SENATE BILL No. 626

June 22, 2005, Introduced by Senators JACOBS, McMANUS, KUIPERS, JELINEK, HAMMERSTROM and ALLEN and referred to the Committee on Government Operations.

A bill to amend 1998 PA 58, entitled

"Michigan liquor control code of 1998,"

by amending section 909 (MCL 436.1909).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 909. (1) Except as otherwise provided in this act, a

2 person, other than a person required to be licensed under this act,

3 who violates this act is guilty of a misdemeanor.

4 (2) Except as otherwise provided in this act, a licensee who

5 violates this act, or a rule or regulation promulgated under this

6 act, is guilty of a misdemeanor punishable by imprisonment for not

7 more than 6 months or a fine of not more than $500.00, or both.

8 (3) A person who performs any act for which a license is

9 required under this act without first obtaining that license or who

1 sells alcoholic liquor in a county that has prohibited the sale of

2 alcoholic liquor under section 1107 is guilty of a felony

3 punishable by imprisonment for not more than 1 year or by a fine of

4 not more than $1,000.00, or both.

5   **(4) A DIRECT SHIPPER THAT FAILS TO COMPLY WITH THE AGE**

6 **VERIFICATION OR LABELING REQUIREMENTS, OR BOTH, IMPOSED UNDER**

7 **SECTION 203(4) IS GUILTY OF A MISDEMEANOR PUNISHABLE BY**

8 **IMPRISONMENT FOR NOT MORE THAN 93 DAYS OR A FINE OF NOT MORE THAN**

9 **$500.00, OR BOTH.**

10   (5) ~~(4)~~ It is the intent of the legislature that the court,

11 in imposing punishment under this section, should discriminate

12 between casual or slight violations and habitual sales of alcoholic

13 liquor or attempts to commercialize violations of this act or the

14 rules or regulations promulgated under this act.

15   Enacting section 1. This amendatory act does not take effect

16 unless all of the following bills of the 93rd Legislature are

17 enacted into law:

18   (a) Senate Bill No. 625.

19

20   (b) Senate Bill No. 628.

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22   (c) Senate Bill No. 627.

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