

HOUSE BILL No. 4055

January 22, 2009, Introduced by Rep. Simpson and referred to the Committee on Regulatory Reform.

A bill to amend 1998 PA 58, entitled
"Michigan liquor control code of 1998,"
by amending section 518 (MCL 436.1518), as amended by 2005 PA 166.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 518. (1) As used in this section:

2 (a) "Motorsports entertainment complex" means a closed-course
3 motorsports facility and its ancillary grounds that comply with all
4 of the following:

5 (i) Has at least 1,500 fixed seats for race patrons.

6 (ii) Has at least 7 scheduled days of motorsports events each
7 calendar year.

8 (iii) Serves food and beverages at the facility during
9 sanctioned motorsports events each calendar year through concession

1 outlets, which may be staffed by individuals who represent or are
2 members of 1 or more nonprofit civic or charitable organizations
3 that directly financially benefit from the concession outlets'
4 sales.

5 (iv) Engages in tourism promotion.

6 (b) "Motorsports event" means a motorsports race and its
7 ancillary activities that have been sanctioned by a sanctioning
8 body.

9 (c) "Owner" means a person who owns and operates a motorsports
10 entertainment complex.

11 (d) "Sanctioning body" means the American motorcycle
12 association (AMA); auto racing club of America (ARCA); championship
13 auto racing teams (CART); grand American road racing association
14 (GRAND AM); Indy racing league (IRL); national association for
15 stock car auto racing (NASCAR); nation hot rod association (NHRA);
16 professional sportscar racing (PSR); sports car club of America
17 (SCCA); United States auto club (USAC); Michigan state promoters
18 association; or any successor organization or any other nationally
19 or internationally recognized governing body of motorsports that
20 establishes an annual schedule of motorsports events and grants
21 rights to conduct the events, that has established and administers
22 rules and regulations governing all participants involved in the
23 events and all persons conducting the events, and that requires
24 certain liability assurances, including insurance.

25 (2) Notwithstanding the quota provisions of section 531, the
26 commission may issue motorsports event licenses for the sale of
27 beer and wine for consumption on the premises to the owner of a

1 motorsports entertainment complex for use during sanctioned
2 motorsports events only.

3 (3) NOTWITHSTANDING SECTION 1114 AND R 436.1403 OF THE
4 MICHIGAN ADMINISTRATIVE CODE, A LICENSEE UNDER THIS SECTION MAY
5 SERVE, OR ALLOW THE CONSUMPTION OF, ALCOHOLIC LIQUOR ON THE
6 LICENSED PREMISES ON ANY SUNDAY DURING WHICH A MOTORSPORTS EVENT IS
7 SCHEDULED AND TAKES PLACE.

8 (4) ~~(3)~~—For a period of time not to exceed 7 consecutive days
9 during which public access is permitted to a motorsports
10 entertainment complex in connection with a motorsports event,
11 members of the general public at least 21 years or older may bring
12 beer and wine not purchased at the licensed motorsports
13 entertainment complex into the motorsports entertainment complex
14 and possess and consume that beer and wine. Possession and
15 consumption of beer and wine under this section are allowed only in
16 portions of the motorsports entertainment complex open to the
17 general public that are also part of the licensed premises of a
18 retail licensee under both of the following circumstances:

19 (a) The licensed premises are located within the motorsports
20 entertainment complex.

21 (b) The retail licensee holds a license for consumption on the
22 licensed premises of the motorsports entertainment complex.

23 (5) ~~(4)~~—A person holding a license for the sale of alcoholic
24 liquor for consumption on the premises at a motorsports
25 entertainment complex is subject to the civil liability provisions
26 of section 801 if the civil action is brought by or on behalf of an
27 individual who suffers damage or is personally injured by a minor

1 or visibly intoxicated person by reason of the unlawful consumption
2 of alcoholic liquor on the licensed premises by that minor or
3 visibly intoxicated person if the unlawful consumption is proven to
4 be a proximate cause of the damage, injury, or death of the
5 individual, whether the alcoholic liquor was sold or furnished by
6 the licensee or was brought onto the licensed premises under
7 subsection ~~(3)~~-(4) .