

MICHIGAN LIQUOR CONTROL CODE OF 1998 (EXCERPT)

Act 58 of 1998

CHAPTER 12

436.2201 Imposition of tax; levy; collection; computations; deposit of proceeds; secondary road patrol and training fund; general fund; inventory.

Sec. 1201. (1) In addition to any taxes imposed by law, there is imposed and levied upon and collected a specific tax equal to 4% of the retail selling price of spirits. The commission shall collect the tax at the time of sale by the commission. For a sale to a licensee, the tax must be computed on the retail selling price established by the commission under section 233 without allowance of discount under section 233.

(2) Upon collection of the tax under subsection (1), the commission shall deposit the entire proceeds in the state treasury. In each fiscal year, \$15,000,000.00 of the proceeds deposited in the state treasury must be allocated to the secondary road patrol and training fund created in section 629e of the Michigan vehicle code, 1949 PA 300, MCL 257.629e, and any remaining proceeds to the credit of the general fund. For the fiscal year ending September 30, 2024, and each subsequent fiscal year, the state treasurer shall adjust the dollar amount under this subsection by the percentage increase in the Detroit Consumer Price Index for the preceding calendar year and round to the nearest \$100.00 increment. As used in this subsection, "Detroit Consumer Price Index" means the most comprehensive index of consumer prices available for the Detroit area from the United States Department of Labor, Bureau of Labor Statistics.

(3) If this section is repealed, every licensee, who has on hand any spirits on the effective date of the repeal, shall file a complete inventory of those spirits with the commission within 20 days after the repeal. The commission shall credit to the licensee an amount equal to 4% of the retail selling price of those spirits on future purchases of spirits from the commission.

History: 1998, Act 58, Imd. Eff. Apr. 14, 1998;—Am. 2022, Act 190, Imd. Eff. Sept. 27, 2022.

436.2203 Imposition of tax; levy; collection; computation; deposit of proceeds; state school aid fund.

Sec. 1203. (1) In addition to any and all taxes imposed by law, there is imposed, levied upon, and collected a specific tax equal to 4% retail selling price of spirits. The tax shall be collected by the commission at the time of sale by the commission. In the case of sales to licensees, the tax shall be computed on the retail selling price established by the commission without allowance of discount.

(2) Upon collection, the commission shall deposit the entire proceeds in the state treasury, to the credit of the state school aid fund established by sections 8, 10, and 11 of article IX of the state constitution.

History: 1998, Act 58, Imd. Eff. Apr. 14, 1998.

436.2205 Repealed. 2011, Act 166, Eff. Oct. 1, 2012.

Compiler's note: The repealed section pertained to imposition and levy of tax on retail selling price of spirits for consumption off premises and deposit to liquor purchase revolving fund.

436.2207 Legislative findings and declarations; programs to promote tourism and convention business; acquisition of convention facilities; imposition of tax on spirits for consumption off premises; deposit of proceeds; convention facility development fund.

Sec. 1207. (1) The legislature finds and declares that there exists in this state a continuing need for programs to promote tourism and convention business in order to assist in the prevention of unemployment and the alleviation of the conditions of unemployment, to preserve existing jobs, and to create new jobs to meet the employment demands of population growth. In order to achieve these purposes, it is necessary to assist and encourage local units of government to acquire, construct, improve, enlarge, renew, replace, repair, furnish, and equip convention facilities and the real property on which they are located.

(2) In addition to any other taxes imposed by law, there is imposed, levied upon, and collected a specific tax equal to 4% of the retail selling price of spirits for consumption on the premises. The tax shall be collected by the commission at the time of sale by the commission. In the case of sales to licensees, the tax shall be computed on the retail selling price established by the commission without allowance of discount.

(3) In addition to any other taxes imposed by law, there is imposed, levied upon, and collected a specific tax equal to 4% of the retail selling price of spirits for consumption off the premises. The tax shall be collected by the commission at the time of the sale by the commission.

(4) Upon collection, the commission shall deposit the proceeds of the taxes imposed pursuant to subsections (2) and (3) in the state treasury to the credit of the convention facility development fund created by the state convention facility development act, 1985 PA 106, MCL 207.621 to 207.640, for distribution and

use only in the manner and for the purposes stated in that act.

(5) The tax imposed by this act shall not be levied during any period in which the tax imposed pursuant to the state convention facility development act, 1985 PA 106, MCL 207.621 to 207.640, is not levied.

(6) This section shall not be construed as making appropriations.

History: 1998, Act 58, Imd. Eff. Apr. 14, 1998.