

# SENATE BILL No. 186

February 4, 2009, Introduced by Senators PAPPAGEORGE, RICHARDVILLE, GILBERT and SANBORN and referred to the Committee on Economic Development and Regulatory Reform.

A bill to amend 1998 PA 58, entitled  
"Michigan liquor control code of 1998,"  
(MCL 436.1101 to 436.2303) by adding section 545.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

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

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

4       **(B) "CATERING PERMIT" MEANS A PERMIT ISSUED BY THE COMMISSION**  
5 **TO A PUBLIC ON-PREMISES LICENSEE WHO IS LICENSED FOR THE SALE OF**  
6 **BEER, WINE, AND SPIRITS AND IS ALSO LICENSED AS A FOOD SERVICE**  
7 **ESTABLISHMENT UNDER THE FOOD LAW OF 2000, 2000 PA 92, MCL 289.1101**  
8 **TO 289.8111, THAT ENABLES THE PERMIT HOLDER TO SELL AND DELIVER**  
9 **BEER, WINE, AND SPIRITS IN THE ORIGINAL SEALED CONTAINER TO A**

1 PERSON FOR OFF-PREMISES CONSUMPTION SO LONG AS THE SALE IS NOT BY  
2 THE GLASS OR DRINK AND REQUIRES THE PERMIT HOLDER TO PROVIDE THE  
3 SERVICE OF THE BEER, WINE, AND SPIRITS. ISSUANCE OF THE PERMIT DOES  
4 NOT ALLOW THE PERMIT HOLDER TO DELIVER BEER, WINE, AND SPIRITS BUT  
5 NOT SERVE THE BEER, WINE, AND SPIRITS.

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

11 (3) THE COMMISSION MAY ISSUE A CATERING PERMIT TO A PUBLIC ON-  
12 PREMISES LICENSEE, AS A SUPPLEMENT TO THAT ON-PREMISES LICENSE, TO  
13 ALLOW THE SALE AND DELIVERY OF BEER, WINE, AND SPIRITS IN THE  
14 ORIGINAL SEALED CONTAINER AT LOCATIONS OTHER THAN THE LICENSED  
15 PREMISES AND TO REQUIRE THE PERMIT HOLDER TO PROVIDE FOR SERVICE OF  
16 BEER, WINE, AND SPIRITS AT THE PRIVATE EVENT WHERE THE ALCOHOLIC  
17 LIQUOR IS NOT RESOLD TO GUESTS. THE COMMISSION SHALL NOT ISSUE A  
18 CATERING PERMIT TO AN APPLICANT WHOSE FOOD SERVICE ESTABLISHMENT  
19 DELIVERS BEER, WINE, AND SPIRITS BUT DOES NOT PROVIDE FOR THE  
20 SERVICE OF THE BEER, WINE, AND SPIRITS.

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

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

26 (6) THIS SECTION DOES NOT PROHIBIT AN ON-PREMISES LICENSEE WHO  
27 IS ALSO THE HOLDER OF A CATERING PERMIT FROM SELLING BEER, WINE,

1 AND SPIRITS TO A PERSON WHO HAS OBTAINED A SPECIAL LICENSE UNDER  
2 SECTION 527.

3 (7) AN APPLICANT FOR A CATERING PERMIT SHALL APPLY ON A FORM  
4 APPROVED AND PROVIDED BY THE COMMISSION AND PAY AN APPLICATION AND  
5 PROCESSING FEE OF \$70.00 AND A CATERING PERMIT FEE OF \$300.00 AT  
6 THE TIME OF ISSUANCE. THE ON-PREMISES LICENSEE SHALL ALSO PAY THE  
7 CATERING PERMIT FEE AT THE TIME OF RENEWAL OF THE ON-PREMISES  
8 LICENSE.

9 (8) A HOLDER OF A CATERING PERMIT IS SUBJECT TO ALL SANCTIONS,  
10 LIABILITIES, AND PENALTIES PROVIDED UNDER THIS ACT OR UNDER LAW.