

HOUSE BILL NO. 4398

April 29, 2025, Introduced by Rep. Wortz and referred to Committee on Regulatory Reform.

A bill to amend 1998 PA 58, entitled
"Michigan liquor control code of 1998,"
by amending section 1113 (MCL 436.2113), as amended by 2011 PA 27.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1113. (1) Except as provided in subsection (2), (3), or
2 (5) and subject to subsection (6), a licensee ~~enumerated~~ under
3 section 525 may sell at retail, and a person may buy, spirits or
4 mixed spirit drink between the hours of 7 a.m. on Sunday and 2 a.m.
5 on Monday.

6 (2) Unless the legislative body of a county has prohibited the

1 sale of spirits and mixed spirit drink for consumption on the
2 premises between the hours of 7 a.m. and 12 noon on Sunday or
3 between the hours of 7 a.m. on Sunday and 2 a.m. on Monday, by
4 resolution approved by a majority of the legislative body voting on
5 ~~that~~**the** resolution, spirits and mixed spirit drink may be sold
6 after 7 a.m. on Sunday, in an establishment licensed under this act
7 in which the gross receipts derived from the sale of food and other
8 goods and services exceed 50% of the total gross receipts. With
9 respect to an action taken by the legislative body or if the
10 legislative body fails to act, a petition may be filed with the
11 county clerk requesting the submission of the question regarding
12 the prohibition of the sale of spirits and mixed spirit drink for
13 consumption on the premises between the hours of 7 a.m. and 12 noon
14 on Sunday or between the hours of 7 a.m. on Sunday and 2 a.m. on
15 Monday. The petition ~~shall~~**must** be signed by a number of the
16 registered and qualified electors of the county that is not less
17 than ~~8%~~**5%** of the total number of votes cast for all candidates for
18 the office of secretary of state in the county at the last general
19 election held for that purpose. **The legislative body of a county,**
20 **by a resolution approved by the majority of the legislative body**
21 **voting on the resolution, may direct the county clerk to submit the**
22 **question regarding the prohibition of the sale of spirits and mixed**
23 **spirit drink for consumption on the premises between the hours of 7**
24 **a.m. and 12 noon on Sunday or between the hours of 7 a.m. on Sunday**
25 **and 2 a.m. on Monday at the next regular state election held in the**
26 **county.** The question ~~shall~~**must** not be submitted to the electors of
27 a county more than once every 4 years. The county clerk shall
28 submit the question at the next regular state election held in the
29 county if the petitions are filed not less than 60 days before the

election. The question regarding the prohibition of the sale of spirits and mixed spirit drink for consumption on the premises ~~shall~~**must** be submitted by ballot in substantially the following forms:

(a) For the sale between the hours of 7 a.m. and 12 noon on Sunday:

"Shall the sale of spirits and mixed spirit drink for consumption on the premises be prohibited between the hours of 7 a.m. and 12 noon on Sunday within the county of under the provisions of the law governing the sale of spirits and mixed spirit drink for consumption?

Yes

No "

(b) For the sale between the hours of 7 a.m. on Sunday and 2 a.m. on Monday:

"Shall the sale of spirits and mixed spirit drink for consumption on the premises be prohibited between the hours of 7 a.m. on Sunday and 2 a.m. on Monday within the county of under the provisions of the law governing the sale of spirits and mixed spirit drink for consumption?

Yes

No "

(c) For the sale between the hours of 7 a.m. and 12 noon on Sunday:

"Shall the sale of spirits and mixed spirit drink for consumption on the premises be permitted between the hours of 7 a.m. and 12 noon on Sunday within the county of under the provisions of the law governing the sale of spirits and mixed spirit drink for consumption?

1 Yes

2 No ".

3 (d) For the sale between the hours of 7 a.m. on Sunday and 2
4 a.m. on Monday:

5 "Shall the sale of spirits and mixed spirit drink for
6 consumption on the premises be permitted between the hours of 7
7 a.m. on Sunday and 2 a.m. on Monday within the county of
8 under the provisions of the law governing the sale of spirits and
9 mixed spirit drink for consumption?

10 Yes

11 No ".

12 (3) Unless the legislative body of a county has prohibited the
13 sale of spirits and mixed spirit drink for consumption off the
14 premises between the hours of 7 a.m. and 12 noon on Sunday or
15 between the hours of 7 a.m. on Sunday and 2 a.m. on Monday by
16 resolution approved by a majority of the legislative body voting on
17 the resolution, spirits and mixed spirit drink may be sold after 7
18 a.m., in a retail establishment licensed under this act. With
19 respect to an action taken by the legislative body or if the
20 legislative body fails to act, a petition may be filed with the
21 county clerk requesting the submission of the question regarding
22 the prohibition of the sale of spirits and mixed spirit drink for
23 consumption off the premises, in addition to beer and wine, in a
24 retail establishment licensed under this act between the hours of 7
25 a.m. and 12 noon on Sunday or between the hours of 7 a.m. on Sunday
26 and 2 a.m. on Monday. The petition ~~shall~~**must** be signed by a number
27 of the registered and qualified electors of the county that is not
28 less than ~~8%~~**5%** of the total number of votes cast for all
29 candidates for the office of secretary of state in the county at

the last general election held for that purpose. **The legislative body of a county, by a resolution approved by the majority of the legislative body voting on the resolution, may direct the county clerk to submit the question regarding the prohibition of the sale of spirits and mixed spirit drink for consumption on the premises between the hours of 7 a.m. and 12 noon on Sunday or between the hours of 7 a.m. on Sunday and 2 a.m. on Monday at the next regular state election held in the county.** The question ~~shall~~**must** not be submitted to the electors of a county more than once every 4 years. The county clerk shall submit the question at the next regular state election held in the county if the petitions are filed not less than 60 days before the election. The question regarding the prohibition of the sale of spirits and mixed spirit drink for consumption off the premises, in addition to beer and wine, in a retail establishment licensed under this act ~~shall~~**must** be submitted by ballot in substantially the following forms:

(a) For the sale between the hours of 7 a.m. and 12 noon on Sunday:

"Shall the sale of spirits and mixed spirit drink for consumption off the premises be prohibited between the hours of 7 a.m. and 12 noon on Sunday in a retail establishment licensed under the Michigan liquor control code of 1998 within the county of under the provisions of the law governing the sale of spirits and mixed spirit drink for consumption?

Yes

No".

(b) For the sale between the hours of 7 a.m. on Sunday and 2 a.m. on Monday:

"Shall the sale of spirits and mixed spirit drink for

consumption off the premises be prohibited between the hours of 7 a.m. on Sunday and 2 a.m. on Monday in a retail establishment licensed under the Michigan liquor control code of 1998 within the county of under the provisions of the law governing the sale of spirits and mixed spirit drink for consumption?

Yes

No".

(c) For the sale between the hours of 7 a.m. and 12 noon on Sunday:

"Shall the sale of spirits and mixed spirit drink for consumption on the premises be permitted between the hours of 7 a.m. and 12 noon on Sunday within the county of under the provisions of the law governing the sale of spirits and mixed spirit drink for consumption?

Yes

No ".

(d) For the sale between the hours of 7 a.m. on Sunday and 2 a.m. on Monday:

"Shall the sale of spirits and mixed spirit drink for consumption on the premises be permitted between the hours of 7 a.m. on Sunday and 2 a.m. on Monday within the county of under the provisions of the law governing the sale of spirits and mixed spirit drink for consumption?

Yes

No ".

(4) Votes on a question submitted to the electors under this section ~~shall~~**must** be taken, counted, and canvassed in the same manner as votes cast in county elections are taken, counted, and canvassed. A ballot ~~shall~~**must** be furnished by the election

1 commission or similar body of the county. If a majority of the
2 electors voting at an election vote in favor of the proposal, the
3 sale of spirits and mixed spirit drink may be prohibited in the
4 county under this act for consumption on the premises or by a
5 retail establishment for consumption off the premises, in addition
6 to beer and wine, between the hours of 7 a.m. and 12 noon on Sunday
7 or between the hours of 7 a.m. on Sunday and 2 a.m. on Monday. The
8 sale of spirits and mixed spirit drink shall not be permitted in a
9 city, village, or township in which the sale of spirits and mixed
10 spirit drink is prohibited under this act. A violation of this
11 section is a misdemeanor. This section does not apply to spirits
12 and mixed spirit drink served to a bona fide guest in the residence
13 of a person or sold or furnished for medicinal purposes as provided
14 for in this act.

15 (5) A licensee ~~enumerated~~ under section 525 or any other
16 person shall not sell at retail, and a person shall not knowingly
17 and willfully buy, alcoholic liquor between the hours of 11:59 p.m.
18 on December 24 and 12 noon on December 25. The legislative body of
19 a city, village, or township, by resolution or ordinance, may
20 prohibit the sale of alcoholic liquor on a legal holiday, primary
21 election day, general election day, municipal election day, between
22 the hours of 7 a.m. and 12 noon on Sunday, or between the hours of
23 7 a.m. on Sunday and 2 a.m. on Monday.

24 (6) The sale of spirits or mixed spirit drink in any county
25 between the hours of 7 a.m. and 12 noon on Sunday or between the
26 hours of 7 a.m. on Sunday and 2 a.m. on Monday ~~shall~~**must** not be
27 prohibited under the provisions of subsections (1) through (5) as
28 applied to a motorsports entertainment complex located in more than
29 1 county if a resolution or referendum under this section results

1 in the question's failing to pass in 1 county but passing in
2 another. Under those circumstances, the commission shall determine
3 the issue of the sale of spirits and mixed spirit drink in the
4 motorsports entertainment complex in those counties between the
5 hours of 7 a.m. and 12 noon on Sunday or between the hours of 7
6 a.m. on Sunday and 2 a.m. on Monday. As used in this section,
7 "motorsports entertainment complex" means a closed-course
8 motorsports facility, and its ancillary grounds and facilities,
9 that satisfies all of the following:

10 (a) Has at least 70,000 fixed seats for race patrons.

11 (b) Has at least 4 scheduled days of motorsports events each
12 calendar year.

13 (c) Serves food and beverages at the motorsports entertainment
14 complex during motorsports events each calendar year through
15 concession outlets, which are staffed by individuals who represent
16 or are members of 1 or more nonprofit civic or charitable
17 organizations that directly benefit from the concession outlets'
18 sales.

19 (d) Engages in tourism promotion.

20 (e) Has permanent exhibitions of motorsports history, events,
21 or vehicles within the motorsports entertainment complex.

22 (7) Any prohibitions on the sale of alcoholic liquor between
23 the hours of 7 a.m. and 12 noon on Sunday or between the hours of 7
24 a.m. on Sunday and 2 a.m. on Monday adopted by a county, city,
25 village, or township before ~~the effective date of the amendatory~~
26 ~~act that added this subsection shall remain~~ **January 4, 2017 remains**
27 in effect.