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BILL ANALYSIS

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House Bill 4752 (Substitute S-2 as reported)  
Sponsor: Representative Nancy Cassis  
House Committee: Regulatory Reform  
Senate Committee: Economic Development, International Trade and Regulatory Affairs

## **CONTENT**

The bill would amend the Michigan Liquor Control Code to apply the Code's restrictions on liquor sales to transactions made by mail, Internet, telephone, computer, or other electronic means; require retailers making those kinds of transactions to comply with certain requirements; and require delivery persons to verify the age of a purchaser or recipient. The bill also would revise a provision relating to importation of alcoholic liquor from another state for personal use.

Under the Code, alcoholic liquor may not be sold, delivered, or imported in this State unless the sale, delivery, or importation is made by the Liquor Control Commission, the Commission's authorized agent or distributor, an authorized distribution agent, or a person licensed by the Commission, or by prior written order of the Commission. Under the bill, this provision would apply to a sale, delivery, or importation transacted by mail order, Internet, telephone, computer, device, or other electronic means.

If a retail sale, delivery, or importation of alcoholic liquor occurred by any of those means, the retailer would have to be licensed; pay taxes to the Commission; verify the age of the purchaser; make available to the Commission any document used to verify the purchaser's age; label the shipping container with language that clearly established that the package contained alcoholic liquor and that the recipient would have to show proof of age; and place on the container a label that included the name and address of the purchaser and the name of the designated recipient.

A person who delivered liquor would have to verify that the person accepting delivery was the purchaser or a designated recipient, and was of legal age to purchase the liquor. If the delivery person, after a diligent inquiry, determined that the purchaser or designated recipient was not of legal age, he or she would have to return the liquor to the retailer. A delivery person who did so would not be liable for any damage suffered by the purchaser or retailer.

In addition, a person who is of legal age to purchase alcohol may *import* from another state, for personal use, up to 312 ounces of alcoholic liquor that contains less than 21% alcohol by volume. The bill would extend that provision to the *transport* from another state, for personal use, of that amount of liquor with that volume of alcohol.

MCL 436.1203

Legislative Analyst: P. Affholter

## **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Date Completed: 5-25-00

Fiscal Analyst: M. Tyszkiewicz

[floor/hb4752](#)

Analysis available @ <http://www.michiganlegislature.org>

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