



# SENATE BILL No. 258

February 14, 1995, Introduced by Senators GEAKE, BENNETT, CISKY, BOUCHARD, SHUGARS, DINGELL, MC MANUS, DE GROW, GOUGEON and ROGERS and referred to the Committee on Local, Urban and State Affairs.

A bill to amend the title and section 33b of Act No. 8 of the Public Acts of the Extra Session of 1933, entitled as amended "The Michigan liquor control act," section 33b as amended by Act No. 176 of the Public Acts of 1986, being section 436.33b of the Michigan Compiled Laws; and to repeal acts and parts of acts.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

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

5 TITLE

6 An act to create a liquor control commission for the control  
7 of the alcoholic beverage traffic within the state of Michigan,  
8 and to prescribe its powers, duties and limitations; to provide

1 for the control of the alcoholic liquor traffic within the state  
2 of Michigan and the establishment of state liquor stores; to pro-  
3 vide for the care and treatment of alcoholics; to provide for the  
4 incorporation of farmer cooperative wineries and the granting of  
5 certain rights and privileges thereto; to provide for the licens-  
6 ing and taxation thereof, and the disposition of the moneys  
7 received under this act; to prescribe liability for retail  
8 licensees under certain circumstances; to require security for  
9 that liability; to provide procedures, defenses, and remedies  
10 regarding violations of this act; to provide for the enforcement  
11 and to prescribe penalties for violations of this act; TO PROVIDE  
12 FOR SANCTIONS FOR CERTAIN VIOLATIONS OF THIS ACT AND LOCAL ORDI-  
13 NANCES THAT PROHIBIT CONDUCT PROHIBITED UNDER CERTAIN PROVISIONS  
14 OF THIS ACT; to provide for the confiscation and disposition of  
15 property seized under the provisions of this act; to provide a  
16 referendum in certain cases; and to repeal certain acts and parts  
17 of acts.

18       Sec. 33b. (1) A person less than 21 years of age shall not  
19 purchase OR ATTEMPT TO PURCHASE alcoholic liquor, consume OR  
20 ATTEMPT TO CONSUME alcoholic liquor in a licensed premises, or  
21 possess OR ATTEMPT TO POSSESS alcoholic liquor, except as pro-  
22 vided in THIS SECTION AND section ~~33a(1) of this act~~ 624B OF  
23 THE MICHIGAN VEHICLE CODE, ACT NO. 300 OF THE PUBLIC ACTS OF  
24 1949, BEING SECTION 257.624B OF THE MICHIGAN COMPILED LAWS. A  
25 person less than 21 years of age who violates this subsection is  
26 liable for the following civil fines and ~~shall~~ IS not ~~be~~  
27 subject to the penalties prescribed in section 50:

1 (A) ~~(i)~~ For the first violation a fine of not more than  
2 \$25.00.

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

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

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

18 (3) A person who furnishes fraudulent identification to a  
19 person less than 21 years of age, or a person less than 21 years  
20 of age who uses fraudulent identification to purchase OR ATTEMPT  
21 TO PURCHASE alcoholic liquor, is guilty of a misdemeanor. ~~The~~  
22 ~~court shall order the secretary of state to suspend, for a period~~  
23 ~~of 90 days, the operator or chauffeur license of a person who is~~  
24 ~~convicted of using fraudulent identification in violation of this~~  
25 ~~subsection and the operator or chauffeur license of that person~~  
26 ~~shall be surrendered to the court. The court shall immediately~~  
27 ~~forward the surrendered license and a certificate of conviction~~

~~1 to the secretary of state. A suspension ordered under this  
2 subsection shall be in addition to any other suspension of the  
3 person's operator or chauffeur license.~~

4 (4) IMMEDIATELY UPON ENTRY OF A JUDGMENT OR PROBATE COURT  
5 DISPOSITION FOR A VIOLATION OF SUBSECTION (1) OR A LOCAL ORDI-  
6 NANCE THAT PROHIBITS CONDUCT PROHIBITED UNDER SUBSECTION (1) OR  
7 IMMEDIATELY UPON ACCEPTANCE BY THE COURT OF A PLEA OF GUILTY OR  
8 NOLO CONTENDERE OR UPON ENTRY OF A VERDICT OF GUILTY OR A PROBATE  
9 COURT DISPOSITION FOR A VIOLATION OF SUBSECTION (3) OR A LOCAL  
10 ORDINANCE THAT PROHIBITS CONDUCT PROHIBITED UNDER SUBSECTION (3),  
11 THE COURT SHALL CONSIDER ALL PRIOR CONVICTIONS CURRENTLY ENTERED  
12 UPON THE CRIMINAL HISTORY RECORD AND MICHIGAN DRIVING RECORD OF  
13 THE PERSON, EXCEPT THOSE CONVICTIONS WHICH, UPON MOTION OF THE  
14 DEFENDANT, ARE DETERMINED BY THE COURT TO BE CONSTITUTIONALLY  
15 INVALID, AND SHALL IMPOSE THE FOLLOWING LICENSING SANCTIONS IN  
16 ADDITION TO ANY OTHER PENALTY OR SANCTION IMPOSED FOR THE  
17 VIOLATION:

18 (A) IF THE COURT FINDS THAT THE PERSON DOES NOT HAVE A PRIOR  
19 CONVICTION WITHIN 7 YEARS OF THE VIOLATION, THE COURT SHALL ORDER  
20 THE SECRETARY OF STATE TO SUSPEND THE OPERATOR'S OR CHAUFFEUR'S  
21 LICENSE OF THE PERSON FOR A PERIOD OF 6 MONTHS. THE COURT MAY  
22 ORDER THE SECRETARY OF STATE TO ISSUE TO THE PERSON A RESTRICTED  
23 LICENSE DURING ALL OR A SPECIFIED PORTION OF THE PERIOD OF SUS-  
24 PENSION, EXCEPT THAT A RESTRICTED LICENSE SHALL NOT BE ISSUED  
25 DURING THE FIRST 30 DAYS OF THE PERIOD OF SUSPENSION.

26 (B) IF THE COURT FINDS THAT THE PERSON HAS 1 OR MORE PRIOR  
27 CONVICTIONS WITHIN 7 YEARS OF THE VIOLATION, THE COURT SHALL

1 ORDER THE SECRETARY OF STATE TO SUSPEND THE OPERATOR'S OR  
2 CHAUFFEUR'S LICENSE OF THE PERSON FOR A PERIOD OF 1 YEAR. THE  
3 COURT MAY ORDER THE SECRETARY OF STATE TO ISSUE TO THE PERSON A  
4 RESTRICTED LICENSE DURING ALL OR ANY PORTION OF THE PERIOD OF  
5 SUSPENSION, EXCEPT THAT A RESTRICTED LICENSE SHALL NOT BE ISSUED  
6 DURING THE FIRST 60 DAYS OF THE PERIOD OF SUSPENSION.

7 (5) THE PERSON WHOSE OPERATOR'S OR CHAUFFEUR'S LICENSE IS  
8 ORDERED SUSPENDED UNDER THIS SECTION SHALL IMMEDIATELY SURRENDER  
9 TO THE COURT HIS OR HER OPERATOR'S OR CHAUFFEUR'S LICENSE. THE  
10 COURT SHALL IMMEDIATELY DESTROY THE LICENSE AND FORWARD AN  
11 ABSTRACT OF CONVICTION, PROBATE COURT DISPOSITION, OR JUDGMENT OF  
12 THE COURT WITH COURT-ORDERED LICENSE SANCTIONS TO THE SECRETARY  
13 OF STATE. UPON RECEIPT OF, AND PURSUANT TO, THE ABSTRACT OF CON-  
14 VICTION WITH COURT-ORDERED LICENSE SANCTIONS, THE SECRETARY OF  
15 STATE SHALL SUSPEND THE PERSON'S LICENSE AND, IF ORDERED BY THE  
16 COURT AND THE PERSON IS OTHERWISE ELIGIBLE FOR A LICENSE, ISSUE  
17 TO THE PERSON A RESTRICTED LICENSE STATING THE LIMITED DRIVING  
18 PRIVILEGES INDICATED ON THE ABSTRACT. IF THE JUDGMENT, PROBATE  
19 COURT DISPOSITION, OR JUDGMENT AND SENTENCE IS APPEALED TO CIR-  
20 CUIT COURT, THE COURT MAY, EX PARTE, ORDER THE SECRETARY OF STATE  
21 TO STAY THE SUSPENSION OR RESTRICTED LICENSE ISSUED PURSUANT TO  
22 THIS SECTION PENDING THE OUTCOME OF THE APPEAL.

23 (6) BEFORE ENTERING A JUDGMENT OR PROBATE COURT DISPOSITION,  
24 OTHER THAN COURT-ORDERED LICENSE SANCTIONS UNDER THIS SECTION,  
25 FOR A VIOLATION OF SUBSECTION (1) OR A LOCAL ORDINANCE THAT PRO-  
26 HIBITS CONDUCT PROHIBITED UNDER SUBSECTION (1) OR BEFORE IMPOSING  
27 SENTENCE OR ENTERING A PROBATE COURT DISPOSITION, OTHER THAN

1 COURT-ORDERED LICENSE SANCTIONS UNDER THIS SECTION, FOR A  
2 VIOLATION OF SUBSECTION (3) OR A LOCAL ORDINANCE THAT PROHIBITS  
3 CONDUCT PROHIBITED UNDER SUBSECTION (3), THE COURT MAY ORDER THE  
4 PERSON TO UNDERGO SCREENING AND ASSESSMENT BY A PERSON OR AGENCY  
5 AS DESIGNATED BY THE OFFICE OF SUBSTANCE ABUSE SERVICES, TO  
6 DETERMINE WHETHER THE PERSON IS LIKELY TO BENEFIT FROM REHABILI-  
7 TATIVE SERVICES, INCLUDING ALCOHOL OR DRUG EDUCATION AND ALCOHOL  
8 OR DRUG TREATMENT PROGRAMS. THE PERSON SHALL PAY FOR THE COSTS  
9 OF THE SCREENING AND ASSESSMENT SERVICES.

10 (7) AS PART OF THE JUDGMENT OR PROBATE COURT DISPOSITION FOR  
11 A VIOLATION OF SUBSECTION (1) OR A LOCAL ORDINANCE THAT PROHIBITS  
12 CONDUCT PROHIBITED UNDER SUBSECTION (1), OR THE SENTENCE OR PRO-  
13 BATE COURT DISPOSITION FOR A VIOLATION OF SUBSECTION (3) OR A  
14 LOCAL ORDINANCE THAT PROHIBITS CONDUCT PROHIBITED UNDER SUBSEC-  
15 TION (3), THE COURT MAY ORDER THE PERSON TO DO 1 OR BOTH OF THE  
16 FOLLOWING:

17 (A) PERFORM SERVICE TO THE COMMUNITY FOR A PERIOD OF NOT  
18 MORE THAN 90 DAYS. A PERSON ORDERED TO PERFORM SERVICE TO THE  
19 COMMUNITY UNDER THIS SUBDIVISION SHALL NOT RECEIVE COMPENSATION,  
20 AND SHALL REIMBURSE THE STATE OR APPROPRIATE LOCAL UNIT OF GOV-  
21 ERNMENT FOR THE COST OF SUPERVISION INCURRED BY THE STATE OR  
22 LOCAL UNIT OF GOVERNMENT AS A RESULT OF THE PERSON'S ACTIVITIES  
23 IN THAT SERVICE.

24 (B) PARTICIPATE IN AND SUCCESSFULLY COMPLETE 1 OR MORE  
25 APPROPRIATE REHABILITATIVE PROGRAMS. THE PERSON SHALL PAY FOR  
26 THE COSTS OF THE REHABILITATIVE SERVICES.

1 (8) A SUSPENSION UNDER THIS SECTION SHALL BE IMPOSED TO  
2 BEGIN UPON THE EXPIRATION OF ANY OTHER SUSPENSION OF THE  
3 OPERATOR'S OR CHAUFFEUR'S LICENSE OF A PERSON THAT IS IN EFFECT  
4 AT THE TIME OF THE SUSPENSION UNDER THIS SECTION.

5 (9) A RESTRICTED LICENSE ISSUED PURSUANT TO AN ORDER UNDER  
6 THIS SECTION SHALL PERMIT THE PERSON TO WHOM IT IS ISSUED TO DO 1  
7 OR MORE OF THE FOLLOWING:

8 (A) DRIVE TO AND FROM THE PERSON'S RESIDENCE AND WORK  
9 LOCATION.

10 (B) DRIVE IN THE COURSE OF THE PERSON'S EMPLOYMENT OR  
11 OCCUPATION.

12 (C) DRIVE TO AND FROM THE PERSON'S RESIDENCE AND AN ALCOHOL  
13 OR DRUG EDUCATION OR TREATMENT PROGRAM AS ORDERED BY THE COURT.

14 (D) DRIVE TO AND FROM THE PERSON'S RESIDENCE AND THE COURT  
15 PROBATION DEPARTMENT, OR A COURT-ORDERED COMMUNITY SERVICE PRO-  
16 GRAM, OR BOTH.

17 (E) DRIVE TO AND FROM THE PERSON'S RESIDENCE AND AN EDUCA-  
18 TIONAL INSTITUTION AT WHICH THE PERSON IS ENROLLED AS A STUDENT.

19 (10) THE COURT MAY ORDER THAT THE RESTRICTED LICENSE ISSUED  
20 PURSUANT TO THIS SECTION INCLUDE THE REQUIREMENT THAT THE PERSON  
21 SHALL NOT OPERATE A MOTOR VEHICLE UNLESS THE VEHICLE IS EQUIPPED  
22 WITH A FUNCTIONING IGNITION INTERLOCK DEVICE. THE DEVICE SHALL  
23 BE SET TO RENDER THE MOTOR VEHICLE INOPERABLE IF THE DEVICE  
24 DETECTS A BLOOD ALCOHOL CONTENT OF 0.02% OR MORE BY WEIGHT OF  
25 ALCOHOL IN THE PERSON WHO OFFERS A BREATH SAMPLE. THE COURT MAY  
26 ORDER INSTALLATION OF AN IGNITION INTERLOCK DEVICE ON ANY MOTOR

1 VEHICLE THAT THE PERSON OWNS OR OPERATES, THE COSTS OF WHICH  
2 SHALL BE BORNE BY THE PERSON WHOSE LICENSE IS RESTRICTED.

3 (11) THE COURT SHALL NOT ORDER THE SECRETARY OF STATE UNDER  
4 THIS SECTION TO ISSUE A RESTRICTED LICENSE THAT WOULD PERMIT A  
5 PERSON TO OPERATE A TRUCK OR TRUCK TRACTOR, INCLUDING A TRAILER,  
6 THAT HAULS HAZARDOUS MATERIALS.

7 (12) THE COURT SHALL NOT ORDER THE SECRETARY OF STATE TO  
8 ISSUE A RESTRICTED LICENSE UNLESS THE PERSON STATES UNDER OATH,  
9 AND THE COURT FINDS PURSUANT TO TESTIMONY TAKEN IN OPEN COURT OR  
10 PURSUANT TO STATEMENTS CONTAINED IN A SWORN AFFIDAVIT ON A FORM  
11 PRESCRIBED BY THE STATE COURT ADMINISTRATOR, THAT THE PERSON IS  
12 UNABLE TO TAKE PUBLIC TRANSPORTATION TO AND FROM HIS OR HER WORK  
13 LOCATION, PLACE OF ALCOHOL OR DRUG EDUCATION TREATMENT,  
14 COURT-ORDERED COMMUNITY SERVICE PROGRAM, OR EDUCATIONAL INSTITU-  
15 TION, AND DOES NOT HAVE ANY FAMILY MEMBERS OR OTHER INDIVIDUALS  
16 ABLE TO PROVIDE TRANSPORTATION.

17 (13) THE COURT ORDER ISSUED UNDER THIS SECTION AND THE  
18 RESTRICTED LICENSE SHALL INDICATE THE PERMITTED DESTINATION OF  
19 THE PERSON, THE APPROVED ROUTE OR ROUTES IF SPECIFIED BY THE  
20 COURT, AND PERMITTED TIMES OF TRAVEL.

21 (14) ~~(4)~~ This section ~~shall~~ DOES not ~~be construed to~~  
22 prohibit a person less than 21 years of age from possessing alco-  
23 holic liquor during regular working hours and in the course of  
24 his or her employment if employed by a person licensed by this  
25 act, by the liquor control commission, or by an agent of the  
26 liquor control commission, if the alcoholic liquor is not  
27 possessed for his or her personal consumption.

1       (15) ~~(5)~~ This section ~~shall~~ DOES not ~~be construed to~~  
2 limit the civil or criminal liability of the vendor or the  
3 vendor's clerk, servant, agent, or employee for a violation of  
4 this act.

5       (16) ~~(6)~~ The consumption of alcoholic liquor by a person  
6 under 21 years of age who is enrolled in a course offered by an  
7 accredited post secondary educational institution in an academic  
8 building of the institution under the supervision of a faculty  
9 member ~~shall~~ IS not ~~be~~ prohibited by this act if the purpose  
10 is solely educational and a necessary ~~ingredient~~ PART of the  
11 course.

12       (17) SUBSECTION (1) DOES NOT APPLY TO A PERSON LESS THAN 21  
13 YEARS OF AGE WHO PARTICIPATES IN EITHER OR BOTH OF THE  
14 FOLLOWING:

15       (A) AN UNDERCOVER OPERATION IN WHICH THE PERSON LESS THAN 21  
16 YEARS OF AGE PURCHASED OR ATTEMPTED TO PURCHASE OR POSSESSED OR  
17 ATTEMPTED TO POSSESS ALCOHOLIC LIQUOR UNDER THE DIRECTION OF THE  
18 PERSON'S EMPLOYER AND WITH THE APPROVAL OF THE LOCAL PROSECUTOR'S  
19 OFFICE AS PART OF AN EMPLOYER-SPONSORED INTERNAL ENFORCEMENT  
20 ACTION.

21       (B) AN UNDERCOVER OPERATION IN WHICH THE PERSON LESS THAN 21  
22 YEARS OF AGE PURCHASED OR ATTEMPTED TO PURCHASE OR POSSESSED OR  
23 ATTEMPTED TO POSSESS ALCOHOLIC LIQUOR UNDER THE DIRECTION OF THE  
24 STATE POLICE, THE COMMISSION, OR A LOCAL POLICE AGENCY AS PART OF  
25 AN ENFORCEMENT ACTION.

26       (18) AS USED IN THIS SECTION:

1 (A) "CONVICTION" MEANS A FINAL CONVICTION, A PLEA OF GUILTY  
2 OR NOLO CONTENDERE IF ACCEPTED BY THE COURT, A FINDING OF GUILT,  
3 A PROBATE COURT DISPOSITION, OR A JUVENILE ADJUDICATION, REGARD-  
4 LESS OF WHETHER THE PENALTY IS REBATED OR SUSPENDED.

5 (B) "FORMER SECTION 33A(1)" MEANS FORMER SECTION 33A(1) OF  
6 THIS ACT AS AMENDED BY ACT NO. 123 OF THE PUBLIC ACTS OF 1985.

7 (C) "FORMER SECTION 625(1) OR (2)" MEANS SECTION 625(1) OR  
8 (2) OF THE MICHIGAN VEHICLE CODE, ACT NO. 300 OF THE PUBLIC ACTS  
9 OF 1949, AS AMENDED BY ACT NO. 391 OF THE PUBLIC ACTS OF 1978,  
10 ACT NO. 515 OF THE PUBLIC ACTS OF 1980, ACT NO. 309 OF THE PUBLIC  
11 ACTS OF 1982, OR ACT NO. 109 OF THE PUBLIC ACTS OF 1987.

12 (D) "FORMER SECTION 625B" MEANS SECTION 625B OF ACT NO. 300  
13 OF THE PUBLIC ACTS OF 1949, AS AMENDED BY ACT NO. 285 OF THE  
14 PUBLIC ACTS OF 1976, ACT NO. 515 OF THE PUBLIC ACTS OF 1980, ACT  
15 NO. 309 OF THE PUBLIC ACTS OF 1982, OR ACT NO. 109 OF THE PUBLIC  
16 ACTS OF 1987.

17 (E) "HAZARDOUS MATERIAL" MEANS THAT TERM AS DEFINED IN  
18 SECTION 19B OF ACT NO. 300 OF THE PUBLIC ACTS OF 1949, BEING  
19 SECTION 257.19B OF THE MICHIGAN COMPILED LAWS.

20 (F) "JUVENILE ADJUDICATION" MEANS THE ENTRY OF AN ORDER BY  
21 THE COURT OF ANOTHER STATE THAT A MINOR VIOLATED A LAW OR LOCAL  
22 ORDINANCE OF THAT STATE WHICH VIOLATION WOULD HAVE BEEN A CRIMI-  
23 NAL OFFENSE IF COMMITTED BY AN ADULT IN THAT STATE.

24 (G) "OFFICE OF SUBSTANCE ABUSE SERVICES" MEANS THE AGENCY  
25 CREATED BY SECTION 6201 OF THE PUBLIC HEALTH CODE, ACT NO. 368 OF  
26 THE PUBLIC ACTS OF 1978, BEING SECTION 333.6201 OF THE MICHIGAN  
27 COMPILED LAWS.

1 (H) "PRIOR CONVICTION" MEANS EITHER OF THE FOLLOWING:

2 (i) A CONVICTION FOR AN ATTEMPT TO VIOLATE, A CONSPIRACY TO  
3 VIOLATE, OR A VIOLATION OF ANY OF THE FOLLOWING:

4 (A) SECTION 624A, SECTION 624B(1), SECTION 625(1), (3), (4),  
5 OR (5), FORMER SECTION 625(1) OR (2), OR FORMER SECTION 625B OF  
6 ACT NO. 300 OF THE PUBLIC ACTS OF 1949, BEING SECTIONS 257.624A,  
7 257.624B AND 257.625 OF THE MICHIGAN COMPILED LAWS, OR A LOCAL  
8 ORDINANCE SUBSTANTIALLY CORRESPONDING TO SECTION 624A, SECTION  
9 624B(1), SECTION 625(1), (3), (4), OR (5), FORMER SECTION 625(1)  
10 OR (2), OR FORMER SECTION 625B OF ACT NO. 300 OF THE PUBLIC ACTS  
11 OF 1949, OR A LAW OR LOCAL ORDINANCE OF ANOTHER STATE SUBSTAN-  
12 Tially CORRESPONDING TO SECTION 624A, SECTION 624B(1), SECTION  
13 625(1), (3), (4), OR (5), FORMER SECTION 625(1) OR (2), OR FORMER  
14 SECTION 625B OF ACT NO. 300 OF THE PUBLIC ACTS OF 1949.

15 (B) SUBSECTION (3), A LOCAL ORDINANCE THAT PROHIBITS CONDUCT  
16 PROHIBITED UNDER SUBSECTION (3), OR A LAW OR LOCAL ORDINANCE OF  
17 ANOTHER STATE THAT PROHIBITS CONDUCT PROHIBITED UNDER SUBSECTION  
18 (3).

19 (C) FORMER SECTION 33A(1), A LOCAL ORDINANCE THAT PROHIBITED  
20 CONDUCT THAT WAS PROHIBITED UNDER FORMER SECTION 33A(1), OR A LAW  
21 OR LOCAL ORDINANCE OF ANOTHER STATE THAT PROHIBITED CONDUCT THAT  
22 WAS PROHIBITED UNDER FORMER SECTION 33A(1).

23 (ii) A JUDGMENT ENTERED FOR A VIOLATION OF SUBSECTION (1), A  
24 LOCAL ORDINANCE THAT PROHIBITS CONDUCT PROHIBITED UNDER SUBSEC-  
25 TION (1), OR A LAW OR LOCAL ORDINANCE OF ANOTHER STATE THAT PRO-  
26 HIBITS CONDUCT PROHIBITED UNDER SUBSECTION (1).

1 (I) "PROBATE COURT DISPOSITION" MEANS THE ENTRY OF A PROBATE  
2 COURT ORDER OF DISPOSITION FOR A CHILD FOUND TO BE WITHIN THE  
3 PROVISIONS OF CHAPTER XIIIA OF ACT NO. 288 OF THE PUBLIC ACTS OF  
4 1939, BEING SECTIONS 712A.1 TO 712A.28 OF THE MICHIGAN COMPILED  
5 LAWS.

6 (J) "TRAILER" MEANS THAT TERM AS DEFINED IN SECTION 73 OF  
7 ACT NO. 300 OF THE PUBLIC ACTS OF 1949, BEING SECTION 257.73 OF  
8 THE MICHIGAN COMPILED LAWS.

9 (K) "TRUCK" MEANS THAT TERM AS DEFINED IN SECTION 75 OF ACT  
10 NO. 300 OF THE PUBLIC ACTS OF 1949, BEING SECTION 257.75 OF THE  
11 MICHIGAN COMPILED LAWS.

12 (L) "TRUCK TRACTOR" MEANS THAT TERM AS DEFINED IN SECTION 77  
13 OF ACT NO. 300 OF THE PUBLIC ACTS OF 1949, BEING SECTION 257.77  
14 OF THE MICHIGAN COMPILED LAWS.

15 (M) "WORK LOCATION" MEANS, AS APPLICABLE, EITHER THE SPE-  
16 CIFIC PLACE OR PLACES OF EMPLOYMENT, OR THE TERRITORY OR TERRITO-  
17 RIES REGULARLY VISITED BY THE PERSON IN PURSUANCE OF THE PERSON'S  
18 OCCUPATION, OR BOTH.

19 Section 2. Section 33a of Act No. 8 of the Public Acts of  
20 the Extra Session of 1933, being section 436.33a of the Michigan  
21 Compiled Laws, is repealed effective October 1, 1995.

22 Section 3. This amendatory act shall take effect October 1,  
23 1995.

24 Section 4. This amendatory act shall not take effect unless  
25 Senate Bill No. \_\_\_\_\_ or House Bill No. \_\_\_\_\_ (request  
26 no. 02727'95) of the 88th Legislature is enacted into law.