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BILL ANALYSIS

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Senate Bill 199 (Substitute S-2 as reported by the Committee of the Whole)  
Sponsor: Senator Jud Gilbert, II  
Committee: Economic Development, Small Business and Regulatory Reform

### **CONTENT**

The bill would amend the Michigan Liquor Control Code to provide that vendors licensed to sell wine on the premises could allow an individual to remove from the premises a partially consumed bottle of wine that he or she had purchased with a meal. The person would have to reinsert the cork so that the top of it was level with the lip of the bottle.

The transportation or possession of a partially consumed bottle of wine would have to comply with Section 624a of the Michigan Vehicle Code. (That section prohibits drivers and passengers from transporting or possessing opened containers of alcoholic liquor within the passenger compartment of a vehicle. If a vehicle does not have a trunk or compartment separate from the passenger compartment, the container must be enclosed or encased and it may not be readily accessible to the vehicle occupants.)

The bill specifies that these provisions would not allow the removal of any additional unopened bottles of wine unless the vendor was licensed as a specially designated merchant (i.e., a person licensed to sell beer and/wine at retail for off-premises consumption).

Under the Code, alcoholic liquor sold by vendors for on-premises consumption may not be removed from the premises. The bill, instead, would prohibit a purchaser from removing from the premises alcoholic liquor sold by a vendor for consumption on the premises, except as provided above.

MCL 436.2021

Legislative Analyst: Suzanne Lowe

### **FISCAL IMPACT**

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

Date Completed: 3-23-05

Fiscal Analyst: Elizabeth Pratt