

Act No. 100  
Public Acts of 2022  
Approved by the Governor  
June 14, 2022  
Filed with the Secretary of State  
June 14, 2022  
EFFECTIVE DATE: June 14, 2022

**STATE OF MICHIGAN  
101ST LEGISLATURE  
REGULAR SESSION OF 2022**

Introduced by Reps. Cherry and Wakeman

## **ENROLLED HOUSE BILL No. 5984**

AN ACT to amend 1998 PA 58, entitled “An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts,” (MCL 436.1101 to 436.2303) by adding section 548.

*The People of the State of Michigan enact:*

Sec. 548. (1) The commission may issue an on-premises public swimming pool permit to an on-premises licensee that is licensed to operate a public swimming pool under part 125 of the public health code, 1978 PA 368, MCL 333.12501 to 333.12546. The commission shall charge an initial and an annual fee for an on-premises public swimming pool permit of \$350.00. An on-premises public swimming pool permit issued under this section is not transferrable by location.

(2) A holder of an on-premises public swimming pool permit may sell and serve alcoholic liquor in a public swimming pool located on the licensed premises if both of the following conditions are met:

(a) The sales performed under the on-premises public swimming pool permit are made within an exclusive area that is well defined, clearly marked, and not accessible to minors. As an example, and not by way of limitation, an exclusive area is well defined and clearly marked if the exclusive area is delineated by a buoy line. An individual who purchased alcoholic liquor in the exclusive area described in this subdivision may possess alcoholic liquor sold by the holder of the on-premises public swimming pool permit only in the exclusive area and the licensed premises adjacent to the exclusive area.

(b) The sales are conducted by employees of the holder of the on-premises public swimming pool permit who have completed a server training program as provided for in section 906 and the rules promulgated by the commission.

(3) The commission shall develop an application for an annual on-premises public swimming pool permit allowing for licensed activities under this section.

(4) As used in this section, "public swimming pool" means that term as defined in section 12521 of the public health code, 1978 PA 368, MCL 333.12521.

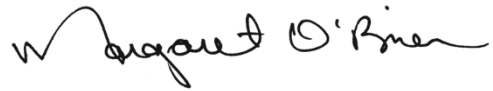
Enacting section 1. This amendatory act does not take effect unless House Bill No. 5983 of the 101st Legislature is enacted into law.

This act is ordered to take immediate effect.



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Clerk of the House of Representatives



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Secretary of the Senate

Approved \_\_\_\_\_

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Governor