



Senate Fiscal Agency
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BILL ANALYSIS



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House Bill 4061 (Substitute H-2 as passed by the House)
Sponsor: Representative Douglas Geiss
House Committee: Regulatory Reform
Senate Committee: Regulatory Reform

Date Completed: 7-12-11

CONTENT

The bill would amend the Michigan Liquor Control Code to allow sampling and consumption of home-brewed beer, wine, mead, honey-based beer, or cider at a meeting of home brewers or a club composed primarily of home brewers at a micro brewer, brewpub, or on-premises licensee, under certain circumstances.

Under the Code, unless otherwise provided by rule, a person may not conduct samplings or tastings of any alcoholic liquor for a commercial purpose except at premises that are licensed for the sale and consumption of alcohol on the premises. A retailer licensed to sell alcohol for on-premises consumption may allow customers to sample beer, wine, and spirits if the retailer does not charge for the samples. Sample serving sizes may not exceed three ounces for beer, two ounces for wine, and one-half ounce for spirits, and a customer may not be given more than two samples within a 24-hour period per licensed premises.

Under the bill, these provisions would not prohibit a micro brewer, brewpub, or on-premises licensee from allowing the sampling and consumption on the licensed premises of beer, wine, mead, honey-based beer, or cider produced by one or more home brewers at a meeting of home brewers or a club composed primarily of home brewers, under the following circumstances:

- The sampling or consumption was for the purpose of exhibitions or competitions involving home brewers.
- The beer, honey-based beer, or cider was served in portions that did not exceed three ounces, or the wine or mead was served in portions that did not exceed two ounces.
- The beer, wine, mead, honey-based beer, or cider produced by a home brewer was consumed only by the home brewer, the home brewer's family, a club member, a judge, or a guest speaker, and was not sold to the general public.
- The participants in the sampling or consumption otherwise complied with applicable State and Federal law and applicable regulatory provisions.
- The participants were not charged for the sampling or consumption.

"Home brewer" would mean an individual who manufactures beer, wine, mead, honey-based beer, or cider at his or her dwelling.

MCL 436.2027

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

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

Fiscal Analyst: Josh Sefton

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.