



Senate Fiscal Agency
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Senate Bill 258 (as reported without amendment)
Sponsor: Senator Rick Jones
Committee: Judiciary

CONTENT

The bill would amend the Michigan Liquor Control Code to exempt a minor from some alcohol-related violations under certain circumstances. (Under the Code, "minor" means a person under 21 years of age.)

The Code prohibits a minor from purchasing, consuming, or possessing, or attempting to purchase, consume, or possess, alcoholic liquor, and prohibits a minor from having any bodily alcohol content, except as otherwise provided. Under the bill, none of the following would be considered in violation of those prohibitions:

- A minor who had consumed alcohol and voluntarily presented himself or herself to a health facility or agency for treatment or for observation.
- Any minor who accompanied a minor who had consumed alcohol and voluntarily presented himself or herself to a health facility or agency for treatment or for observation.
- Any minor who initiated contact with a peace officer or emergency medical services personnel for the purpose of obtaining medical assistance.

(A violation of the prohibitions is a misdemeanor punishable by a maximum fine of \$100 for a first offense, \$200 for a second offense, or \$500 for a third or subsequent offense, and the offender may be ordered to participate in substance abuse prevention services or treatment, perform community service, and undergo substance abuse screening and assessment. If a repeat offender has violated an order of probation, failed to complete any treatment, screening, or community service ordered by the court, or failed to pay a fine for a prior violation, the sentence may include incarceration for up to 30 days for a second offense or 60 days for a third or subsequent offense.)

MCL 436.1703

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government. To the extent that the new language reduced the number of misdemeanor convictions in local jurisdictions, local units of government could potentially experience a reduction in incarceration and supervision expenses. Any reduction in convictions also would lead to a corresponding decrease in penal fine revenue.

Date Completed: 5-19-11

Fiscal Analyst: Matthew Grabowski