

Legislative Analysis



CONSIDERATION OF CERTAIN LIQUOR CONTROL CODE VIOLATIONS IN LICENSE DECISIONS

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4114 as introduced
Sponsor: Rep. Tom Kuhn
Committee: Regulatory Reform
Complete to 4-30-25

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4114 would amend the Michigan Liquor Control Code to prohibit the Michigan Liquor Control Commission (MLCC) from considering a *qualified violation* that is more than two years old when making a decision regarding issuing, denying, suspending, or revoking a *license*. The two-year threshold would be calculated from the date of the act that resulted in the qualified violation.

A *qualified violation* would mean a violation of the act that is not a *crime* or a state civil infraction.

A *crime* would mean an act or omission forbidden by law that is not designated as a civil infraction and is punishable upon conviction by one or more of the following:

- Imprisonment.
- A fine not designated a civil fine.
- Removal from office.
- Disqualification to hold an office of trust, honor, or profit under the state.
- Other penal discipline.

License is defined in the code as a contract between the MLCC and the licensee that grants that licensee the authority to manufacture and sell, sell, or warehouse alcoholic liquor in the manner provided by the code.

Proposed MCL 436.1910

BACKGROUND:

The bill is identical to House Bill 4758 of the 2023-24 legislative session as that bill was passed by the House.¹

FISCAL IMPACT:

The bill would have an indeterminate fiscal impact on the Michigan Liquor Control Commission, housed within the Department of Licensing and Regulatory Affairs (LARA). The bill would not allow the MLCC to consider violations that occurred at least two years ago when making licensing determinations. The number of applicable violations is unknown, though would likely be small. The bill is likely to have minimal to no impact on license volumes and

¹ <https://www.legislature.mi.gov/Bills/Bill?ObjectName=2023-HB-4758>

associated department revenues and costs. The bill would have no fiscal impact on any other units of state or local government.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.