

Legislative Analysis



PROHIBIT LIQUOR CONTROL COMMISSION FROM USING CERTAIN VIOLATIONS OLDER THAN TWO YEARS IN LICENSING DECISIONS

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Analysis available at
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House Bill 5387 as introduced
Sponsor: Rep. TC Clements
Committee: Regulatory Reform
Complete to 9-19-22

SUMMARY:

House Bill 5387 would amend the Michigan Liquor Control Code to prohibit the Michigan Liquor Control Commission (MLCC) from considering a *qualified violation* older than two years when making a decision regarding issuing, denying, suspending, or revoking a *license*. The two-year threshold would be calculated from the date of the act that resulted in the qualified violation.

A *qualified violation* would mean a violation of the act other than a *crime* or a state civil infraction.

A *crime* would mean an act or omission forbidden by law that is not designated as a civil infraction and is punishable upon conviction by one or more of the following:

- Imprisonment.
- A fine not designated a civil fine.
- Removal from office.
- Disqualification to hold an office of trust, honor, or profit under the state.
- Other penal discipline.

License is defined in the code as a contract between the MLCC and the licensee that grants that licensee the authority to manufacture and sell, sell, or warehouse alcoholic liquor in the manner provided by the code.

Proposed MCL 436.1910

FISCAL IMPACT:

House Bill 5387 would not have a direct fiscal impact on any state or local governmental units.

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