OR PART OF THAT COUNTY ON JUNE 1, 2010.

21 Sec. 513. (1) The commission may issue to the governing board
22 of a college or university, without regard to the quota provisions
23 of section 531, a license to sell alcoholic liquor for consumption
24 on the premises of a conference center operated by the governing
25 board. Licenses granted under this subsection may be used only for
26 the sale of alcoholic liquor at regularly scheduled conference
27 center activities. The sale of alcoholic liquor to unscheduled

1 patrons or at unscheduled events is prohibited under this
2 subsection.

3 (2) Subject to the provisions of section 531, the commission
4 may issue a license to a private entity for the sale of alcoholic
5 liquor for consumption on the premises of a hotel located on land
6 owned by central Michigan university if both of the following
7 circumstances exist:

8 (a) The land is leased or subleased at fair market value to a
9 private entity that owns, leases, or subleases the hotel building
10 and its fixtures.

11 (b) The hotel and land are located within an industrial,
12 research, or commercial development park established by the
13 governing board of central Michigan university.

14 (3) Subject to the provisions of section 531, the commission
15 may issue a license to a private entity for the sale of alcoholic
16 liquor for consumption on the licensed premises of a restaurant
17 located on land owned by Wayne state university if both of the
18 following circumstances exist:

19 (a) The land is leased or subleased at fair market value to a
20 private entity that owns, leases, or subleases the licensed
21 premises for the operation of a restaurant.

22 (b) The restaurant is located within an area designated for
23 industrial, research, or commercial development by the governing
24 board of Wayne state university.

25 (4) Licenses issued pursuant to this section are
26 nontransferable, and the licensee shall pay the fee required under
27 section 525.

1 (5) As used in this section:

2 (a) "College" or "university" means a 2-year or 4-year state
3 supported institution of higher education.

4 (b) "Conference center" means a building or portion of a
5 building, other than a student residence hall or student center,
6 which has meeting rooms, banquet areas, social halls, overnight
7 accommodations, and related facilities for special activities
8 scheduled by the college or university, which in the judgment of
9 the commission, has been regularly used for conferences and lodging
10 of guests. The convocation center and the corporate education
11 center at eastern Michigan university, the Kirkhof and Eberhard
12 centers at Grand Valley state university, the Bernhard center at
13 western Michigan university, the Wadsworth center at Michigan
14 technological university, the West complex at Saginaw Valley state
15 university, the conference center at Big Rapids, the applied
16 technology center at Grand Rapids and the FSU-GR conference center
17 of Ferris state university, Grand Rapids junior college, the
18 Waterman campus center at Schoolcraft college, the Mendel center at
19 Lake Michigan community college, the McGregor memorial conference
20 center at Wayne state university, the Michigan state university
21 management educational center, the Superior dome at northern
22 Michigan university, the Walker Cisler center at Lake Superior
23 state university, the Marie Prah1 college center at Mott community
24 college, the John T. Parsons and Frank L. Stulen Michigan technical
25 education center, the Gerald and Frances Oleson center, the Dennon
26 museum center, and the Great Lakes campus at northwestern Michigan
27 college, the farmhouse at Delta college, the Oakland community

1 college culinary studies institute, ~~and~~ the performing arts and
2 cultural center complex at Macomb community college, **THE WESTERN**
3 **MICHIGAN UNIVERSITY DOWNTOWN GRAND RAPIDS CAMPUS, THE GEORGE E.**
4 **POTTER CENTER AND COMMUNITY EVENTS CENTER AT JACKSON COMMUNITY**
5 **COLLEGE, THE LA-Z-BOY CENTER AT MONROE COUNTY COMMUNITY COLLEGE,**
6 **THE WASHTENAW COMMUNITY COLLEGE MORRIS LAWRENCE BUILDING, AND THE**
7 **STUDENT CENTER CULINARY ARTS BUILDING AND THE ADMINISTRATION**
8 **CONFERENCE CENTER ON THE DEARBORN CAMPUS OF THE HENRY FORD**
9 **COMMUNITY COLLEGE** are considered conference centers for the
10 purposes of this act.

11 Sec. 525. (1) Except as otherwise provided for in this
12 section, the following license fees shall be paid at the time of
13 filing applications or as otherwise provided in this act **AND ARE**
14 **SUBJECT TO ALLOCATION UNDER SECTION 543:**

15 (a) Manufacturers of spirits, but not including makers,
16 blenders, and rectifiers of wines containing 21% or less alcohol by
17 volume, \$1,000.00.

18 (b) Manufacturers of beer, \$50.00 per 1,000 barrels, or
19 fraction of a barrel, production annually with a maximum fee of
20 \$1,000.00, and in addition \$50.00 for each motor vehicle used in
21 delivery to retail licensees. A fee increase does not apply to a
22 manufacturer of less than 15,000 barrels production per year.

23 (c) Outstate seller of beer, delivering or selling beer in
24 this state, \$1,000.00.

25 (d) Wine makers, blenders, and rectifiers of wine, including
26 makers, blenders, and rectifiers of wines containing 21% or less
27 alcohol by volume, \$100.00. The small wine maker license fee is

1 \$25.00.

2 (e) Outstate seller of wine, delivering or selling wine in
3 this state, \$300.00.

4 (f) Outstate seller of mixed spirit drink, delivering or
5 selling mixed spirit drink in this state, \$300.00.

6 (g) Dining cars or other railroad or Pullman cars selling
7 alcoholic liquor, \$100.00 per train.

8 (h) Wholesale vendors other than manufacturers of beer,
9 \$300.00 for the first motor vehicle used in delivery to retail
10 licensees and \$50.00 for each additional motor vehicle used in
11 delivery to retail licensees.

12 (i) Watercraft, licensed to carry passengers, selling
13 alcoholic liquor, a minimum fee of \$100.00 and a maximum fee of
14 \$500.00 per year computed on the basis of \$1.00 per person per
15 passenger capacity.

16 (j) Specially designated merchants, for selling beer or wine
17 for consumption off the premises only but not at wholesale, \$100.00
18 for each location regardless of the fact that the location may be a
19 part of a system or chain of merchandising.

20 (k) Specially designated distributors licensed by the
21 commission to distribute spirits and mixed spirit drink in the
22 original package for the commission for consumption off the
23 premises, \$150.00 per year, and an additional fee of \$3.00 for each
24 \$1,000.00 or major fraction of that amount in excess of \$25,000.00
25 of the total retail value of merchandise purchased under each
26 license from the commission during the previous calendar year.

27 (l) Hotels of class A selling beer and wine, a minimum fee of

1 \$250.00 and, for all bedrooms in excess of 20, \$1.00 for each
2 additional bedroom, but not more than \$500.00.

3 (m) Hotels of class B selling beer, wine, mixed spirit drink,
4 and spirits, a minimum fee of \$600.00 and, for all bedrooms in
5 excess of 20, \$3.00 for each additional bedroom. If a hotel of
6 class B sells beer, wine, mixed spirit drink, and spirits in more
7 than 1 public bar, the fee entitles the hotel to sell in only 1
8 public bar, other than a bedroom, and a license shall be secured
9 for each additional public bar, other than a bedroom, the fee for
10 which is \$350.00.

11 (n) Taverns, selling beer and wine, \$250.00.

12 (o) Class C license selling beer, wine, mixed spirit drink,
13 and spirits, \$600.00. If a class C licensee sells beer, wine, mixed
14 spirit drink, and spirits in more than 1 bar, a fee of \$350.00
15 shall be paid for each additional bar. In municipally owned or
16 supported facilities in which nonprofit organizations operate
17 concession stands, a fee of \$100.00 shall be paid for each
18 additional bar.

19 (p) Clubs selling beer, wine, mixed spirit drink, and spirits,
20 \$300.00 for clubs having 150 or fewer duly accredited members and
21 \$1.00 for each additional member. The membership list for the
22 purpose only of determining the license fees to be paid under this
23 subdivision shall be the accredited list of members as determined
24 by a sworn affidavit 30 days before the closing of the license
25 year. This subdivision does not prevent the commission from
26 checking a membership list and making its own determination from
27 the list or otherwise. The list of members and additional members

1 is not required of a club paying the maximum fee. The maximum fee
2 shall not exceed \$750.00 for any 1 club.

3 (q) Warehouse, to be fixed by the commission with a minimum
4 fee for each warehouse of \$50.00.

5 (r) Special licenses, a fee of \$50.00 per day, except that the
6 fee for that license or permit issued to any bona fide nonprofit
7 association, duly organized and in continuous existence for 1 year
8 before the filing of its application, is \$25.00. Not more than 12
9 special licenses may be granted to any organization, including an
10 auxiliary of the organization, in a calendar year.

11 (s) Airlines licensed to carry passengers in this state that
12 sell, offer for sale, provide, or transport alcoholic liquor,
13 \$600.00.

14 (t) Brandy manufacturer, \$100.00.

15 (u) Mixed spirit drink manufacturer, \$100.00.

16 (v) Brewpub, \$100.00.

17 (w) Class G-1, \$1,000.00.

18 (x) Class G-2, \$500.00.

19 (y) Motorsports event license, \$250.00.

20 (z) Small distiller, \$100.00.

21 **(AA) WINE AUCTION LICENSE, \$50,000.00.**

22 **(BB) NONPUBLIC CONTINUING CARE RETIREMENT CENTER LICENSE,**
23 **\$600.00.**

24 (2) The fees provided in this act for the various types of
25 licenses shall not be prorated for a portion of the effective
26 period of the license. Notwithstanding subsection (1), the initial
27 license fee for any licenses issued under section 531(3) and (4) is

1 \$20,000.00. The renewal license fee shall be the amount described
2 in subsection (1). However, the commission shall not impose the
3 \$20,000.00 initial license fee for applicants whose license
4 eligibility was already approved on July 20, 2005.

5 (3) Beginning July 23, 2004, and except in the case of any
6 resort or resort economic development license issued under section
7 531(2), (3), (4), and (5) and a license issued under section 521,
8 the commission shall issue an initial or renewal license not later
9 than 90 days after the applicant files a completed application.
10 Receipt of the application is considered the date the application
11 is received by any agency or department of the state of Michigan.
12 If the application is considered incomplete by the commission, the
13 commission shall notify the applicant in writing, or make the
14 information electronically available, within 30 days after receipt
15 of the incomplete application, describing the deficiency and
16 requesting the additional information. The determination of the
17 completeness of an application does not operate as an approval of
18 the application for the license and does not confer eligibility
19 upon an applicant determined otherwise ineligible for issuance of a
20 license. The 90-day period is tolled under any of the following
21 circumstances:

22 (a) Notice sent by the commission of a deficiency in the
23 application until the date all of the requested information is
24 received by the commission.

25 (b) The time period during which actions required by a party
26 other than the applicant or the commission are completed that
27 include, but are not limited to, completion of construction or

1 renovation of the licensed premises; mandated inspections by the
2 commission or by any state, local, or federal agency; approval by
3 the legislative body of a local unit of government; criminal
4 history or criminal record checks; financial or court record
5 checks; or other actions mandated by this act or rule or as
6 otherwise mandated by law or local ordinance.

7 (4) If the commission fails to issue or deny a license within
8 the time required by this section, the commission shall return the
9 license fee and shall reduce the license fee for the applicant's
10 next renewal application, if any, by 15%. The failure to issue a
11 license within the time required under this section does not allow
12 the commission to otherwise delay the processing of the
13 application, and that application, upon completion, shall be placed
14 in sequence with other completed applications received at that same
15 time. The commission shall not discriminate against an applicant in
16 the processing of the application based upon the fact that the
17 license fee was refunded or discounted under this subsection.

18 (5) Beginning October 1, 2005, the chair of the commission
19 shall submit a report by December 1 of each year to the standing
20 committees and appropriations subcommittees of the senate and house
21 of representatives concerned with liquor license issues. The chair
22 of the commission shall include all of the following information in
23 the report concerning the preceding fiscal year:

24 (a) The number of initial and renewal applications the
25 commission received and completed within the 90-day time period
26 described in subsection (3).

27 (b) The number of applications denied.

1 (c) The number of applicants not issued a license within the
2 90-day time period and the amount of money returned to licensees
3 under subsection (4).

4 (6) As used in this section, "completed application" means an
5 application complete on its face and submitted with any applicable
6 licensing fees as well as any other information, records, approval,
7 security, or similar item required by law or rule from a local unit
8 of government, a federal agency, or a private entity but not from
9 another department or agency of the state of Michigan.

10 Sec. 537. (1) The following classes of vendors may sell
11 alcoholic liquors at retail as provided in this section:

12 (a) Taverns where beer and wine may be sold for consumption on
13 the premises only.

14 (b) Class C license where beer, wine, mixed spirit drink, and
15 spirits may be sold for consumption on the premises.

16 (c) Clubs where beer, wine, mixed spirit drink, and spirits
17 may be sold for consumption on the premises only to bona fide
18 members where consumption is limited to these members and their
19 bona fide guests, who have attained the age of 21 years.

20 (d) Direct shippers where wine may be sold and shipped
21 directly to the consumer.

22 (e) Hotels of class A where beer and wine may be sold for
23 consumption on the premises and in the rooms of bona fide
24 registered guests. Hotels of class B where beer, wine, mixed spirit
25 drink, and spirits may be sold for consumption on the premises and
26 in the rooms of bona fide registered guests.

27 (f) Specially designated merchants, where beer and wine may be

1 sold for consumption off the premises only.

2 (g) Specially designated distributors where spirits and mixed
3 spirit drink may be sold for consumption off the premises only.

4 (h) Special licenses where beer and wine or beer, wine, mixed
5 spirit drink, and spirits may be sold for consumption on the
6 premises only.

7 (i) Dining cars or other railroad or Pullman cars, watercraft,
8 or aircraft, where alcoholic liquor may be sold for consumption on
9 the premises only, subject to rules promulgated by the commission.

10 (j) Brewpubs where beer manufactured on the premises by the
11 licensee may be sold for consumption on or off the premises by any
12 of the following licensees:

13 (i) Class C.

14 (ii) Tavern.

15 (iii) Class A hotel.

16 (iv) Class B hotel.

17 (k) Micro brewers and brewers selling less than 200,000
18 barrels of beer per year where beer produced by the micro brewer or
19 brewer may be sold to a consumer for consumption on or off the
20 brewery premises.

21 (l) Class G-1 license where beer, wine, mixed spirit drink, and
22 spirits may be sold for consumption on the premises only to members
23 required to pay an annual membership fee and consumption is limited
24 to these members and their bona fide guests.

25 (m) Class G-2 license where beer and wine may be sold for
26 consumption on the premises only to members required to pay an
27 annual membership fee and consumption is limited to these members

1 and their bona fide guests.

2 (n) Motorsports event license where beer and wine may be sold
3 for consumption on the premises during sanctioned motorsports
4 events only.

5 (o) Wine maker where wine may be sold by direct shipment, at
6 retail on the licensed premises, and as provided for in subsections
7 (2) and (3).

8 (p) Small distiller selling not more than 60,000 gallons of
9 spirits manufactured by that licensee to the consumer at retail for
10 consumption on or off the licensed premises in the manner provided
11 for in section 534.

12 **(Q) NONPUBLIC CONTINUING CARE RETIREMENT CENTER LICENSE, WHERE**
13 **BEER, WINE, MIXED SPIRIT DRINK, MIXED WINE DRINK, AND SPIRITS MAY**
14 **BE SOLD AT RETAIL AND SERVED ON THE LICENSED PREMISES TO RESIDENTS**
15 **AND BONA FIDE GUESTS ACCOMPANYING THE RESIDENT FOR CONSUMPTION ONLY**
16 **ON THE LICENSED PREMISES.**

17 (2) A wine maker may sell wine made by that wine maker in a
18 restaurant for consumption on or off the premises if the restaurant
19 is owned by the wine maker or operated by another person under an
20 agreement approved by the commission and located on the premises
21 where the wine maker is licensed.

22 **(3) A WINE MAKER, WITH THE PRIOR WRITTEN APPROVAL OF THE**
23 **COMMISSION, MAY CONDUCT WINE TASTINGS OF WINES MADE BY THAT WINE**
24 **MAKER ON THE PREMISES WHERE THE WINE MAKER IS LICENSED TO**
25 **MANUFACTURE WINE. THE WINE MAKER MAY CHARGE FOR THE SAMPLES.**

26 **(4) ~~(3)~~**A wine maker, with the prior written approval of the
27 commission, may conduct wine tastings of wines made by that wine

1 maker and may sell the wine made by that wine maker for consumption
2 off the premises at a location other than the premises where the
3 wine maker is licensed to manufacture wine, under the following
4 conditions:

5 (a) The premises upon which the wine tasting occurs conforms
6 to local and state sanitation requirements.

7 (b) Payment of a \$100.00 fee per location is made to the
8 commission.

9 (c) The wine tasting locations shall be considered licensed
10 premises, **AND THE WINE MAKER MAY INCLUDE A CHARGE FOR THE SAMPLES.**

11 (d) Wine tasting ~~does not take place between the hours of 2~~
12 ~~a.m. and 7 a.m. Monday through Saturday, or between 2 a.m. and 12~~
13 ~~noon on Sunday~~ **TAKES PLACE DURING THE LEGAL HOURS FOR THE SALE OF**
14 **ALCOHOLIC LIQUOR BY THE LICENSEE.**

15 (e) The premises and the licensee comply with and are subject
16 to all applicable rules promulgated by the commission.

17 **(5) NOTWITHSTANDING SECTION 1025(1), AN OUTSTATE SELLER OF**
18 **BEER, AN OUTSTATE SELLER OF WINE, A WINE MAKER, A BREWER, A**
19 **MICROBREWER, A SPECIALLY DESIGNATED DISTRIBUTOR, OR A SPECIALLY**
20 **DESIGNATED MERCHANT, OR AN AGENT OF ANY OF THOSE PERSONS, WHO DOES**
21 **NOT HOLD A LICENSE ALLOWING THE CONSUMPTION OF ALCOHOLIC LIQUOR ON**
22 **THE PREMISES AT THE SAME LICENSED ADDRESS, MAY CONDUCT BEER AND**
23 **WINE TASTINGS ON THE LICENSED PREMISES OF A SPECIALLY DESIGNATED**
24 **DISTRIBUTOR OR SPECIALLY DESIGNATED MERCHANT UNDER THE FOLLOWING**
25 **CONDITIONS:**

26 **(A) A CUSTOMER IS NOT CHARGED FOR THE TASTING OF BEER OR WINE.**

27 **(B) THE TASTING SAMPLES PROVIDED TO A CUSTOMER DO NOT EXCEED 3**

1 SERVINGS AT UP TO 3 OUNCES PER SERVING OF BEER OR WINE. A CUSTOMER
2 SHALL NOT BE PROVIDED MORE THAN A TOTAL OF 9 OUNCES OF BEER OR WINE
3 WITHIN A 24-HOUR PERIOD PER LICENSED PREMISES.

4 (C) THE SPECIALLY DESIGNATED DISTRIBUTOR, SPECIALLY DESIGNATED
5 MERCHANT, OUTSTATE SELLER OF BEER, OUTSTATE SELLER OF WINE, WINE
6 MAKER, MICROBREWERY, OR BREWER HAS FIRST OBTAINED AN ANNUAL BEER AND
7 WINE TASTING PERMIT APPROVED BY THE COMMISSION.

8 (D) THE COMMISSION IS NOTIFIED, IN WRITING, A MINIMUM OF 10
9 WORKING DAYS PRIOR TO THE EVENT, REGARDING THE DATE, TIME, AND
10 LOCATION OF THE EVENT.

11 (6) DURING THE TIME A BEER OR WINE TASTING IS CONDUCTED UNDER
12 SUBSECTION (5), THE SPECIALLY DESIGNATED DISTRIBUTOR, SPECIALLY
13 DESIGNATED MERCHANT, OUTSTATE SELLER OF BEER, OUTSTATE SELLER OF
14 WINE, WINE MAKER, MICROBREWERY, OR BREWER, OR ITS AGENT OR EMPLOYEE
15 WHO HAS SUCCESSFULLY COMPLETED A SERVER TRAINING PROGRAM AS
16 PROVIDED FOR IN SECTION 906, SHALL DEVOTE FULL TIME TO THE BEER AND
17 WINE TASTING ACTIVITY AND SHALL PERFORM NO OTHER DUTIES, INCLUDING
18 THE SALE OF ALCOHOLIC LIQUOR FOR CONSUMPTION OFF THE LICENSED
19 PREMISES. BEER AND WINE USED FOR THE TASTING MUST COME FROM THE
20 SPECIALLY DESIGNATED DISTRIBUTOR'S OR SPECIALLY DESIGNATED
21 MERCHANT'S INVENTORY, AND ALL OPEN BOTTLES MUST BE REMOVED FROM THE
22 PREMISES ON THE SAME BUSINESS DAY OR RESEALED AND STORED IN A
23 LOCKED, SEPARATE STORAGE COMPARTMENT ON THE LICENSED PREMISES WHEN
24 NOT BEING USED FOR THE ACTIVITIES ALLOWED BY THE PERMIT.

25 (7) A WHOLESALER IS PROHIBITED FROM CONDUCTING OR
26 PARTICIPATING IN BEER AND WINE TASTINGS ALLOWED BY THE PERMIT
27 CREATED IN SUBSECTION (5).

1 (8) A BEER AND WINE TASTING UNDER SUBSECTION (5) MAY ONLY BE
2 CONDUCTED DURING THE LEGAL HOURS FOR SALE OF ALCOHOLIC LIQUOR BY
3 THE LICENSEE.

4 (9) A BRANDY MANUFACTURER OR SMALL DISTILLER, WITH THE PRIOR
5 WRITTEN APPROVAL OF THE COMMISSION, MAY CONDUCT TASTINGS OF BRANDY
6 AND SPIRITS MADE BY THAT BRANDY MANUFACTURER OR SMALL DISTILLER AND
7 MAY SELL THE BRANDY AND SPIRITS MADE BY THAT BRANDY MANUFACTURER OR
8 SMALL DISTILLER FOR CONSUMPTION OFF THE LICENSED PREMISES AT A
9 LOCATION OTHER THAN THE LICENSED PREMISES WHERE THE BRANDY
10 MANUFACTURER OR SMALL DISTILLER IS LICENSED TO MANUFACTURE BRANDY
11 OR SPIRITS UNDER THE FOLLOWING CONDITIONS:

12 (A) THE PREMISES UPON WHICH THE BRANDY AND SPIRITS TASTINGS
13 OCCUR CONFORM TO LOCAL AND STATE SANITATION REQUIREMENTS.

14 (B) PAYMENT OF A \$100.00 FEE PER LOCATION IS MADE TO THE
15 COMMISSION.

16 (C) THE BRANDY AND SPIRITS TASTING LOCATIONS SHALL BE
17 CONSIDERED LICENSED PREMISES.

18 (D) BRANDY AND SPIRITS TASTING SHALL TAKE PLACE DURING THE
19 LEGAL HOURS FOR SELLING ALCOHOLIC LIQUOR BY THE LICENSEE.

20 (E) THE PREMISES AND THE LICENSE COMPLY WITH AND ARE SUBJECT
21 TO ALL APPLICABLE RULES PROMULGATED BY THE COMMISSION.

22 Sec. 543. (1) Quarterly, upon recommendation of the
23 commission, the state shall pay pursuant to appropriation in the
24 manner prescribed by law to the city, village, or township in which
25 a full-time police department or full-time ordinance enforcement
26 department is maintained or, if a police department or full-time
27 ordinance enforcement department is not maintained, to the county,

1 to be credited to the sheriff's department of the county in which
2 the licensed premises are located, 55% of the amount of the
3 proceeds of the retailers' license fees and license renewal fees
4 collected in that jurisdiction, for the specific purpose of
5 enforcing this act and the rules promulgated under this act. Forty-
6 one and one-half percent of the amount of the proceeds of
7 retailers' license and license renewal fees collected shall be
8 deposited in a special fund to be annually appropriated to the
9 commission for carrying out the licensing and enforcement
10 provisions of this act. Any unencumbered or uncommitted money in
11 the special fund shall revert to the general fund of the state 12
12 months after the end of each fiscal year in which the funds were
13 collected. The legislature shall appropriate 3-1/2% of the amount
14 of the proceeds of retailers' license and license renewal fees
15 collected to be credited to a special fund in the state treasury
16 for the purposes of promoting and sustaining programs for the
17 prevention, rehabilitation, care, and treatment of alcoholics. This
18 subsection does not apply to retail license fees collected for
19 railroad or Pullman cars, watercraft, ~~or~~ aircraft, **OR WINE AUCTIONS**
20 or to the transfer fees provided in section 529.

21 (2) All license and license renewal fees, other than retail
22 license and license renewal fees, shall be credited to the grape
23 and wine industry council created in section 303, to be used as
24 provided in section 303. Money credited to the grape and wine
25 industry council shall not revert to the state general fund at the
26 close of the fiscal year, but shall remain in the account to which
27 it was credited to be used as provided in section 303.

1 (3) All retail license fees collected for railroad or Pullman
2 cars, watercraft, or aircraft —and the transfer fees provided in
3 section 529 shall be deposited in the special fund created in
4 subsection (1) for carrying out the licensing and enforcement
5 provisions of this act.

6 (4) The license fee enhancement imposed for licenses issued
7 under section 531(3) and (4) shall be deposited into a special fund
8 to be annually appropriated to the commission for enforcement and
9 other related projects determined appropriate by the commission.
10 The money representing that amount of the license fees for
11 identical licenses not issued under section 531(3) and (4) shall be
12 allocated and appropriated under subsection (1).

13 (5) The license fee imposed on direct shipper licenses and any
14 violation fines imposed by the commission shall be deposited into
15 the direct shipper enforcement revolving fund. The direct shipper
16 enforcement revolving fund is created within the state treasury.
17 The state treasurer shall direct the investment of the fund. The
18 state treasurer shall credit to the fund interest and earnings from
19 fund investments. Money in the fund at the close of the fiscal year
20 shall remain in the fund and shall not lapse to the general fund.
21 The commission shall expend money from the fund, upon
22 appropriation, only for enforcement of the provisions of section
23 203 and related projects.

24 **(6) ONE HUNDRED PERCENT OF THE WINE AUCTION LICENSE FEE**
25 **IMPOSED IN SECTION 525(1) (AA) SHALL BE DEPOSITED INTO THE GENERAL**
26 **FUND.**

27 (7) ~~(6)~~—As used in this section, "license fee enhancement"

1 means the money representing the difference between the license fee
2 imposed for a license under section 525(1) and the additional
3 amount imposed for resort and resort economic development licenses
4 under section 525(2).

5 (8) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, THE
6 ADDITIONAL \$160.00 LICENSE FEE IMPOSED UPON ANY LICENSEE SELLING
7 ALCOHOLIC LIQUOR BETWEEN THE HOURS OF 7 A.M. ON SUNDAY AND 12 NOON
8 ON SUNDAY IS ALLOCATED TO THE GENERAL FUND.

9 SEC. 545. (1) AS USED IN THIS SECTION:

10 (A) "PRIVATE EVENT" MEANS AN EVENT WHERE NO CONSIDERATION, AS
11 DEFINED IN SECTION 913(5), IS PAID BY THE GUESTS.

12 (B) "CATERING PERMIT" MEANS A PERMIT ISSUED BY THE COMMISSION
13 TO A HOLDER OF A PUBLIC ON-PREMISES LICENSE FOR THE SALE OF SPIRITS
14 THAT IS ALSO LICENSED AS A FOOD SERVICE ESTABLISHMENT UNDER THE
15 FOOD LAW OF 2000, 2000 PA 92, MCL 289.1101 TO 289.8111, THAT
16 ENABLES THE PERMIT HOLDER TO SELL AND DELIVER SPIRITS IN THE
17 ORIGINAL SEALED CONTAINER TO A PERSON FOR OFF-PREMISES CONSUMPTION
18 SO LONG AS THE SALE IS NOT BY THE GLASS OR DRINK AND REQUIRES THE
19 PERMIT HOLDER TO PROVIDE THE SERVICE OF THE SPIRITS. ISSUANCE OF
20 THE PERMIT DOES NOT ALLOW THE PERMIT HOLDER TO DELIVER SPIRITS BUT
21 NOT SERVE THE SPIRITS.

22 (2) SPIRITS SOLD BY AN ON-PREMISES LICENSEE UNDER THE CATERING
23 PERMIT AUTHORIZED BY THIS SECTION SHALL NOT BE SOLD AT LESS THAN
24 THE MINIMUM RETAIL PRICE FIXED BY THE COMMISSION AND PURSUANT TO
25 RULES PROMULGATED BY THE COMMISSION FOR SPECIALLY DESIGNATED
26 DISTRIBUTORS PURSUANT TO SECTION 229.

27 (3) THE COMMISSION MAY ISSUE A CATERING PERMIT TO A PUBLIC ON-

1 PREMISES LICENSEE, AS A SUPPLEMENT TO THAT ON-PREMISES LICENSE, TO
2 ALLOW THE SALE AND DELIVERY OF SPIRITS IN THE ORIGINAL SEALED
3 CONTAINER AT LOCATIONS OTHER THAN THE LICENSED PREMISES AND TO
4 REQUIRE THE PERMIT HOLDER TO PROVIDE FOR SERVICE OF SPIRITS AT THE
5 PRIVATE EVENT WHERE THE ALCOHOLIC LIQUOR IS NOT RESOLD TO GUESTS.
6 THE COMMISSION SHALL NOT ISSUE A CATERING PERMIT TO AN APPLICANT
7 WHOSE FOOD SERVICE ESTABLISHMENT DELIVERS SPIRITS BUT DOES NOT
8 PROVIDE FOR THE SERVICE OF THE SPIRITS.

9 (4) THIS SECTION DOES NOT LIMIT THE NUMBER OF CATERING PERMITS
10 THE COMMISSION MAY ISSUE WITHIN ANY LOCAL UNIT OF GOVERNMENT.

11 (5) THIS SECTION DOES NOT PREVENT THE HOLDER FROM USING THE
12 CATERING PERMIT AT MULTIPLE LOCATIONS AND EVENTS DURING THE SAME
13 TIME PERIOD.

14 (6) NOTWITHSTANDING SUBSECTION (3), THIS SECTION DOES NOT
15 PROHIBIT A HOLDER OF A CATERING PERMIT FROM SELLING SPIRITS TO A
16 PERSON WHO HAS OBTAINED A SPECIAL LICENSE UNDER SECTION 527.

17 (7) AN APPLICANT FOR A CATERING PERMIT SHALL APPLY ON A FORM
18 APPROVED AND PROVIDED BY THE COMMISSION AND PAY A 1-TIME
19 APPLICATION AND PROCESSING FEE OF \$70.00 AND A CATERING PERMIT FEE
20 OF \$300.00 AT THE TIME OF ISSUANCE. THE ON-PREMISES LICENSEE SHALL
21 ALSO PAY THE CATERING PERMIT FEE AT THE TIME OF RENEWAL OF THE ON-
22 PREMISES LICENSE.

23 (8) THE PERSON DELIVERING THE SPIRITS SHALL VERIFY THAT THE
24 PERSON ACCEPTING DELIVERY IS AT LEAST 21 YEARS OF AGE. THE CATERING
25 PERMIT HOLDER MAY UTILIZE A THIRD PARTY THAT PROVIDES DELIVERY
26 SERVICE TO MUNICIPALITIES IN THIS STATE THAT ARE SURROUNDED BY
27 WATER AND INACCESSIBLE BY MOTOR VEHICLE TO DELIVER SPIRITS TO THE

1 DESIGNATED LOCATION OF THE PRIVATE EVENT SO LONG AS THE DELIVERY
2 SERVICE IS APPROVED BY THE COMMISSION AND AGREES TO VERIFY THAT THE
3 PERSON ACCEPTING DELIVERY OF THE SPIRITS IS AT LEAST 21 YEARS OF
4 AGE.

5 (9) THE CATERING PERMIT HOLDER PROVIDING THE SERVICE, OR AN
6 EMPLOYEE OF THE CATERING PERMIT HOLDER, MUST HAVE SUCCESSFULLY
7 COMPLETED A SERVER TRAINING PROGRAM APPROVED BY THE COMMISSION.

8 (10) THE CATERING PERMIT HOLDER DELIVERING THE SPIRITS, OR AN
9 EMPLOYEE OF THE PERMIT HOLDER, SHALL HAVE IN HIS OR HER POSSESSION
10 WHILE DELIVERING THE SPIRITS DOCUMENTATION DEMONSTRATING THAT THE
11 SPIRITS BEING DELIVERED ARE FOR A PRIVATE EVENT BEING CONDUCTED
12 PURSUANT TO THIS SECTION.

13 (11) A HOLDER OF A CATERING PERMIT IS SUBJECT TO ALL
14 SANCTIONS, LIABILITIES, AND PENALTIES PROVIDED UNDER THIS ACT OR
15 UNDER LAW.

16 (12) A CATERING PERMIT HOLDER WHO SELLS AND DELIVERS SPIRITS
17 IN VIOLATION OF SECTION 203 IS LIABLE FOR AN ADMINISTRATIVE FINE OF
18 NOT MORE THAN \$1,000.00.

19 SEC. 546. (1) AS USED IN THIS ACT, "NONPUBLIC CONTINUING CARE
20 RETIREMENT CENTER" MEANS A RESIDENTIAL COMMUNITY THAT, AS
21 DETERMINED BY THE COMMISSION, MEETS BOTH OF THE FOLLOWING
22 CONDITIONS:

23 (A) PROVIDES FULL-TIME RESIDENTIAL HOUSING PREDOMINANTLY FOR
24 INDIVIDUALS OVER THE AGE OF 62.

25 (B) IS REGISTERED AS A FACILITY UNDER THE LIVING CARE
26 DISCLOSURE ACT, 1976 PA 440, MCL 554.801 TO 554.844.

27 (2) THE COMMISSION, UPON SUBMISSION OF A COMPLETED

1 APPLICATION, SHALL GRANT A NONPUBLIC CONTINUING CARE RETIREMENT
2 CENTER LICENSE TO AN APPLICANT COMPLYING WITH THIS SECTION. THE
3 TOTAL NUMBER OF LICENSES ISSUED UNDER THIS SECTION SHALL NOT EXCEED
4 20. IF THE HOLDER OF A LICENSE ISSUED UNDER THIS SECTION GOES OUT
5 OF BUSINESS, THE LICENSE SHALL BE SURRENDERED TO THE COMMISSION.
6 THE COMMISSION MAY ALLOW THE TRANSFER OF SUCH A LICENSE TO A NEW
7 BUSINESS OWNER UPON TRANSFER OF THE OWNER'S INTEREST IN THE
8 BUSINESS.

9 (3) THE NONPUBLIC CONTINUING CARE RETIREMENT CENTER LICENSE
10 ALLOWS THE LICENSEE TO SELL AT RETAIL AND SERVE ON THE LICENSED
11 PREMISES BEER, WINE, MIXED SPIRIT DRINK, MIXED WINE DRINK, AND
12 SPIRITS, FOR CONSUMPTION BY A RESIDENT OR THE BONA FIDE GUESTS
13 ACCOMPANYING THE RESIDENT, ONLY ON THE LICENSED PREMISES.

14 Sec. 603. (1) Except as provided in subsections (6) to ~~(12)~~
15 (14) and section 605, a manufacturer, mixed spirit drink
16 manufacturer, warehouser, wholesaler, outstate seller of beer,
17 outstate seller of wine, outstate seller of mixed spirit drink, or
18 vendor of spirits shall not have any financial interest, directly
19 or indirectly, in the establishment, maintenance, operation, or
20 promotion of the business of any other vendor.

21 (2) Except as provided in subsections (6) to ~~(12)~~-(14) and
22 section 605, a manufacturer, mixed spirit drink manufacturer,
23 warehouser, wholesaler, outstate seller of beer, outstate seller of
24 wine, outstate seller of mixed spirit drink, or vendor of spirits
25 or a stockholder of a manufacturer, mixed spirit drink
26 manufacturer, warehouser, wholesaler, outstate seller of beer,
27 outstate seller of wine, outstate seller of mixed spirit drink, or

1 vendor of spirits shall not have an interest by ownership in fee,
2 leasehold, mortgage, or otherwise, directly or indirectly, in the
3 establishment, maintenance, operation, or promotion of the business
4 of any other vendor.

5 (3) Except as provided in subsections (6) to ~~(12)~~-(14) and
6 section 605, a manufacturer, mixed spirit drink manufacturer,
7 warehouser, wholesaler, outstate seller of beer, outstate seller of
8 wine, outstate seller of mixed spirit drink, or vendor of spirits
9 shall not have an interest directly or indirectly by interlocking
10 directors in a corporation or by interlocking stock ownership in a
11 corporation in the establishment, maintenance, operation, or
12 promotion of the business of any other vendor.

13 (4) Except as provided in subsections (6) to ~~(12)~~-(14) and
14 section 605, a person shall not buy the stocks of a manufacturer,
15 mixed spirit drink manufacturer, warehouser, wholesaler, outstate
16 seller of beer, outstate seller of wine, outstate seller of mixed
17 spirit drink, or vendor of spirits and place the stock in any
18 portfolio under an arrangement, written trust agreement, or form of
19 investment trust agreement and issue participating shares based
20 upon the portfolio, trust agreement, or investment trust agreement,
21 and sell the participating shares within this state.

22 (5) The commission may approve a brandy manufacturer **OR SMALL**
23 **DISTILLER** to sell brandy **AND SPIRITS** made by that brandy
24 manufacturer **OR SMALL DISTILLER** in a restaurant for consumption on
25 or off the premises if the restaurant is owned by the brandy
26 manufacturer **OR SMALL DISTILLER** or operated by another person under
27 an agreement approved by the commission and is located on the

1 premises where the brandy manufacturer **OR SMALL DISTILLER** is
2 licensed. Brandy **AND SPIRITS** sold for consumption off the premises
3 under this subsection shall be sold at the uniform price
4 established by the commission.

5 (6) The commission shall allow a small distiller to sell
6 brands of spirits it manufactures for consumption on the licensed
7 premises at that distillery.

8 (7) A brewpub may have an interest in up to 2 other brewpubs
9 so long as the combined production of all the locations in which
10 the brewpub has an interest does not exceed 5,000 barrels of beer
11 per calendar year.

12 (8) This section does not prohibit a supplier from having any
13 interest, directly or indirectly, in any other supplier.

14 (9) The commission may approve the following pursuant to R
15 436.1023(3) of the Michigan administrative code, subject to the
16 written approval of the United States department of treasury,
17 bureau of alcohol and tobacco tax and trade:

18 (a) A wine maker participating with 1 or more wine makers in
19 an alternating proprietor operation in accordance with 27 CFR part
20 24, subpart D, section 24.136.

21 (b) A brewer participating with 1 or more brewers in an
22 alternating proprietor operation in accordance with 27 CFR part 25,
23 subpart F, section 25.52.

24 (10) A manufacturer is prohibited from having any interest,
25 directly or indirectly, in a wholesaler.

26 (11) A wine maker is prohibited from collectively delivering
27 wine, with any other wine maker, to retail licensees.

1 (12) EXCEPT IN THE CASE OF A LICENSED WAREHOUSER, ALL
2 LICENSEES IN THIS STATE SHALL BE SEPARATED INTO 3 DISTINCT AND
3 INDEPENDENT TIERS COMPOSED OF THE FOLLOWING:

4 (A) SUPPLIER TIER, COMPRISING MANUFACTURERS AND SUPPLIERS.

5 (B) WHOLESALER TIER, COMPRISING WHOLESALERS.

6 (C) RETAILER TIER, COMPRISING RETAILERS.

7 (13) BEGINNING NOVEMBER 1, 2010, THE COMMISSION SHALL NOT
8 ALLOW ANY OF THE FOLLOWING:

9 (A) A RETAILER TO HOLD, DIRECTLY OR INDIRECTLY, A LICENSE IN
10 THE WHOLESALER OR SUPPLIER TIER.

11 (B) A WHOLESALER TO HOLD, DIRECTLY OR INDIRECTLY, A LICENSE IN
12 THE RETAILER OR SUPPLIER TIER.

13 (C) A SUPPLIER TO HOLD, DIRECTLY OR INDIRECTLY, A LICENSE IN
14 THE WHOLESALER OR RETAILER TIER.

15 (14) SUBSECTION (13) SHALL NOT BE INTERPRETED IN A MANNER THAT
16 WOULD PROHIBIT A CLASS C, TAVERN, CLASS A HOTEL, OR CLASS B HOTEL
17 LICENSEE FROM RECEIVING A BREWPUB LICENSE OR THAT WOULD PROHIBIT A
18 MIRCROBREWER OR BREWER PRODUCING LESS THAN 200,000 BARRELS PER YEAR
19 FROM HAVING AN ON-SITE RESTAURANT.

20 (15) ~~(12)~~As used in this section:

21 (a) "Manufacturer" means, notwithstanding section 109(1), a
22 wine maker, small wine maker, brewer, micro brewer, manufacturer of
23 spirits, **DISTILLER**, small distiller, brandy manufacturer, ~~and~~ mixed
24 spirit drink manufacturer, **DIRECT SHIPPER**, OR A PERSON LICENSED BY
25 THE COMMISSION TO PERFORM SUBSTANTIALLY SIMILAR FUNCTIONS.

26 (b) "Supplier" means a manufacturer, mixed spirit drink
27 manufacturer, outstate seller of beer, outstate seller of wine,

1 outstate seller of mixed spirit drink, and vendor of spirits OR A
2 PERSON LICENSED BY THE COMMISSION TO PERFORM SUBSTANTIALLY SIMILAR
3 FUNCTIONS BUT SHALL NOT INCLUDE A MASTER DISTRIBUTOR.

4 Sec. 609. Except as provided in ~~section~~ SECTIONS 605 AND 1029,
5 a manufacturer, mixed spirit drink manufacturer, warehouser,
6 wholesaler, outstate seller of beer, outstate seller of wine,
7 outstate seller of mixed spirit drink, or vendor of spirits shall
8 not aid or assist any other vendor by gift, loan of money or
9 property of any description, or other valuable thing, or by the
10 giving of premiums or rebates, and a vendor shall not accept the
11 same. However, if manufacturers of spirits reduce the price of
12 their products, the manufacturer of spirits may refund the amount
13 of the price reductions to specially designated distributor
14 licensees in a manner prescribed by the commission.

15 Sec. 1025. (1) A vendor shall not give away any alcoholic
16 liquor of any kind or description at any time in connection with
17 his or her business, except manufacturers for consumption on the
18 premises only.

19 (2) Subsection (1) does not prevent any of the following:

20 (a) A vendor of spirits, brewer, mixed spirit drink
21 manufacturer, wine maker, small wine maker, outstate seller of
22 beer, outstate seller of wine, or outstate seller of mixed spirit
23 drink, or a bona fide market research organization retained by 1 of
24 the persons named in this subsection, from conducting samplings or
25 tastings of an alcoholic liquor product before it is approved for
26 sale in this state, if the sampling or tasting is conducted
27 pursuant to prior written approval of the commission.

1 (b) A person from conducting of any sampling or tasting
2 authorized by **SECTION 537 OR** rule of the commission.

3 (c) A class A or B hotel designed to attract and accommodate
4 tourists and visitors in a resort area from giving away alcoholic
5 liquor to an invitee or guest in connection with a business event
6 or as a part of a room special or promotion for overnight
7 accommodations.

8 (3) A vendor shall not sell an alcoholic liquor to a person in
9 an intoxicated condition.

10 (4) Evidence of any breathalyzer or blood alcohol test results
11 obtained in a licensed establishment, or on property adjacent to
12 the licensed premises and under the control or ownership of the
13 licensee, shall not be admissible to prove a violation of this
14 section, section 707(1), (2), (3), or (4), or section 801(2). To
15 establish a violation of this section, section 707(1), (2), (3), or
16 (4), or section 801(2), the person's intoxicated condition at the
17 time of the sale or consumption of alcohol must be proven by direct
18 observation by law enforcement or commission enforcement personnel
19 or through other admissible witness statements or corroborating
20 evidence obtained as part of the standard investigation other than
21 breathalyzer or blood alcohol test results.

22 Sec. 1027. (1) Unless otherwise provided by rule of the
23 commission, a person shall not conduct samplings or tastings of any
24 alcoholic liquor for a commercial purpose except at premises that
25 are licensed by the commission for the sale and consumption of
26 alcoholic liquor on the premises.

27 (2) This section does not prevent either of the following:

1 (a) A vendor of spirits, brewer, wine maker, mixed spirit
2 drink manufacturer, small wine maker, outstate seller of beer,
3 outstate seller of wine, or outstate seller of mixed spirit drink,
4 or a bona fide market research organization retained by 1 of the
5 persons named in this subsection, from conducting samplings or
6 tastings of an alcoholic liquor product before it is approved for
7 sale in this state if the sampling or tasting is conducted pursuant
8 to prior written approval of the commission.

9 (b) An on-premises licensee from giving a sampling or tasting
10 of alcoholic liquor to an employee of the licensee during the legal
11 hours for consumption for the purpose of educating the employee
12 regarding 1 or more types of alcoholic liquor so long as the
13 employee is at least 21 years of age.

14 (c) A small distiller licensee from giving a sampling or
15 tasting of brands it manufactures on the licensed premises **OR AN**
16 **OFF-SITE TASTING FACILITY OPERATED BY THAT SMALL DISTILLER.**

17 **(3) A VENDOR OF SPIRITS OR A MANUFACTURER MAY CONDUCT A**
18 **CONSUMER SAMPLING EVENT ON THE PREMISES OF A HOLDER OF A SPECIALLY**
19 **DESIGNATED DISTRIBUTOR LICENSE UPON SUBMISSION OF A COMPLETED**
20 **APPLICATION TO THE COMMISSION.**

21 **(4) THE HOLDER OF THE CONSUMER SAMPLING EVENT LICENSE SHALL**
22 **COMPLY WITH THE FOLLOWING:**

23 **(A) THE COMMISSION MUST BE NOTIFIED IN WRITING A MINIMUM OF 10**
24 **WORKING DAYS PRIOR TO THE EVENT WITH THE DATE, TIME, AND LOCATION**
25 **OF THE EVENT.**

26 **(B) THE CONSUMER SAMPLING EVENT IS LIMITED TO 3 EVENTS PER**
27 **VENDOR OF SPIRITS OR MANUFACTURER PER SPECIALLY DESIGNATED**

1 DISTRIBUTOR LICENSE PER MONTH.

2 (C) THE VENDOR OF SPIRITS OR MANUFACTURER CONDUCTING THE
3 CONSUMER SAMPLING EVENT MUST HAVE A LICENSED REPRESENTATIVE PRESENT
4 AT THE SPECIALLY DESIGNATED DISTRIBUTOR'S ESTABLISHMENT.

5 (D) LICENSED REPRESENTATIVES OR AN AUTHORIZED REPRESENTATIVE
6 MAY DISTRIBUTE MERCHANDISE, NOT TO EXCEED \$100.00 IN VALUE, TO
7 CONSUMERS 21 YEARS OF AGE OR OLDER DURING THE EVENT.

8 (E) PARTICIPATING SPECIALLY DESIGNATED DISTRIBUTOR LICENSEES
9 DO NOT RECEIVE ANY FEE OR OTHER VALUABLE CONSIDERATION FOR
10 PARTICIPATING IN THE EVENT.

11 (F) EACH CONSUMER IS LIMITED TO 3 SAMPLES, WHICH TOTAL NO MORE
12 THAN 1/3 OUNCE OF DISTILLED SPIRITS PER SERVING.

13 (G) THE CONSUMER IS NOT CHARGED FOR AND DOES NOT PURCHASE ANY
14 SAMPLE.

15 (H) THE ALCOHOLIC LIQUOR USED IN THE CONSUMER SAMPLING EVENT
16 IS PROVIDED BY THE VENDOR OF SPIRITS OR MANUFACTURER, AND PURCHASED
17 AT THE MINIMUM RETAIL SELLING PRICE FIXED BY THE COMMISSION FROM
18 THE SPECIALLY DESIGNATED DISTRIBUTOR ON WHOSE PREMISES THE EVENT IS
19 LOCATED. THE VENDOR OF SPIRITS OR MANUFACTURER SHALL REMOVE ANY
20 UNFINISHED PRODUCT FROM THE PREMISES AT WHICH THE EVENT IS HELD
21 UPON COMPLETION OF THE EVENT.

22 (I) A CONSUMER SAMPLING EVENT SHALL NOT BE ALLOWED WHEN THE
23 SALE OF ALCOHOLIC LIQUOR IS OTHERWISE PROHIBITED ON THE PREMISES AT
24 WHICH THE EVENT IS CONDUCTED.

25 (J) SAMPLES ARE NOT TO BE OFFERED TO, OR ALLOWED TO BE
26 CONSUMED BY, ANY PERSON UNDER THE LEGAL AGE FOR CONSUMING ALCOHOLIC
27 LIQUOR.

1 (K) A CONSUMER SAMPLING EVENT MAY BE ADVERTISED IN ANY TYPE OF
2 MEDIA AND THE ADVERTISEMENTS MAY INCLUDE THE DATE, TIME, LOCATION,
3 AND OTHER INFORMATION REGARDING THE EVENT.

4 (l) THE PARTICIPATING VENDOR OF SPIRITS OR MANUFACTURER AND
5 SPECIALLY DESIGNATED DISTRIBUTOR LICENSEES MUST COMPLY WITH THIS
6 ACT AND COMMISSION RULES.

7 (M) THE VENDOR OF SPIRITS OR MANUFACTURER MUST DEMONSTRATE
8 THAT THE INDIVIDUAL ACTUALLY CONDUCTING THE SAMPLING HAS
9 SUCCESSFULLY COMPLETED THE SERVER TRAINING PROGRAM IN THE MANNER
10 PROVIDED FOR IN SECTION 906 AND RULES PROMULGATED BY THE
11 COMMISSION.

12 (5) VIOLATION OF THIS SUBSECTION SUBJECTS THE VENDOR OF
13 SPIRITS OR MANUFACTURER TO THE SANCTIONS AND PENALTIES AS PROVIDED
14 FOR UNDER THIS ACT.

15 (6) THE COMMISSION, BY RULE OR ISSUANCE OF AN ORDER, MAY
16 FURTHER DEFINE ELIGIBILITY FOR LICENSURE AND PROCESSES FOR
17 CONDUCTING CONSUMER SAMPLING EVENTS.

18 (7) ~~(3)~~—A sampling or tasting of any alcoholic liquor in a
19 home or domicile for other than a commercial purpose is not subject
20 to this section.

21 (8) ~~(4)~~—For purposes of this section, "commercial purpose"
22 means a purpose for which monetary gain or other remuneration could
23 reasonably be expected.

24 Sec. 1111. (1) ~~The~~—EXCEPT AS OTHERWISE PROVIDED FOR IN
25 SUBSECTION (6), THE sale of beer and wine between the hours of 2
26 a.m. and 12 midnight—7 A.M. on Sunday AND 2 A.M. ON MONDAY IS
27 ALLOWED, BUT may be prohibited, in any county, city, village, or

1 township UNDER THE FOLLOWING CIRCUMSTANCES:

2 (A) BY MAJORITY VOTE OF THE LEGISLATIVE BODY VOTING ON THE
3 RESOLUTION TO MAKE SUCH AN AUTHORIZATION. FAILURE OF THE
4 LEGISLATIVE BODY TO ACT ON SUCH AN AUTHORIZATION IS GROUNDS FOR THE
5 PETITIONING OF THE COUNTY, CITY, VILLAGE, OR TOWNSHIP FOR
6 SUBMISSION OF THE QUESTION TO THE VOTERS OF THE COUNTY, CITY,
7 VILLAGE, OR TOWNSHIP UNDER SUBSECTION (2).

8 (B) BY SUBMISSION OF A PETITION UNDER SUBSECTION (2) by a
9 majority vote of the electors voting at a regular state election.

10 (2) Not more often than once in every 4 years, upon the filing
11 of a petition with the county, city, village, or township clerk, **BY**
12 **A MAJORITY OF THE ELECTORS VOTING AT A REGULAR STATE ELECTION**
13 **WITHIN THAT COUNTY, VILLAGE, CITY, OR TOWNSHIP**, as applicable,
14 requesting the submission of the question of the Sunday sale of
15 beer and wine, the clerk shall submit that question to the electors
16 of the county, city, village, or township at the next regular state
17 election held in that county, city, village, or township. A
18 petition filed under this subsection shall be filed not less than
19 60 days before the regular state election. A ballot question under
20 this subsection shall not be submitted more often than once in any
21 4-year period.

22 (3) ~~(2)~~—In the case of a county, city, or township, the
23 petition shall be signed by a number of the registered and
24 qualified electors of the county, city, or township that is not
25 less than 35% of the total number of votes cast for all candidates
26 for the office of secretary of state in that county, city, or
27 township at the last general election held for that purpose and, in

1 the case of a village the petition shall be signed by a number of
 2 the registered and qualified electors of the village that is less
 3 than 35% of the total number of votes cast for all candidates for
 4 the office of president of the village at the last village election
 5 held for that purpose.

6 (4) ~~(3)~~—The question of the Sunday sale of beer and wine shall
 7 be submitted by ballot in substantially the following form:

8 "Shall the sale of beer and wine within (the county, city,
 9 village, or township as the case may be) between the hours of ~~2~~
 10 ~~a.m. and 12 midnight~~ **7 A.M.** on Sunday **AND 2 A.M. ON MONDAY** be
 11 prohibited?

12 Yes

13 No".

14 (5) ~~(4)~~—All votes on the question submitted to the electors
 15 under this section shall be taken, counted, and canvassed in the
 16 same manner as votes cast in county, city, village, or township
 17 election, as applicable, are taken, counted, and canvassed. Ballots
 18 shall be furnished by the election commission or similar body of
 19 the respective county, city, village, or township. If a majority of
 20 the electors voting at an election conducted under this section
 21 vote in favor of the question submitted, the sale of beer and wine
 22 within that county, city, village, or township between the hours of
 23 ~~2 a.m. and 12 midnight~~ **7 A.M.** on Sunday **AND 2 A.M. ON MONDAY** is
 24 prohibited.

25 (6) **THE SALE OF BEER AND WINE IN ANY COUNTY BETWEEN THE HOURS**
 26 **OF 7 A.M. ON SUNDAY AND 2 A.M. ON MONDAY SHALL NOT BE PROHIBITED**
 27 **UNDER THE PROVISIONS OF SUBSECTIONS (1) THROUGH (5) AS APPLIED TO A**

1 MOTORSPORTS ENTERTAINMENT COMPLEX LOCATED IN MORE THAN 1 COUNTY IF
2 A RESOLUTION OR REFERENDUM UNDER THIS SECTION RESULTS IN THE
3 QUESTION'S FAILING TO PASS IN 1 COUNTY BUT PASSING IN ANOTHER.
4 UNDER SUCH CIRCUMSTANCES, THE COMMISSION SHALL DETERMINE THE ISSUE
5 OF THE SALE OF BEER AND WINE IN THE MOTORSPORTS ENTERTAINMENT
6 COMPLEX IN THOSE COUNTIES BETWEEN THE HOURS OF 7 A.M. ON SUNDAY AND
7 2 A.M. ON MONDAY. AS USED IN THIS SECTION, "MOTORSPORTS
8 ENTERTAINMENT COMPLEX" MEANS A CLOSED-COURSE MOTORSPORTS FACILITY,
9 AND ITS ANCILLARY GROUNDS AND FACILITIES, THAT SATISFIES ALL OF THE
10 FOLLOWING:

11 (A) HAS AT LEAST 70,000 FIXED SEATS FOR RACE PATRONS.

12 (B) HAS AT LEAST 4 SCHEDULED DAYS OF MOTORSPORTS EVENTS EACH
13 CALENDAR YEAR.

14 (C) SERVES FOOD AND BEVERAGES AT THE MOTORSPORTS ENTERTAINMENT
15 COMPLEX DURING MOTORSPORTS EVENTS EACH CALENDAR YEAR THROUGH
16 CONCESSION OUTLETS, WHICH ARE STAFFED BY INDIVIDUALS WHO REPRESENT
17 OR ARE MEMBERS OF 1 OR MORE NONPROFIT CIVIC OR CHARITABLE
18 ORGANIZATIONS THAT DIRECTLY BENEFIT FROM THE CONCESSION OUTLETS'
19 SALES.

20 (D) ENGAGES IN TOURISM PROMOTION.

21 (E) HAS PERMANENT EXHIBITIONS OF MOTORSPORTS HISTORY, EVENTS,
22 OR VEHICLES WITHIN THE MOTORSPORTS ENTERTAINMENT COMPLEX.

23 Sec. 1113. (1) Except as provided in subsection (2), (3), or
24 (5) **AND SUBJECT TO SUBSECTION (6)**, a licensee enumerated under
25 section 525 ~~or any other person shall not~~ **MAY** sell at retail, give
26 away, ~~or furnish,~~ and a person shall not knowingly and willfully
27 **MAY** buy, spirits or mixed spirit drink between the hours of ~~2 a.m.~~

1 ~~and 12 midnight~~ **7 A.M.** on Sunday **AND 2 A.M. ON MONDAY.** ~~If January 1~~
2 ~~falls on Sunday, the hours may be extended to 4 a.m.~~

3 (2) ~~If~~ **UNLESS** the legislative body of a county has authorized
4 **PROHIBITED** the sale of spirits and mixed spirit drink for
5 consumption on the premises on Sunday, by resolution approved by a
6 majority of the legislative body voting on that resolution, the
7 spirits and mixed spirit drink may be sold after ~~12 noon~~ **7 A.M. ON**
8 **SUNDAY**, EST, in an establishment licensed under this act in which
9 the gross receipts derived from the sale of food and other goods
10 and services exceed 50% of the total gross receipts. With respect
11 to an action taken by the legislative body or if the legislative
12 body fails to act, a petition may be filed with the county clerk
13 requesting the submission of the question **REGARDING THE PROHIBITION**
14 of the sale of spirits and mixed spirit drink for consumption on
15 the premises in addition to beer and wine on Sunday. The petition
16 shall be signed by a number of the registered and qualified
17 electors of the county that is not less than 8% of the total number
18 of votes cast for all candidates for the office of secretary of
19 state in the county at the last general election held for that
20 purpose. The question shall not be submitted to the electors of a
21 county more than once every 4 years. The county clerk shall submit
22 the question at the next regular state election held in the county
23 if the petitions are filed not less than 60 days before the
24 election. The question **REGARDING THE PROHIBITION** of the sale of
25 spirits and mixed spirit drink for consumption on the premises, in
26 addition to beer and wine, on Sunday shall be submitted by ballot
27 in substantially the following form:

1 "Shall the sale of spirits and mixed spirit drink for
 2 consumption on the premises be ~~permitted~~**PROHIBITED** on Sunday in an
 3 establishment licensed under the Michigan liquor control code of
 4 1998 in which the gross receipts derived from the sale of food or
 5 other goods and services exceed 50% of the total gross receipts
 6 within the county of under the provisions of the law
 7 governing the sale of spirits and mixed spirit drink for
 8 consumption?

9 Yes

10 No "

11 (3) ~~If~~**UNLESS** the legislative body of a county has ~~authorized~~
 12 **PROHIBITED** the sale of spirits and mixed spirit drink for
 13 consumption off the premises on Sunday by resolution approved by a
 14 majority of the legislative body voting on the resolution, spirits
 15 and mixed spirit drink may be sold after ~~12 noon~~**7 A.M.**, EST, in a
 16 retail establishment licensed under this act. With respect to an
 17 action taken by the legislative body or if the legislative body
 18 fails to act, a petition may be filed with the county clerk
 19 requesting the submission of the question **REGARDING THE PROHIBITION**
 20 of the sale of spirits and mixed spirit drink for consumption off
 21 the premises, in addition to beer and wine, in a retail
 22 establishment licensed under this act on Sunday. The petition shall
 23 be signed by a number of the registered and qualified electors of
 24 the county that is not less than 8% of the total number of votes
 25 cast for all candidates for the office of secretary of state in the
 26 county at the last general election shall not be held for that
 27 purpose. The question submitted to the electors of a county more

1 than once every 4 years. The county clerk shall submit the question
 2 at the next regular state election held in the county if the
 3 petitions are filed not less than 60 days before the election. The
 4 question **REGARDING THE PROHIBITION** of the sale of spirits and mixed
 5 spirit drink for consumption off the premises, in addition to beer
 6 and wine, in a retail establishment licensed under this act on
 7 Sunday shall be submitted by ballot in substantially the following
 8 form:

9 "Shall the sale of spirits and mixed spirit drink for
 10 consumption off the premises be ~~permitted~~**PROHIBITED** on Sunday in a
 11 retail establishment licensed under the Michigan liquor control
 12 code of 1998 within the county of under the provisions
 13 of the law governing the sale of spirits and mixed spirit drink for
 14 consumption?

15 Yes

16 No".

17 (4) Votes on a question submitted under this section shall be
 18 taken, counted, and canvassed in the same manner as votes cast in
 19 county elections are taken, counted, and canvassed. A ballot shall
 20 be furnished by the election commission or similar body of the
 21 county. If a majority of the electors voting at an election vote in
 22 favor of the proposal, **THE SALE OF** spirits and mixed spirit drink
 23 may be ~~sold~~**PROHIBITED** in the county under this act for consumption
 24 on the premises or by a retail establishment for consumption off
 25 the premises, in addition to beer and wine, on Sunday. The sale
 26 shall not be permitted in a city, village, or township in which the
 27 sale of spirits and mixed spirit drink is prohibited under this

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1 act. A violation of this section is a misdemeanor. This section
 2 does not apply to spirits and mixed spirit drink served to a bona
 3 fide guest in the residence of a person or sold or furnished for
 4 medicinal purposes as provided for in this act.

5 (5) A licensee enumerated under section 525 or any other
 6 person shall not sell at retail, and a person shall not knowingly
 7 and willfully buy, alcoholic liquor between the hours of ~~<<9 p.m. on~~
 8 ~~December 24 and 7 a.m. on December 26.~~ **11:59 P.M. ON DECEMBER 24 AND**
12 NOON ON DECEMBER 25.>> If December 26 falls on

9 Sunday, the hours of closing shall be determined pursuant to this
 10 act. The legislative body of a city, village, or township, by
 11 resolution or ordinance, may prohibit the sale of alcoholic liquor
 12 on Sunday or a legal holiday, primary election day, general
 13 election day, or municipal election day.

14 (6) **THE SALE OF SPIRITS OR MIXED SPIRIT DRINK IN ANY COUNTY**
 15 **BETWEEN THE HOURS OF 7 A.M. ON SUNDAY AND 2 A.M. ON MONDAY SHALL**
 16 **NOT BE PROHIBITED UNDER THE PROVISIONS OF SUBSECTIONS (1) THROUGH**
 17 **(5) AS APPLIED TO A MOTORSPORTS ENTERTAINMENT COMPLEX LOCATED IN**
 18 **MORE THAN 1 COUNTY IF A RESOLUTION OR REFERENDUM UNDER THIS SECTION**
 19 **RESULTS IN THE QUESTION'S FAILING TO PASS IN 1 COUNTY BUT PASSING**
 20 **IN ANOTHER. UNDER SUCH CIRCUMSTANCES, THE COMMISSION SHALL**
 21 **DETERMINE THE ISSUE OF THE SALE OF SPIRITS AND MIXED SPIRIT DRINK**
 22 **IN THE MOTORSPORTS ENTERTAINMENT COMPLEX IN THOSE COUNTIES BETWEEN**
 23 **THE HOURS OF 7 A.M. ON SUNDAY AND 2 A.M. ON MONDAY. AS USED IN THIS**
 24 **SECTION, "MOTORSPORTS ENTERTAINMENT COMPLEX" MEANS A CLOSED-COURSE**
 25 **MOTORSPORTS FACILITY, AND ITS ANCILLARY GROUNDS AND FACILITIES,**
 26 **THAT SATISFIES ALL OF THE FOLLOWING:**

27 (A) **HAS AT LEAST 70,000 FIXED SEATS FOR RACE PATRONS.**

1 (B) HAS AT LEAST 4 SCHEDULED DAYS OF MOTORSPORTS EVENTS EACH
2 CALENDAR YEAR.

3 (C) SERVES FOOD AND BEVERAGES AT THE MOTORSPORTS ENTERTAINMENT
4 COMPLEX DURING MOTORSPORTS EVENTS EACH CALENDAR YEAR THROUGH
5 CONCESSION OUTLETS, WHICH ARE STAFFED BY INDIVIDUALS WHO REPRESENT
6 OR ARE MEMBERS OF 1 OR MORE NONPROFIT CIVIC OR CHARITABLE
7 ORGANIZATIONS THAT DIRECTLY BENEFIT FROM THE CONCESSION OUTLETS'
8 SALES.

9 (D) ENGAGES IN TOURISM PROMOTION.

10 (E) HAS PERMANENT EXHIBITIONS OF MOTORSPORTS HISTORY, EVENTS,
11 OR VEHICLES WITHIN THE MOTORSPORTS ENTERTAINMENT COMPLEX.

12 Sec. 1114. (1) Notwithstanding R 436.1403 and R 436.1503 of
13 the Michigan administrative code and except as otherwise provided
14 under this act or rule of the commission, an on-premises and an
15 off-premises licensee shall not sell, give away, or furnish
16 alcoholic liquor between the hours of 2 a.m. and 7 a.m. on any day.
17 ~~and shall not sell, give away, or furnish alcoholic liquor between~~
18 ~~the hours of 2 a.m. and 12 noon, EST, on Sunday. An on-premises and~~
19 ~~an off-premises licensee shall not sell, give away, or furnish~~
20 ~~spirits between the hours of 2 a.m. and 12 midnight on Sunday,~~
21 ~~unless issued a Sunday sales permit by the commission that allows~~
22 ~~the licensee to sell spirits on Sunday between the hours of 12~~
23 ~~noon, EST, and 12 midnight.~~

24 (2) ~~For purposes of R 436.1403 and R 436.1503 of the Michigan~~
25 ~~administrative code, 12 noon on Sunday is considered 12 noon on~~
26 ~~Sunday, EST, for any licensee located in the central time zone.~~

27 SUBSECTION (1) DOES NOT PREVENT ANY LOCAL GOVERNMENTAL UNIT FROM

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1 PROHIBITING THE SALE OF BEER AND WINE ON SUNDAYS UNDER SECTION 1111
2 AND DOES NOT PREVENT ANY LOCAL GOVERNMENTAL UNIT FROM PROHIBITING
3 THE SALE OF SPIRITS AND MIXED SPIRIT DRINK ON SUNDAYS UNDER SECTION
4 1113. A LICENSEE SELLING ALCOHOLIC LIQUOR BETWEEN 7 A.M. AND NOON
5 ON SUNDAY SHALL <<OBTAIN A PERMIT AND>> PAY TO THE COMMISSION AN ANNUAL
FEE OF \$160.00.

6 (3) A reference to the time of day under this act or a rule of
7 the commission includes daylight savings time, when observed.

8 Sec. 1115. (1) A licensee who elects to sell spirits or mixed
9 spirit drink BETWEEN THE HOURS OF 12 NOON on Sunday AND 2 A.M. ON
10 MONDAY under section 1113 shall not do so until he or she first <<OBTAIN
A PERMIT AND>>
11 pays to the commission an additional fee in the amount of 15% of
12 the fee charged for the issuance of his or her license.

13 (2) The revenue received from subsection (1) FOR THE SALE OF
14 SPIRITS OR MIXED SPIRIT DRINK BETWEEN 12 NOON ON SUNDAY AND 2 A.M.
15 ON MONDAY shall be deposited with the state treasurer in a special
16 fund to be used only by the department of public health in programs
17 for the treatment of alcoholics. ANY OTHER REVENUE RESULTING FROM
18 THE ADDITIONAL \$160.00 LICENSE FEE AS DESCRIBED IN SECTION 1114 FOR
19 SALES OF ALCOHOLIC LIQUOR PERMITTED UNDER SECTIONS 1111 AND 1113
20 SHALL BE DEPOSITED INTO THE GENERAL FUND.

21 Enacting section 1. (1) Sections 1111, 1113, 1114, and 1115 of
22 the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.2111,
23 436.2113, 436.2114, and 436.2115, as amended by this amendatory
24 act, take effect December 1, 2010.

25 (2) Section 545 of the Michigan liquor control code of 1998,
26 1998 PA 58, MCL 436.1545, as added by this amendatory act, takes
27 effect 90 days after the date this amendatory act is enacted into

1 law.