

HOUSE BILL NO. 5732

February 10, 2022, Introduced by Reps. Brann, Mueller, Clements, Damoose, Markkanen, Hauck, Sabo, Martin and Jones and referred to the Committee on Government Operations.

A bill to amend 1998 PA 58, entitled
"Michigan liquor control code of 1998,"
by amending section 1201 (MCL 436.2201).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1201. (1) In addition to any ~~and all~~ taxes imposed by
2 law, there is imposed and levied upon and collected a specific tax
3 equal to 4% of the retail selling price of spirits. The **commission**
4 **shall collect the** tax ~~shall be collected by the commission~~ at the
5 time of sale by the commission. ~~In the case of sales to licensees,~~
6 **For a sale to a licensee,** the tax ~~shall~~ **must** be computed on the

1 retail selling price established by the commission **under section**
2 **233** without allowance of discount **under section 233**.

3 (2) Upon collection **of the tax under subsection (1)**, the
4 commission shall deposit the entire proceeds in the state treasury.
5 ~~—~~In each fiscal year, \$15,000,000.00 of the proceeds deposited in
6 the state treasury must be allocated to the secondary road patrol
7 and training fund created in section 629e of the Michigan vehicle
8 code, 1949 PA 300, MCL 257.629e, and any remaining proceeds to the
9 credit of the general fund. The state treasurer shall adjust the
10 dollar amount under this subsection on the date that is 5 years
11 after the effective date of the amendatory act that added this
12 sentence, and on that day of every fifth year thereafter to reflect
13 the aggregate annual average percentage change in the Consumer
14 Price Index since the previous adjustment, rounded to the nearest
15 hundred dollars. As used in this subsection, "Consumer Price Index"
16 means the most comprehensive index of consumer prices available for
17 this state from the Bureau of Labor Statistics of the United States
18 Department of Labor.

19 (3) If **this** section ~~4201~~ is repealed, every licensee, who has
20 on hand any spirits on the effective date of the repeal, shall file
21 a complete inventory of those spirits with the commission within 20
22 days after the repeal. The commission shall credit to ~~such a~~ **the**
23 licensee an amount equal to 4% of the retail selling price of those
24 spirits on future purchases of spirits from the commission.