

SENATE BILL No. 601

November 13, 1991, Introduced by Senators MC MANUS, CISKY, EHLERS and EMMONS and referred to the Committee on State Affairs and Military/Veteran Affairs.

A bill to amend section 33b 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. 176 of the Public Acts of 1986, being section 436.33b of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 33b of Act No. 8 of the Public Acts of
2 the Extra Session of 1933, as amended by Act No. 176 of the
3 Public Acts of 1986, being section 436.33b of the Michigan
4 Compiled Laws, is amended to read as follows:

5 Sec. 33b. (1) A person less than 21 years of age shall not
6 purchase alcoholic liquor, consume alcoholic liquor, ~~in a~~
7 ~~licensed premises,~~ or possess alcoholic liquor, except as
8 provided in THIS SECTION OR section 33a(1). ~~of this act.~~ A
9 person less than 21 years of age who violates this subsection is

1 liable for the following civil fines and shall not be subject to
2 the penalties prescribed in section 50:

3 (i) For the first violation a fine of not more than \$25.00.

4 (ii) For a second violation a fine of not more than \$50.00,
5 or participation in substance abuse prevention services as
6 defined in section 6107 of the public health code, Act No. 368 of
7 the Public Acts of 1978, being section 333.6107 of the Michigan
8 Compiled Laws and designated by the administrator of substance
9 abuse services, or both.

10 (iii) For a third or subsequent violation a fine of not more
11 than \$100.00, or participation in substance abuse prevention
12 services as defined in section 6107 of the public health code,
13 Act No. 368 of the Public Acts of 1978, and designated by the
14 administrator of substance abuse services, or both.

15 (2) Fifty percent of the fines collected under subsection
16 (1) shall be deposited with the state treasurer for deposit in
17 the general fund to the credit of the department of public health
18 for substance abuse treatment and rehabilitation services.

19 (3) A person who furnishes fraudulent identification to a
20 person less than 21 years of age, or a person less than 21 years
21 of age who uses fraudulent identification to purchase alcoholic
22 liquor, is guilty of a misdemeanor. The court shall order the
23 secretary of state to suspend, PURSUANT TO SECTION 319(6) OF THE
24 MICHIGAN VEHICLE CODE, ACT NO. 300 OF THE PUBLIC ACTS OF 1949,
25 BEING SECTION 257.319 OF THE MICHIGAN COMPILED LAWS, for a period
26 of 90 days, the operator or chauffeur license of a person who is
27 convicted of using fraudulent identification in violation of this

1 subsection and the operator or chauffeur license of that person
2 shall be surrendered to the court. The court shall immediately
3 forward the surrendered license and a certificate of conviction
4 to the secretary of state. A suspension ordered under this sub-
5 section shall be in addition to any other suspension of the
6 person's operator or chauffeur license.

7 (4) This section shall not be construed to prohibit a person
8 less than 21 years of age from possessing alcoholic liquor during
9 regular working hours and in the course of his or her employment
10 if employed by a person licensed by this act, by the ~~liquor~~
11 ~~control~~ commission, or by an agent of the ~~liquor control~~ com-
12 mission, if the alcoholic liquor is not possessed for his or her
13 personal consumption.

14 (5) This section shall not be construed to limit the civil
15 or criminal liability of the vendor or the vendor's clerk, ser-
16 vant, agent, or employee for a violation of this act.

17 (6) The consumption of alcoholic liquor by a person under 21
18 years of age who is enrolled in a course offered by an accredited
19 post secondary educational institution in an academic building of
20 the institution under the supervision of a faculty member ~~shall~~
21 IS not ~~be~~ prohibited by this act if the purpose OF THE
22 CONSUMPTION is solely educational and IS a necessary ingredient
23 of the course.