



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 68 (as reported without amendment)

Sponsor: Senator Dayna Polehanki

Committee: Regulatory Affairs

CONTENT

The bill would amend the Liquor Control Code to prohibit off-premises retailers from displaying co-branded alcoholic beverages next to soft drinks, fruit juices, bottled water, candy, toys, or certain snack foods.

Specifically, the bill would prohibit an off-premises retailer with a retail sales floor exceeding 2,500 square feet from displaying co-branded alcoholic beverages that abutted or otherwise had a common border with soft drinks, fruit juices, bottled water, candy, toys, or snack foods if the snack foods portrayed cartoons or youth-oriented images. An off-premises retailer with a retail sales floor that was 2,500 square feet or less could not display co-branded alcoholic beverages that abutted or otherwise had a common border with soft drinks, fruit juices, bottled water, candy, toys, or snack foods if the snack foods portrayed cartoons or youth-oriented images unless the retailer posted signage on any display meeting those criteria.

"Co-branded alcoholic beverage" would mean any alcoholic liquor that had the same or similar brand name, logo, or packaging as a nonalcoholic beverage.

Proposed MCL 436.1609k

BRIEF RATIONALE

According to testimony before the Senate Committee on Regulatory Affairs, incidents have been reported of alcoholic products being displayed for sale in the same general area as non-alcoholic products with similar packaging and branding. There is concern that this could confuse consumers and even contribute to underage drinking. Some have argued that retailers should be required to keep alcoholic and non-alcoholic products displayed separately.

PREVIOUS LEGISLATION

(This section does not provide a comprehensive account of all previous legislative efforts on the relevant subject matter.)

The bill is similar to Senate Bill 732 from the 2023-2024 Legislative Session. Senate Bill 732 passed the Senate and was reported by the House Committee on Regulatory Reform but received no further action.

FISCAL IMPACT

The bill would have an indeterminate positive fiscal impact on State government and no fiscal impact on local units of government. The impact would depend on the number of violations of the bill. Fines paid for violations of the bill would be deposited into the Liquor Control Enforcement and License Investigation Revolving Fund, which is spent to enforce the Code.

Date Completed: 2-28-25

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