



Senate Fiscal Agency
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BILL



ANALYSIS

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Senate Bill 240 (as introduced 3-26-15)

(Senate-passed version)

Sponsor: Senator Rick Jones

Committee: Regulatory Reform

Date Completed: 5-12-15

CONTENT

The bill would amend the Michigan Liquor Control Code to do the following:

- **Prohibit a person from using, possessing, or selling powdered alcohol.**
- **Make an exception to the prohibition for a hospital, State institution, private college or university, or pharmaceutical or biotechnology company conducting research.**

Specifically, except as provided below, the bill would prohibit a person from using or offering for use, possessing, selling, or offering for sale powdered alcohol. A person who violated the prohibition would be guilty of a misdemeanor punishable as provided in Section 909 of the Code.

(That section specifies that a person, other than a person required to be licensed under the Code, who violates the Code is guilty of a misdemeanor. Under the Michigan Penal Code, a misdemeanor for which a penalty is not specified is punishable by up to 90 days' imprisonment and/or a maximum fine of \$500. The Michigan Liquor Control Code further specifies that, except as otherwise provided, a licensee who violates the Code, or a rule or regulation promulgated under the Code, is guilty of a misdemeanor punishable by imprisonment for up to six months or a maximum fine of \$500, or both.)

The bill would not apply to a hospital that operated primarily for the purpose of conducting scientific research, or a State institution, a private college or university, or a pharmaceutical or biotechnology company, if the institution, college or university, or company were conducting bona fide research.

"Powdered alcohol" would mean alcohol that is sold in powder form for either direct use or reconstitution.

The bill would take effect 90 days after its enactment.

Proposed MCL 436.1914a

Legislative Analyst: Jeff Mann

FISCAL IMPACT

The bill could result in a marginal increase in misdemeanor penalties associated with violations involving powdered alcohol. The bill would not have a significant impact on State and local criminal justice costs.

Fiscal Analyst: John Maxwell

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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.