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BILL ANALYSIS



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Senate Bill 1163 (as introduced 9-14-22)
Sponsor: Senator Curtis Hertel, Jr.
Committee: Regulatory Reform

Date Completed: 9-20-22

CONTENT

The bill would amend the Michigan Liquor Control Code to eliminate the sunset on certain provisions allowing a qualified licensee to fill, sell, and deliver qualified containers with alcoholic liquor off the premises under circumstances specified by the Code.

Under the Code, generally, a qualified licensee may fill and sell qualified containers with alcoholic liquor for the consumption off the premises under the following conditions:

- The qualified licensee or his or her agent or employee does not fill the qualified container in advance of the sale.
- The qualified licensee complies with all the applicable rules promulgated by the Liquor Control Commission.
- The qualified licensee or his or her agent seals the qualified container.

The Code allows a qualified licensee to deliver alcoholic liquor to a consumer in Michigan if all the following conditions are met:

- The qualified licensee complies with all State laws, including the prohibition on sales to minors.
- The qualified licensee stamps, prints, or labels on the outside of the qualified container,
- The qualified licensee or his or her agent stamps the qualified container, "Contains Alcohol. Must be delivered to a person 21 years of age or older"; the recipient at the time of the delivery must provide identification verifying his or her age.
- If the qualified licensee is a retailer, the alcoholic liquor is delivered by the qualified licensee's employee or a third-party facilitator service.
- If the qualified licensee is a manufacturer, the alcoholic liquor is delivered by the qualified licensee's employee.

Under the Code, except otherwise allowed, a qualified licensee may not sell alcoholic liquor in its original package under these provisions.

The code specifies that the above provisions do not apply after January 1, 2026. The bill would eliminate the sunset.

MCL 436.1537a

Legislative Analyst: Eleni Lionas

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Jonah Houtz

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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.