



# HOUSE BILL No. 5843

May 1, 1996, Introduced by Rep. Munsell and referred to the Committee on Tax Policy.

A bill to amend section 5 of Act No. 327 of the Public Acts of 1993, entitled  
"Tobacco products tax act,"  
being section 205.425 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 5 of Act No. 327 of the Public Acts of  
2 1993, being section 205.425 of the Michigan Compiled Laws, is  
3 amended to read as follows:

4 Sec. 5. The department may suspend, revoke, or refuse to  
5 issue or renew a license issued under this act for failure to  
6 comply with this act or for any other good cause. THE DEPARTMENT  
7 SHALL NOTIFY THE PERSON OF ITS INTENT TO HOLD AN ADMINISTRATIVE  
8 HEARING BEFORE A REPRESENTATIVE OF THE COMMISSIONER FOR PURPOSES  
9 OF DETERMINING WHETHER TO SUSPEND, REVOKE, OR REFUSE TO RENEW A  
10 LICENSE AT LEAST 14 DAYS BEFORE THE SCHEDULED HEARING DATE. A

1 person whose license is suspended, revoked, or not renewed shall  
2 not sell a tobacco product during the period of suspension or  
3 revocation, or until the license is renewed. A person aggrieved  
4 by the suspension, revocation, or refusal to issue or renew a  
5 license may apply to the revenue division of the department for a  
6 hearing within ~~20~~ 30 days after notice of the suspension, revo-  
7 cation, or refusal to issue or renew the license. A hearing ~~and~~  
8 ~~decision~~ shall be ~~had~~ HELD in the same manner provided in  
9 ~~section 9~~ SECTION 21 OF ACT NO. 122 OF THE PUBLIC ACTS OF 1941,  
10 BEING SECTION 205.21 OF THE MICHIGAN COMPILED LAWS. THE DECISION  
11 IN CASE OF SUSPENSION, REVOCATION, OR REFUSAL TO RENEW SHALL BE  
12 ISSUED WITHIN 45 DAYS OF RECEIPT OF THE REQUEST FOR HEARING. IF  
13 A PERSON IS AGGRIEVED BY THE DECISION OF THE DEPARTMENT, THAT  
14 PERSON MAY APPEAL TO THE INGHAM COUNTY CIRCUIT COURT.