

# SENATE BILL No. 50

January 25, 2005, Introduced by Senator JOHNSON and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

A bill to amend 1998 PA 58, entitled  
"Michigan liquor control code of 1998,"  
(MCL 436.1101 to 436.2303) by adding section 545.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1        SEC. 545. (1) AS USED IN THIS SECTION:

2        (A) "PRIVATE EVENT" MEANS AN EVENT WHERE NO CONSIDERATION, AS  
3        DEFINED IN SECTION 913(5), IS PAID BY THE GUESTS.

4        (B) "SDD-C PERMIT" MEANS A PERMIT ISSUED BY THE COMMISSION TO  
5        A PUBLIC ON-PREMISES LICENSEE WHO IS LICENSED FOR THE SALE OF  
6        SPIRITS AND IS ALSO LICENSED AS A FOOD SERVICE ESTABLISHMENT UNDER  
7        THE FOOD LAW OF 2000, 2000 PA 92, MCL 289.1101 TO 289.8111, THAT  
8        ENABLES THE PERMIT HOLDER TO SELL AND DELIVER SPIRITS IN THE

1 ORIGINAL SEALED CONTAINER TO A PERSON FOR OFF-PREMISES CONSUMPTION  
2 SO LONG AS THE SALE IS NOT BY THE GLASS OR DRINK AND REQUIRES THE  
3 PERMIT HOLDER TO PROVIDE THE SERVICE OF THE SPIRITS.

4 (2) SPIRITS SOLD BY AN ON-PREMISES LICENSEE UNDER THE SDD-C  
5 PERMIT AUTHORIZED BY THIS SECTION SHALL BE SOLD AT THE PRICE FIXED  
6 BY THE COMMISSION FOR SPECIALLY DESIGNATED DISTRIBUTORS PURSUANT TO  
7 SECTION 229.

8 (3) THE COMMISSION MAY ISSUE AN SDD-C PERMIT TO A PUBLIC ON-  
9 PREMISES LICENSEE, AS A SUPPLEMENT TO THAT ON-PREMISES LICENSE, TO  
10 ALLOW THE SALE AND DELIVERY OF SPIRITS IN THE ORIGINAL SEALED  
11 CONTAINER AT LOCATIONS OTHER THAN THE LICENSED PREMISES AND TO  
12 REQUIRE THE PERMIT HOLDER TO PROVIDE FOR SERVICE OF SPIRITS AT THE  
13 PRIVATE EVENT WHERE THE ALCOHOLIC LIQUOR IS NOT RESOLD TO GUESTS.

14 (4) THIS SECTION DOES NOT LIMIT THE NUMBER OF SDD-C PERMITS  
15 THE COMMISSION MAY ISSUE WITHIN ANY LOCAL UNIT OF GOVERNMENT.

16 (5) THIS SECTION DOES NOT PREVENT THE HOLDER FROM USING THE  
17 SDD-C PERMIT AT MULTIPLE LOCATIONS AND EVENTS DURING THE SAME TIME  
18 PERIOD.

19 (6) THIS SECTION DOES NOT PROHIBIT AN ON-PREMISES LICENSEE WHO  
20 IS ALSO THE HOLDER OF AN SDD-C PERMIT FROM SELLING SPIRITS TO A  
21 PERSON WHO HAS OBTAINED A SPECIAL LICENSE UNDER SECTION 527.

22 (7) AN APPLICANT FOR AN SDD-C PERMIT SHALL APPLY ON A FORM  
23 APPROVED AND PROVIDED BY THE COMMISSION AND PAY AN APPLICATION AND  
24 PROCESSING FEE OF \$70.00 AND A SDD-C PERMIT FEE OF \$300.00 AT THE  
25 TIME OF ISSUANCE. THE ON-PREMISES LICENSEE SHALL ALSO PAY THE SDD-C  
26 PERMIT FEE AT THE TIME OF RENEWAL OF THE ON-PREMISES LICENSE.