

# SENATE BILL No. 264

April 11, 1991, Introduced by Senators O'BRIEN, GAST, HART and DUNASKISS and referred to the Committee on State Affairs and Military/Veteran Affairs.

A bill to amend section 3 of Act No. 8 of the Public Acts of the Extra Session of 1933, entitled as amended "The Michigan liquor control act," as amended by Act No. 153 of the Public Acts of 1981, being section 436.3 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 3 of Act No. 8 of the Public Acts of the  
2 Extra Session of 1933, as amended by Act No. 153 of the Public  
3 Acts of 1981, being section 436.3 of the Michigan Compiled Laws,  
4 is amended to read as follows:

5 Sec. 3. (1) Except as provided in this section and section  
6 16a, a sale, delivery, or importation of alcoholic liquor,  
7 including alcoholic liquor for personal use, shall not be made in  
8 this state unless the sale, delivery, or importation is made by  
9 the commission, the commission's authorized agent or distributor,

1 a person licensed by the commission, or by prior written order of  
2 the commission. All spirits for sale, use, storage, or distribu-  
3 tion in this state, shall originally be purchased by and imported  
4 into the state by the commission, or by prior written authority  
5 of the commission. This section shall not apply in the case of  
6 an alcoholic liquor brought into this state personally by a  
7 person of legal age to purchase alcoholic liquor at the time of  
8 reentry into this state from without the territorial limits of  
9 the United States for personal or household use in an amount per-  
10 mitted by federal law if the person has been outside the territo-  
11 rial limits of the United States for more than 48 hours and has  
12 not brought alcoholic liquor into the United States during the  
13 preceding 30 days.

14 (2) Notwithstanding ~~the provision of~~ subsection (1), a  
15 person who is of legal age to purchase alcoholic liquor may  
16 import from another state for that person's personal use not more  
17 than 288 ounces of alcoholic liquor which contains less than 21%  
18 alcohol by volume.

19 (3) NOTWITHSTANDING SUBSECTION (1), A PERSON 21 YEARS OF AGE  
20 OR OLDER OR A HOLDER OF A LICENSE FOR THE SALE OR MANUFACTURE OF  
21 ALCOHOLIC LIQUOR IN A STATE WHICH ALLOWS SUBSTANTIALLY THE SAME  
22 RECIPROCAL SHIPPING PRIVILEGE AS DESCRIBED IN THIS SUBSECTION MAY  
23 SHIP IN EACH 1-YEAR PERIOD, FOR PERSONAL CONSUMPTION AND NOT FOR  
24 RESALE, TO A PERSON 21 YEARS OF AGE OR OLDER A QUANTITY OF WINE  
25 NOT TO EXCEED 2 CASES OF WINE, EACH CASE CONTAINING NOT MORE THAN  
26 9 LITERS. DELIVERY UNDER THIS SUBSECTION IS NOT CONSIDERED A  
27 SALE OF ALCOHOLIC LIQUOR. THE SHIPPING CONTAINER FOR WINE

1 SHIPPED UNDER THIS SUBSECTION SHALL BE CLEARLY LABELED TO  
2 INDICATE THAT THE SHIPMENT SHALL NOT BE DELIVERED TO A PERSON  
3 UNDER 21 YEARS OF AGE OR TO A VISIBLY INTOXICATED PERSON. A  
4 PERSON SHALL NOT SOLICIT ANOTHER PERSON TO ENGAGE IN A RECIPROCAL  
5 WINE SHIPMENT UNDER THIS SUBSECTION. A PERSON LOCATED OUTSIDE  
6 THIS STATE SHALL NOT ADVERTISE IN THIS STATE THE AVAILABILITY OF  
7 RECIPROCAL SHIPMENTS UNDER THIS SUBSECTION.