

SENATE BILL No. 651

October 24, 2013, Introduced by Senator HUNE and referred to the Committee on Regulatory Reform.

A bill to amend 1998 PA 58, entitled
"Michigan liquor control code of 1998,"
by amending section 109 (MCL 436.1109), as amended by 2010 PA 213.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

5 (2) "Master distributor" means a wholesaler ~~who~~ **THAT** acts in
6 the same or similar capacity as a brewer, wine maker, outstate
7 seller of wine, or outstate seller of beer for a brand or brands of
8 beer or wine to other wholesalers on a regular basis in the normal
9 course of business.

1 (3) "Micro brewer" means a brewer that produces in total less
2 than ~~30,000~~ **60,000** barrels of beer per year and that may sell the
3 beer produced to consumers at the licensed brewery premises for
4 consumption on or off the licensed brewery premises **AND TO**
5 **RETAILERS AS PROVIDED IN SECTION 203**. In determining the ~~30,000-~~
6 ~~barrel~~ **60,000-BARREL** threshold, all brands and labels of a brewer,
7 whether brewed in this state or outside this state, shall be
8 combined and all facilities for the production of beer that are
9 owned or controlled by the same person shall be treated as a single
10 facility.

11 (4) "Minor" means ~~a person~~ **AN INDIVIDUAL** less than 21 years of
12 age.

13 (5) "Mixed spirit drink" means a drink produced and packaged
14 or sold by a mixed spirit drink manufacturer or an outstate seller
15 of mixed spirit drink ~~which~~ **THAT** contains 10% or less alcohol by
16 volume consisting of ~~distilled~~ spirits mixed with nonalcoholic
17 beverages or flavoring or coloring materials and ~~which~~ **THAT** may
18 also contain 1 or more of the following:

- 19 (a) Water.
20 (b) Fruit juices.
21 (c) Fruit adjuncts.
22 (d) Sugar.
23 (e) Carbon dioxide.
24 (f) Preservatives.

25 (6) "Mixed spirit drink manufacturer" means any person
26 licensed under this act to manufacture mixed spirit drink in this
27 state and to sell mixed spirit drink to a wholesaler. For purposes

1 of rules promulgated by the commission, a mixed spirit drink
2 manufacturer shall be treated as a wine manufacturer but is subject
3 to the rules applicable to spirits for ~~purposes of manufacturing~~
4 and labeling.

5 (7) "Mixed wine drink" means a drink or similar product
6 marketed as a wine cooler ~~and containing~~ **THAT CONTAINS** less than 7%
7 alcohol by volume, ~~consisting~~ **CONSISTS** of wine and plain,
8 sparkling, or carbonated water, and ~~containing~~ **CONTAINS** any 1 or
9 more of the following:

10 (a) Nonalcoholic beverages.

11 (b) Flavoring.

12 (c) Coloring materials.

13 (d) Fruit juices.

14 (e) Fruit adjuncts.

15 (f) Sugar.

16 (g) Carbon dioxide.

17 (h) Preservatives.

18 (8) "Outstate seller of beer" means a person licensed by the
19 commission to sell beer ~~which~~ **THAT** has not been manufactured in
20 this state to a wholesaler in this state in accordance with rules
21 promulgated by the commission.

22 (9) "Outstate seller of mixed spirit drink" means a person
23 licensed by the commission to sell mixed spirit drink ~~which~~ **THAT**
24 has not been manufactured in this state to a wholesaler in this
25 state in accordance with rules promulgated by the commission. For
26 purposes of rules promulgated by the commission, an outstate seller
27 of mixed spirit drink shall be treated as an outstate seller of

1 wine but is subject to the rules applicable to spirits for ~~purposes~~
2 ~~of~~-manufacturing and labeling.

3 (10) "Outstate seller of wine" means a person licensed by the
4 commission to sell wine ~~which~~**THAT** has not been manufactured in
5 this state to a wholesaler in this state in accordance with rules
6 promulgated by the commission and to sell sacramental wine as
7 provided in section 301.

8 Enacting section 1. This amendatory act does not take effect
9 unless all of the following bills of the 97th Legislature are
10 enacted into law:

11 (a) Senate Bill No. 504.

12 (b) Senate Bill No. 505.

13 (c) Senate Bill No. 506.

14 (d) Senate Bill No. 507.

15 (e) Senate Bill No. 650.

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