

SENATE BILL No. 1155

November 8, 2018, Introduced by Senator ROCCA 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 204a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 204A. (1) A MANUFACTURER SHALL NOT SELL OR TRANSFER
2 ALCOHOLIC LIQUOR TO A LICENSED MANUFACTURER IN THIS STATE EXCEPT AS
3 PROVIDED IN SUBSECTIONS (2) AND (3).

4 (2) NOTWITHSTANDING ANY PROVISION IN THIS ACT TO THE CONTRARY,
5 A MANUFACTURER MAY SELL OR TRANSFER WINE OR SPIRITS TO A LICENSED
6 MANUFACTURER, AND A LICENSED MANUFACTURER MAY PURCHASE OR RECEIVE
7 WINE OR SPIRITS, UNDER ANY OF THE FOLLOWING CONDITIONS:

8 (A) FOR A SALE OR TRANSFER OF WINE:

9 (i) THE SELLING OR TRANSFERRING MANUFACTURER IS A WINE MAKER,
10 SMALL WINE MAKER, OR OUT-OF-STATE ENTITY THAT IS THE SUBSTANTIAL
11 EQUIVALENT OF A WINE MAKER OR SMALL WINE MAKER AND IS SELLING OR

1 TRANSFERRING THE WINE TO A WINE MAKER, SMALL WINE MAKER, OR OUT-OF-
2 STATE ENTITY THAT IS THE SUBSTANTIAL EQUIVALENT OF A WINE MAKER OR
3 SMALL WINE MAKER.

4 (ii) THE PURCHASING OR RECEIVING WINE MAKER OR SMALL WINE
5 MAKER MANUFACTURES WINE AT THEIR LICENSED PREMISES.

6 (B) FOR A SALE OR TRANSFER OF SPIRITS:

7 (i) THE SELLING OR TRANSFERRING MANUFACTURER IS A DISTILLER,
8 SMALL DISTILLER, OR OUT-OF-STATE ENTITY THAT IS THE SUBSTANTIAL
9 EQUIVALENT OF A DISTILLER OR SMALL DISTILLER AND IS SELLING OR
10 TRANSFERRING THE SPIRITS TO A DISTILLER, SMALL DISTILLER, OR OUT-
11 OF-STATE ENTITY THAT IS THE SUBSTANTIAL EQUIVALENT OF A DISTILLER
12 OR SMALL DISTILLER.

13 (ii) THE PURCHASING OR RECEIVING DISTILLER OR SMALL DISTILLER
14 MANUFACTURES SPIRITS AT THEIR LICENSED PREMISES.

15 (3) A WINE MAKER, SMALL WINE MAKER, DISTILLER, OR SMALL
16 DISTILLER MAY NOT SELL ALCOHOLIC LIQUOR PURCHASED OR RECEIVED UNDER
17 THIS SECTION UNLESS 1 OF THE FOLLOWING CONDITIONS IS MET:

18 (A) THE PURCHASING OR RECEIVING MANUFACTURER MODIFIES THE
19 PURCHASED OR RECEIVED ALCOHOLIC LIQUOR BY PERFORMING A PORTION OF
20 THE MANUFACTURING PROCESS AS DESCRIBED IN SECTION 109(1).

21 (B) THE PURCHASING OR RECEIVING SMALL WINE MAKER BOTTLES THE
22 PURCHASED OR RECEIVED WINE.

23 (C) THE PURCHASING OR RECEIVING WINE MAKER OR SMALL WINE MAKER
24 IS SELLING A SHINER AS THAT TERM IS DEFINED IN SECTION 111(10) ON
25 WHICH THE WINE MAKER OR SMALL WINE MAKER HAS PLACED A LABEL
26 PURSUANT TO SECTION 111(10).

27 (4) THIS SECTION DOES NOT PREVENT A MANUFACTURER FROM SELLING,

1 PURCHASING, OR RECEIVING NONALCOHOLIC INGREDIENTS TO OR FROM
2 ANOTHER MANUFACTURER.

3 Enacting section 1. This amendatory act does not take effect
4 unless all of the following bills of the 99th Legislature are
5 enacted into law:

6 (a) Senate Bill No. 1154.

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8 (b) Senate Bill No. 1164.

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10 (c) Senate Bill No. 1165.

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12 (d) Senate Bill No. 1160.

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14 (e) Senate Bill No. 1159.

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16 (f) Senate Bill No. 1166.

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18 (g) Senate Bill No. 1161.

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20 (h) Senate Bill No. 1156.

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