

Act No. 190
Public Acts of 2022
Approved by the Governor
September 27, 2022
Filed with the Secretary of State
September 27, 2022
EFFECTIVE DATE: September 27, 2022

**STATE OF MICHIGAN
101ST LEGISLATURE
REGULAR SESSION OF 2022**

Introduced by Reps. Brann, Mueller, Clements, Damoose, Markkanen, Hauck, Sabo, Martin and Jones

ENROLLED HOUSE BILL No. 5732

AN ACT to amend 1998 PA 58, entitled “An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts,” by amending section 1201 (MCL 436.2201).

The People of the State of Michigan enact:

Sec. 1201. (1) In addition to any taxes imposed by law, there is imposed and levied upon and collected a specific tax equal to 4% of the retail selling price of spirits. The commission shall collect the tax at the time of sale by the commission. For a sale to a licensee, the tax must be computed on the retail selling price established by the commission under section 233 without allowance of discount under section 233.

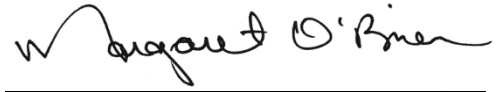
(2) Upon collection of the tax under subsection (1), the commission shall deposit the entire proceeds in the state treasury. In each fiscal year, \$15,000,000.00 of the proceeds deposited in the state treasury must be allocated to the secondary road patrol and training fund created in section 629e of the Michigan vehicle code, 1949 PA 300, MCL 257.629e, and any remaining proceeds to the credit of the general fund. For the fiscal year ending September 30, 2024, and each subsequent fiscal year, the state treasurer shall adjust the dollar amount under this subsection by the percentage increase in the Detroit Consumer Price Index for the preceding calendar year and round to the nearest \$100.00 increment. As used in this subsection, “Detroit Consumer Price Index” means the most comprehensive index of consumer prices available for the Detroit area from the United States Department of Labor, Bureau of Labor Statistics.

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

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor