



SENATE BILL No. 469

April 26, 1995, Introduced by Senators A. SMITH, PETERS, YOUNG, CHERRY, STALLINGS, GEAKE, HOFFMAN and SCHWARZ and referred to the Committee on Health Policy and Senior Citizens.

A bill to amend Act No. 8 of the Public Acts of the Extra Session of 1933, entitled as amended "The Michigan liquor control act," as amended, being sections 436.1 to 436.58 of the Michigan Compiled Laws, by adding section 24a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 8 of the Public Acts of the Extra
2 Session of 1933, as amended, being sections 436.1 to 436.58 of
3 the Michigan Compiled Laws, is amended by adding section 24a to
4 read as follows:

5 SEC. 24A. (1) OFF-PREMISES LICENSEES SHALL POST, IN A CON-
6 SPICUOUS PLACE AND IN THE CLEAR VIEW OF CUSTOMERS AT THE ENTRANCE
7 TO EACH SECTION OF THE PREMISES WHERE ALCOHOLIC LIQUOR IS
8 DISPLAYED, A SIGN STATING THE RISKS OF FETAL ALCOHOL SYNDROME.
9 IF THE SECTION OF THE PREMISES IS LARGER THAN 500 SQUARE FEET,

1 THE LICENSEE SHALL PROMINENTLY DISPLAY 1 SIGN FOR EACH 500 SQUARE
2 FEET OF THE SECTION OR FRACTION OF THAT SECTION. IN ADDITION,
3 LICENSEES SHALL DISPLAY 1 SIGN FOR EACH FREE-STANDING PROMOTIONAL
4 DISPLAY. THE SIGN SHALL COMPLY WITH THE FOLLOWING:

5 (A) BE AT LEAST 4 INCHES BY 8 INCHES IN SIZE.

6 (B) READ, IN CONTRASTING COLORS AND IN BLOCK LETTERS AT
7 LEAST 1/2 INCH HIGH: "WARNING: ALCOHOLIC BEVERAGES DURING PREG-
8 NANCY CAN CAUSE BIRTH DEFECTS."

9 (2) AN ON-PREMISES LICENSEE SHALL POST ON THE BACK OF THE
10 ENTRANCE DOOR TO ANY REST ROOM DESIGNATED FOR PUBLIC USE THE SIGN
11 DESCRIBED IN SUBSECTION (1).

12 (3) AN ON-PREMISES LICENSEE SHALL PLACE ON EACH COPY OF ITS
13 MENU, AT THE TOP OF THE SECTION THAT LISTS ALCOHOLIC LIQUOR, AND
14 ANY DRINK LIST A STICKER WHICH STATES, IN CONTRASTING COLORS AND
15 IN 12-POINT OR LARGER TYPE: "WARNING: ALCOHOLIC BEVERAGES
16 DURING PREGNANCY CAN CAUSE BIRTH DEFECTS." AN ON-PREMISES
17 LICENSEE THAT DISPLAYS ON ITS TABLES SIGNS ADVERTISING ALCOHOLIC
18 LIQUOR WHICH ARE SMALLER THAN 8-1/2 INCHES BY 11 INCHES IN SIZE
19 SHALL AFFIX TO EACH SUCH SIGN A STICKER AS DESCRIBED IN THIS
20 SUBSECTION.

21 (4) AN OFF-PREMISES OR ON-PREMISES LICENSEE THAT DISPLAYS
22 SIGNS ADVERTISING ALCOHOLIC LIQUOR WHICH ARE 8-1/2 INCHES BY 11
23 INCHES OR LARGER IN SIZE SHALL AFFIX TO EACH SUCH SIGN A STICKER
24 WHICH STATES IN CONTRASTING COLORS AND IN PRINT 1/4 OF AN INCH
25 HIGHER OR LARGER: "WARNING: ALCOHOLIC BEVERAGES DURING PREG-
26 NANCY CAN CAUSE BIRTH DEFECTS."

1 (5) THE COMMISSION SHALL CREATE AND PROVIDE TO LICENSEES THE
2 SIGNS DESCRIBED IN SUBSECTION (1) AND THE STICKERS DESCRIBED IN
3 SUBSECTIONS (3) AND (4). A LICENSEE MAY CAUSE THE WARNING
4 DESCRIBED IN SUBSECTIONS (3) AND (4) TO BE PRINTED ON ANY SIGNS,
5 MENUS, OR DRINK LISTS AS LONG AS THE WARNINGS COMPLY WITH THE
6 REQUIREMENTS IMPOSED IN SUBSECTIONS (3) AND (4).

7 (6) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ACT, THE
8 SOLE PENALTIES TO WHICH A LICENSEE SHALL BE SUBJECTED FOR FAILURE
9 TO COMPLY OR SUBSTANTIALLY COMPLY WITH THIS SECTION ARE AS
10 FOLLOWS:

11 (A) A FINE OF \$100.00 FOR A FIRST OFFENSE DURING ANY
12 12-MONTH PERIOD.

13 (B) A FINE OF \$200.00 FOR A SECOND OFFENSE DURING ANY
14 12-MONTH PERIOD.

15 (C) A FINE OF \$500.00 FOR A THIRD OR SUBSEQUENT OFFENSE
16 DURING ANY 12-MONTH PERIOD.

17 (7) AS USED IN THIS SECTION, "FREE-STANDING PROMOTIONAL
18 DISPLAY" MEANS A DISPLAY OF A PARTICULAR BRAND OR VARIETY OF
19 ALCOHOLIC LIQUOR, IN A PLACE THAT IS SEPARATE FROM THE DISPLAYS
20 OF OTHER PRODUCTS OF THE SAME KIND, THAT IS INTENDED TO PROMOTE
21 THE SALE OF THAT PARTICULAR BRAND OR VARIETY OF ALCOHOLIC LIQUOR.