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BILL ANALYSIS



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House Bill 5611 (as passed by the House)
Sponsor: Representative Mark Ouimet
House Committee: Regulatory Reform
Senate Committee: Regulatory Reform

Date Completed: 5-30-12

CONTENT

The bill would amend the Michigan Liquor Control Code to allow a tavern or Class C license to be issued at an outdoor stadium customarily used for intercollegiate athletic events, for a limited time and in conjunction with an outdoor professional hockey game.

Under certain circumstances, the Code allows the Liquor Control Commission (LCC) to issue either a tavern or a Class C license that may be used only for regularly scheduled events at a public university's "established outdoor program" or festival at a facility on the campus of a public university with an enrollment of at least 10,000 students. (A "tavern" license allows the sale of beer and wine at retail for consumption on the premises. A "Class C" licensee may sell beer, wine, mixed spirit drink, and spirits at retail for consumption on the premises.) A license under that provision may be issued only to the governing board of a public university, a person that is the lessee or concessionaire of the governing board, or both. A license may not be issued, however, at an outdoor stadium customarily used for intercollegiate athletic events.

The bill would allow the LCC to issue a license at an outdoor stadium customarily used for intercollegiate athletic events for not more than 30 consecutive days under the conditions described below. The license could be issued to a concessionaire of an entity granted exclusive use of a public university's property in conjunction with a hockey game sanctioned by an unincorporated not-for-profit association that operates a major professional ice hockey league consisting of teams located in Canada and the United States.

The license could be issued if the concessionaire entered into an agreement granting it control of the licensed premises for the purposes of complying with the Code and rules promulgated under it regarding the sale of alcohol. The concessionaire could share the profits generated from the license with the association that operates a major professional ice hockey league as described above or an affiliated entity under a written contract reviewed by the LCC.

A nationally televised game between two professional hockey teams played outdoors would be considered an "established outdoor program" for the purposes of a license issued under the bill. The LCC could allow the promotion and advertising of alcoholic liquor brands on the campus of the public university issued the license for the duration of the license.

MCL 436.1531

BACKGROUND

On January 1, 2013, Michigan Stadium in Ann Arbor is scheduled to host the National Hockey League's (NHL's) "Winter Classic", an annual outdoor hockey game between two NHL teams. The NHL has agreed to rent the stadium for that event, which will feature the Detroit Red Wings and the Toronto Maple Leafs.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Josh Sefton

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.