

HOUSE BILL No. 6541

November 28, 2018, Introduced by Reps. Iden and VanderWall and referred to the Committee on Regulatory Reform.

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 609d.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **SEC. 609D. (1) A SPECIALLY DESIGNATED DISTRIBUTOR THAT SELLS**
2 **SPIRITS TO A SPECIAL LICENSEE THAT IS AUTHORIZED BY THE COMMISSION**
3 **TO SELL SPIRITS MAY OFFER THE SPECIAL LICENSEE A DISCOUNT ON THE**
4 **SPECIAL LICENSEE'S PURCHASE OF SPIRITS. A DISCOUNT UNDER THIS**
5 **SECTION MUST COME FROM THE SPECIALLY DESIGNATED DISTRIBUTOR'S**
6 **DISCOUNT UNDER SECTION 233.**

7 **(2) A SPECIALLY DESIGNATED DISTRIBUTOR THAT SELLS SPIRITS TO A**
8 **SPECIAL LICENSEE THAT IS AUTHORIZED BY THE COMMISSION TO SELL**
9 **SPIRITS MAY REFUND THE SPECIAL LICENSEE FOR THE RETURN OF AN**
10 **UNOPENED BOTTLE IN THE SAME AMOUNT THAT THE SPECIAL LICENSEE PAID**

1 FOR THE SPIRITS IF THE BOTTLE IS WITHOUT DAMAGE TO THE EXTERIOR
2 THAT WOULD PREVENT THE SALABILITY OF THE BOTTLE.

3 (3) A SPECIALLY DESIGNATED DISTRIBUTOR THAT REFUNDS SPIRITS TO
4 A SPECIAL LICENSEE UNDER SUBSECTION (2) MAY CHARGE THE SPECIAL
5 LICENSEE A RESTOCKING FEE OF UP TO 10% OF THE AMOUNT THE SPECIAL
6 LICENSEE PAID FOR THE SPIRITS. A RESTOCKING FEE CHARGED UNDER THIS
7 SUBSECTION IS CONSIDERED INCOME FOR HANDLING EXPENSES.