

Legislative Analysis



LIQUOR CONTROL CODE: STATUTORY CONSTRUCTION

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House Bill 504 as enacted
Public Act 46 of 2014
Sponsor: Sen. Joe Hune
House Committee: Regulatory Reform
Senate Committee: Regulatory Reform

Complete to 4-10-14

A SUMMARY OF SENATE BILL 504 AS ENACTED

The bill amended the Liquor Control Code to rewrite the section that describes how the code is to be construed. It also would provide for the severability of any portion of the code found to be unconstitutional.

Currently, the code states that it must be "liberally" construed to effect the intent and purposes set forth in it. The bill would instead state that the code is to be construed to effect the intent and purposes set forth in it "and to protect the public health, safety, and welfare of the citizens of this state." (The underlined words would be added and the word "liberally" would be removed.)

Additionally, the bill specifies that if any provision of the code is found unconstitutional by a court of competent jurisdiction and all rights of appeal have expired or been exhausted, the offending provision would have to be severed and would not affect the remaining portions.

The bill was tie-barred to Senate Bills 505-507 and 650, and House Bills 4709-4711 and 4277, all of which are amendments to the Liquor Control Code, and all of which have now been enacted.

MCL 436.1925

FISCAL IMPACT:

The bill would not have a substantial fiscal impact on the state or on local units of government.

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