



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bills 434, 435, and 436 (as introduced 6-18-13)
Sponsor: Senator Rick Jones
Committee: Banking and Financial Institutions

Date Completed: 9-25-13

CONTENT

The bills would amend different statutes to require a financial institution to ensure that it did not allow an individual access to cash benefits from a Michigan Bridge Card through an automated teller machine that the financial institution owned, operated, or managed on the premises of any of the following:

- A casino.
- A casino enterprise.
- A liquor store.
- An adult entertainment establishment.

Senate Bill 434 would amend the Credit Union Act and apply to a domestic credit union.

Senate Bill 435 would amend the Savings Bank Act and apply to a savings bank.

Senate Bill 436 would amend the Banking Code and apply to a bank.

The bills would incorporate the definition of "Michigan bridge card" from the Food Law, under which the term means the card used for the electronic benefit transfer system for food stamp distribution as required under the Social Welfare Act.

Each bill also would provide the following definitions.

"Adult entertainment establishment" would mean any of the following: 1) an on-premises licensee that holds a topless activity permit under the Michigan Liquor Control Code; and 2) any other retail establishment that provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment.

The bills would incorporate the definitions of "casino", "casino enterprise", and "gaming" from the Michigan Gaming Control and Revenue Act. (That Act defines "casino" as a building in which gambling is conducted. "Casino enterprise" means the buildings, facilities, or rooms functionally or physically connected to a casino, including any bar, restaurant, hotel, cocktail lounge, retail establishment, or arena or any other facility located in a city under the control of a casino licensee or affiliated company. "Gaming" means to deal, operate, carry on, conduct, maintain or expose or offer for play any gambling game or gambling operation.)

Under the bills, "casino" and "casino enterprise" would not include the following: 1) a grocery store that sells groceries, including staple foods, and is located in a casino or casino enterprise; or 2) any other business establishment that offers gaming that is incidental to the principal purpose of that establishment. (The bills would incorporate the definition of "staple foods" from Title 7 of the U.S. Code. Under Title 7, "staple foods" are foods in the following categories: meat, poultry, or fish; bread or cereals; vegetables or fruits; and dairy products. The term does not include accessory food items.)

The bills would define "liquor store" as a retailer, as defined in the Liquor Control Code, that is exclusively or primarily engaged in the sale of spirits. The term would not include a grocery store that sells spirits and groceries, including staple foods. (The Liquor Control Code defines "retailer" as a person licensed by the Liquor Control Commission who sells to the consumer in accordance with rules promulgated by the Commission, including a brewpub, but not a manufacturer or supplier that is licensed to sell to consumers in this State.)

"Spirits" would mean that term as defined in the Liquor Control Code. (The Code defines "spirits" as a beverage that contains alcohol obtained by distillation, mixed with potable water or other substances, or both, in solution, including wine that contains an alcoholic content of more than 21% by volume, except sacramental wine and mixed spirit drink.)

Proposed MCL 490.413 (S.B. 434)
487.346 (S.B. 435)
487.14110 (S.B. 436)

Legislative Analyst: Glenn Steffens

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.