

HOUSE BILL NO. 5344

January 16, 2020, Introduced by Reps. Wendzel, Hall, Garza and Cambensy and referred to the Committee on Regulatory Reform.

A bill to amend 1998 PA 58, entitled
"Michigan liquor control code of 1998,"
by amending section 609c (MCL 436.1609c), as added by 2017 PA 130.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 609c. (1) ~~A manufacturer that sells direct to a retailer~~
2 ~~as provided under section 203(19) or a wholesaler~~ may refund to a
3 retailer the amount the retailer paid for beer or wine, as
4 applicable, or ~~a manufacturer that sells direct to a retailer as~~
5 ~~provided under section 203(19) or a wholesaler~~ may replace that
6 beer or wine for any of the following reasons:



- 1 (a) The beer or wine is outdated.
2 (b) The beer or wine is defective.
3 (c) An error in the beer or wine delivered.
4 (d) The beer or wine may no longer be lawfully sold.
5 (e) The termination of the retailer's business.
6 (f) The formula, proof, label, or container of the beer or
7 wine is changed.
8 (g) The beer or wine is discontinued.
9 (h) The retailer is only open a portion of the year and the
10 beer or wine is likely to spoil during the off-season.

11 (2) If beer is within 30 days of its out-of-date code, a
12 ~~manufacturer that sells direct to a retailer as provided under~~
13 ~~section 203(19) or a~~ wholesaler may refund to a retailer the amount
14 the retailer paid for the beer.

15 (3) A ~~manufacturer that sells direct to a retailer as provided~~
16 ~~under section 203(19) or a~~ wholesaler may only issue a refund or
17 replacement under this section for beer or wine that the
18 ~~manufacturer or~~ wholesaler sold to the retailer.

19 Enacting section 1. This amendatory act does not take effect
20 unless Senate Bill No. ____ or House Bill No. 5342 (request no.
21 04270'19) of the 100th Legislature is enacted into law.

