
MICHIGAN LIQUOR CONTROL CODE,
ADMINISTRATIVE RULES AND
RELATED LAWS



MICHIGAN LIQUOR CONTROL COMMISSION

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
SHELLY EDGERTON, DIRECTOR

RICK SNYDER, GOVERNOR

REPRINTED FROM MICHIGAN COMPILED LAWS
APRIL 2011 EDITION
LAST UPDATED AUGUST 2016
\$15.00

LARA IS AN EQUAL OPPORTUNITY EMPLOYER/PROGRAM.
AUXILIARY AIDS, SERVICES AND OTHER REASONABLE ACCOMMODATIONS ARE AVAILABLE UPON REQUEST TO INDIVIDUALS WITH DISABILITIES.



TABLE OF CONTENTS

THE CONSTITUTION OF THE UNITED STATES OF AMERICA (EXCERPTS)

ARTICLE XXI

- §1 Repeal of 18th amendment.
- §2 Transportation or importation of intoxicating liquors.

CONSTITUTION OF MICHIGAN OF 1963 (EXCERPT)

PREAMBLE

ARTICLE IV - LEGISLATIVE BRANCH

- §40 Alcoholic beverages; age requirement; liquor control commission; excise tax; local option.

YOUTH EMPLOYMENT STANDARDS ACT (EXCERPTS)

Act 90 of 1978

- 409.101 Short title.
- 409.102 Definitions.
- 409.103 Employment of minor; prohibited occupations; minimum age; exceptions and limitations.
- 409.104 Employment of minor; copy of work permit or temporary permit required; issuance and filing of work permit; duration of temporary permit; oath; return of permit; exception to work permit requirement; evidence of age; exception in subsection (3) inapplicable to other provisions.
- 409.105 Work permit; application; examination, approval, and filing of papers.
- 409.106 Work permit; form; color; contents; rules.
- 409.107 Revocation of permit; factors; record of refusal, suspension, or revocation; informing minor of appeal process.
- 409.108 Failure or refusal to issue work permit; appeal; procedure.
- 409.109 Work permit as evidence of age.
- 409.110 Minor under 16 years; days and hours of employment.
- 409.111 Minor 16 years or older; days and hours of employment; definitions.
- 409.112 Meals and rest period.
- 409.112a Employment of minor in occupation involving a cash transaction after sunset or 8 p.m. at fixed location; condition.
- 409.113 Posting copy of "409.110, 409.111, and 409.112; time record.
- 409.114 Employment of minor in performance by performing arts organization; approval.
- 409.114a Performing in or being subject to child abusive commercial activity.
- 409.115 Employment of minor in establishment manufacturing, distributing, or selling alcoholic beverages.
- 409.116 Exemption; minor 16 years of age completing requirements for graduation; minor 17 years of age passing general educational development test; duty of employer.
- 409.117 Exemption; emancipated minor; duty of employer.
- 409.119 Exemptions generally; hours of work.
- 409.120 Rules; deviations.
- 409.121 Enforcement and prosecution of act; right of entry and inspection.
- 409.122 Violation as misdemeanor or felony; penalties.
- 409.123 Repeal of MCL 409.1 to 409.30 and 380.1597
- 409.124 Effective date.

MICHIGAN LIQUOR CONTROL CODE OF 1998

Act 58 of 1998

CHAPTER 1

- 436.1101 Short title.
- 436.1103 Meanings of words and phrases.
- 436.1105 Definitions; A, B.
- 436.1107 Definitions; C to L
- 436.1109 Definitions; M to O.
- 436.1111 Definitions; P to S.
- 436.1113 Definitions; T to W.
- 436.1113a Definitions; T to W.

CHAPTER 2

- 436.1201 Alcoholic liquor; manufacture, sale, possession, or transportation lawful; terms, conditions, limitations, and restrictions; right, power, and duty of commission to control alcoholic beverage traffic and traffic in other alcoholic liquor; unreasonable discrimination against Michigan manufacturers prohibited; enforcement of act and rules; willful neglect or refusal of officer to perform duties as misdemeanor; penalty.
- 436.1203 Sale, delivery, or importation of alcoholic liquor or wine; duties of direct shipper of wine; verification that individual accepting delivery is of legal age; original purchase and importation into state of spirits for sale, use, storage, or distribution; requirements; exceptions; direct shipper license required; qualifications; fee; violation; delivery of beer and wine to home or designated location of consumer; holder of specially designated merchant license, out-of-state retailer holding equivalent license, or brewpub or microbrewer; definitions.
- 436.1205 Privatization of warehousing and delivery of spirits; authorized distribution agents.
- 436.1206 Integrated on-line ordering system.
- 436.1207 Exceptions to act.
- 436.1209 Liquor control commission; creation; appointment, duties, and terms of members; designation and duties of hearing commissioners and administrative commissioners; appeal board; duties; terms; oath; removal; vacancies; quorum; salary and expenses; work station; designation by chairperson.
- 436.1211 Liquor control business manager; selection; duty and responsibility.
- 436.1213 Liquor control commission; employment of assistants and employees; compensation; expenses.
- 436.1215 Liquor control commission; rules and regulations; public hearings; record.
- 436.1217 Liquor control commission; investigations; inspection and search of licensed premises; seizure and use of evidence of violation; examining or copying books, records, and papers; issuance of subpoena; oath or affirmation; court order; contempt; fees of witnesses; service of subpoena; seal; certified copies as evidence.
- 436.1219 Liquor control commission; branch offices.
- 436.1221 Liquor control commission; revolving fund; use; report; interest earnings; disposition of money received.
- 436.1223 Liquor control commission; interest of members or employees.
- 436.1225 Liquor control commission; civil liability of commission or members.
- 436.1227 Liquor control commission; establishment of state liquor stores; basis.
- 436.1229 Licensing hotel or merchant to sell spirits for consumption off premises; sale of alcoholic liquor; price; rules; definitions.
- 436.1231 Liquor control commission; handling of alcoholic liquor; gross profit; leasing and purchasing power.
- 436.1233 Uniform prices for sale of alcoholic liquor; gross profit; prices for sale of alcoholic liquor to hospitals, charitable institutions, and military establishments; discount for certain sales of alcoholic liquor.
- 436.1235 Search warrant; seizure of property.

CHAPTER 3

- 436.1301 Wine tax; levy and collection; rate; sacramental wines; tax on mixed spirit drink; payment; incorporation of farm mutual cooperative wineries; licensing; fee; certification of stockholders or members; payment of tax by wholesaler; rules.
- 436.1303 Grape and wine industry council; creation; appointment, qualifications, and terms of members; chairperson; personnel; expenses; liability on contracts; compensation; books and records; duties of council; rules; "council" defined.
- 436.1305 Wine industry; purpose of section; reasons for regulation; definitions; prohibited conduct; servicing impacted sales territory; termination, cancellation, nonrenewal, or discontinuance of agreement; burden; notice; test marketing; sales and distribution; transfer of wholesaler's business; compensation for diminished value of wholesaler's business; arbitration; costs; default; waiver; good faith dispute settlement; agreement binding on successor to supplier; agreements to which section applicable; civil action for actual damages; liability; action for declaratory judgment; exemplary damages; injunctive relief; procedure for resolving violations.
- 436.1307 Sales territory.

CHAPTER 4

- 436.1401 Wholesalers to be granted exclusive sales territory by manufacturer and outstate seller of beer and malt beverages.
- 436.1403 Beer industry; purpose of section; reasons for regulation; definitions; prohibited conduct; termination, cancellation, nonrenewal, or discontinuance of agreement; burden; notice; test marketing; sales and distribution; additional agreement prohibited; transfer of wholesaler's business; compensation for diminished value of wholesaler's business; arbitration; costs; default; waiver; good faith dispute settlement; agreement binding on successor to supplier; agreements to which section applicable; civil action for actual damages; liability; action for declaratory judgment; exemplary damages; injunctive relief; procedure for resolving violations.
- 436.1405 Brewpub license; requirements for issuance.
- 436.1407 Brewpub license; additional requirements; renewal and revocation of license.
- 436.1409 Beer; taxation; payment of tax by wholesaler; designation; tax collection and reporting requirements by rule; exemptions; rebate; barrel as containing 31 gallons; rule prohibiting licensees from purchasing, receiving, possessing, or selling beer manufactured in designated states; judicial review; tax credit or refund; "eligible brewer" defined.
- 436.1411 Brewer not licensed as micro brewer; sale of beer for on-premises consumption on licensed brewery premises; limitations; "engages in the production of beer" defined.
- 436.1413 Participation in beer festival; direct sale by licensed brewpub to holder of special license.
- 436.1415 Issuance of farmer's market permit to qualified small wine maker.

CHAPTER 5

- 436.1501 Licenses; issuance; fees; bonds or liability insurance; expiration of full-year license; license as contract; operation of establishment upon death of licensee; approval of receiver or trustee; part-year license; transfer of license; approval of application; request for revocation of license or permit by local legislative body; hotels; zones and anniversary dates for renewal of licenses; rules; nontransferable tavern licenses for concessionaires at state fairgrounds; notice contained in application.
- 436.1503 Licenses; proximity of contemplated location to church or school building; measurement of distance; exceptions; waiver; objection; hearing; transfer to location farther from church or school.
- 436.1505 Class "C" or class "B" hotel license; state-owned airport; nontransferable.
- 436.1507 Liquor licenses; publicly owned airports; issuance.
- 436.1509 Liquor licenses; municipal civic center or civic auditorium; conditions and limitations.
- 436.1511 Class "C" or class "B" hotel license for hotel located within Mackinac Island state park; class "C" license for certain concessionaire; license for sale of alcoholic liquor at Presque Isle harbor marina; nontransferability of license.
- 436.1513 Licenses; issuance to governing board of college or university; restrictions and prohibition; sale of alcoholic liquor on hotel premises located on land owned by central Michigan university or Wayne state university; conditions; nontransferability; fee; "college," "university," and "conference center" defined.
- 436.1513a Sale of alcoholic liquor for consumption at community college's or university's culinary or hospitality program's location; license; prohibition; submission of documents; cancellation of license; use; license to private entity; catering permit; definitions.
- 436.1514 Hotel and conference center owned and operated by university; issuance of class B hotel license; conditions; limitation; "hospitality program" defined.
- 436.1514a Hotel and conference center owned and operated by university with class B hotel license; issuance of additional class B hotel license at another location; conditions; limitation; "hospitality program" defined.
- 436.1515 Class "C" license for certain golf courses; tavern license for certain golf courses; transfer of license to another location prohibited; surrender of license.
- 436.1517 International sporting event licenses; issuance; circumstances; duration; limitation; list; recommendation by governing body; certification of compliance; fee.
- 436.1517a National sporting event licenses; issuance; circumstances; duration; limitation; list; recommendation by governing body; certification of compliance; fee; "national sporting event" defined.
- 436.1518 Definitions; consumption of alcohol on premises of motorsports entertainment complex.
- 436.1519 Property or establishment situated in or on state-owned land.
- 436.1521 Limitation on tavern or class C licenses; renewal of license; conditions; revocation; transfer of license; issuance of certain licenses prohibited; "development district defined.
- 436.1521a Public on-premises licenses; issuance to businesses; conditions; commercial investment in

- redevelopment project area; time period; total investment; number of licenses; requirements; fees; transfer of license prohibited; attempt to secure on-premise escrowed license or quota license; definitions.
- 436.1522 Banquet facility permits.
- 436.1523 Liquor licenses; ineligibility of law enforcement officers; exception; "law enforcement personnel" defined.
- 436.1525 License fees; filing completed application; issuance of license within certain period of time; conditional license; report; "completed application" defined.
- 436.1526 Beer festival; issuance of special license; limitation; buying directly from licensed brewpub; "beer festival" defined.
- 436.1527 Special license for nonprofit charitable organization; issuance; nontransferable; fee; auction.
- 436.1529 Transfer of license or interest in license; notice of transfer of stock in licensed corporation or licensed limited partnership; investigation to ensure compliance; approval; transfer fee; inspection fee.
- 436.1531 Public licenses and resort license; on-premises escrowed license; limitations and quotas; additional licenses for certain establishments; license for certain events at public university; outdoor stadium; economic development factors; exceptions as to certain veterans and airports; special state census of local governmental unit; rules; availability of transferable licenses held in escrow; on-premises escrowed or quota license; issuance of available licenses; report; hotels; escrowed specially designated distributor license; transfer; applicability of administrative rule; definitions.
- 436.1532 Issuance of club license; public notice; annual filing by club; conduct of club affairs and management.
- 436.1533 Eligibility for license as specially designated merchant or specially designated distributor.
- 436.1534 Small distiller license.
- 436.1535 Vendor as authorized to do business.
- 436.1537 Classes of vendors permitted to sell alcoholic liquors at retail; sale of wine by wine maker; wine tastings.
- 436.1539 Marina as specially designated merchant or distributor; license; conditions.
- 436.1541 Motor vehicle fuel pumps.
- 436.1543 Disposition and use of retailers' license and license renewal fees; special fund; "license fee enhancement" defined.
- 436.1545 "Nonpublic continuing care retirement center" defined; license.
- 436.1547 Definitions; catering permits.

CHAPTER 6

- 436.1601 Licensing qualifications; wholesale licensee or applicant for wholesale license as individual, partnership, limited partnership, or corporation; prohibitions.
- 436.1603 Interest in business of other vendor prohibited; placing stock in portfolio under arrangement, trust agreement, or investment trust agreement; issuance and sale of participating shares within state; prohibitions; sale of brandy and spirits by manufacturer or small distiller; conditions; sale by small distiller; interest of brewpub in other locations; interest in business of other supplier; approval pursuant to R 436.1023(3); interest of manufacturer in wholesaler prohibited; delivery of wine by wine maker to retail licensees prohibited; tiers; interpretation of subsection (13); definitions.
- 436.1605 Acquisition, development, sale, lease, financing, maintenance, operation, or promotion of real property occupied or to be occupied by another vendor; conditions; denial or approval of arrangement or contract; review; denial, revocation, or suspension of license; wholesaler as party to arrangement or contract prohibited; acquisition, development, sale, lease, financing, maintenance, operation, or promotion of condominium project or unit; exception.
- 436.1607 Eligibility for license as specially designated merchant or specially designated distributor; prohibitions; small distiller; wine maker and small wine maker; brewer as specially designated merchant; brewery hospitality room; sales or deliveries by wholesaler.
- 436.1609 Aiding or assisting other vendor prohibited; exception; refunding amount of price reductions; providing licensee with advertising items; providing licensee with goods and services; approval by commission; sale of brand logoed items; possession and use of brand logoed barware; conditions for promotion of brand under R 436.1321(1) to (3); unauthorized providing or selling of barware; fine; on-premises brand promotional event; removal of merchandise; purchase and sale of brand logoed inventory by retailer holding off-premises license; adding or removing item by rule; definitions.
- 436.1609(a) Filing by manufacturer or wholesaler; schedule of net cash prices; beer package price; sale of beer at quantity discount prohibited; disclosure of filing under subsections (1) and (2); comparison of filing under subsections (1) and (2) with tax filing; reasons for regulation.
- 436.1609b Expenditure records for each call on retail licensee; drink purchase for promotional purposes;

limitation.

436.1610 Advertising; use of unpaid social media; definitions.

436.1611 Refund or credit of tax paid on wine, mixed spirit drink, or beer; conditions; time limitation; form and contents of claim; supporting evidence; removal or destruction of damaged wine, beer, or mixed spirit drink; applicability of section; rebate of tax paid on wine or mixed spirit drink.

CHAPTER 7

436.1701 Selling or furnishing alcoholic liquor to person less than 21 years of age; failure to make diligent inquiry; misdemeanor; signs; consumption of alcoholic liquor as cause of death or injury; felony; enforcement against licensee; consent of parent or guardian in undercover operation; defense in action for violation; report; definitions.

436.1703 Purchase, consumption, or possession of alcoholic liquor by minor; attempt; violation; fines; sanctions; furnishing fraudulent identification to minor; screening and assessment; chemical breath analysis; notice to parent, custodian, or guardian; construction of section; exceptions; "any bodily alcohol content" defined.

436.1705 Power of peace officer or law enforcement officer witnessing violation to stop and detain person; issuance of appearance ticket.

436.1707 Selling, serving, or furnishing alcohol; prohibitions.

CHAPTER 8

436.1801 Granting or renewing license; surety; selling, furnishing, or giving alcoholic liquor to minor or to person visibly intoxicated; right of action for damage or personal injury; actual damages; institution of action; notice; survival of action; general reputation as evidence of relation; separate actions by parents; commencement of action against retail licensee; indemnification; defenses available to licensee; rebuttable presumption; prohibited causes of action; section as exclusive remedy for money damages against licensee; civil action subject to revised judicature act.

436.1803 Retailer or applicant for retail license; liability insurance in lieu of bond; limits; proof of financial responsibility of retail licensee or applicant for retail license; waiver; naming insurer or surety as defendant prohibited; effect of bankruptcy; policies and bonds to be continued from year to year; cancellation of liquor liability insurance; section inapplicable to special licensee or applicant for special license; rules.

436.1805 Suit to enforce liability when service of process not effected; affidavit; service upon commission in duplicate; return; copy served on defendant; hearing; duty of commission.

436.1807 Insurer to file notice of termination or cancellation of contract or policy; effective date.

436.1809 Payment of judgment and costs; time; failure or neglect to pay judgment and costs; punitive damages; action against insurer.

436.1811 Insurance policy; coverage, conditions.

436.1813 False statement or breach of authority; cancellation of insurance.

436.1815 Adherence to responsible business practices as defense; compensation of employee on commission basis.

CHAPTER 9

436.1901 Compliance required; prohibited acts.

436.1903 Suspension or revocation of license; violation of act or rules; penalty; disposition; hearing; procedure; fee; right of appeal; institution of criminal prosecutions; defense; rules; appointment of agents to hear violation cases; authority and responsibility; ineligibility of designated agent for appointment to commission.

436.1903a Conviction or administrative disqualification of licensee; electronic transaction; sanctions; hearing and appeal procedures; definitions.

436.1904 Consumption or possession of alcoholic liquor on school property; prohibition; violation as misdemeanor; exceptions; other violations; application of section to minor; definitions.

436.1905 Selling or furnishing alcoholic liquor to minor; enforcement actions prohibited; conditions; exception.

436.1906 Definitions; server training program.

436.1907 Revocation of license; forfeiture of privileges; seizure of alcoholic liquor.

436.1909 Violation of act as misdemeanor; penalties; legislative intent.

436.1911 Failure to pay tax; penalties; collection.

436.1913 Unlicensed premises or place; unlawful consumption of alcoholic liquor; exceptions; construction of section; "consideration" defined.

436.1914 Alcohol vapor devices prohibited; penalty.

436.1914a Added powdered alcohol; use, possession, sale, or offer for sale prohibited; violation as misdemeanor; exception; "powdered alcohol" defined.

- 436.1915 Possessing or consuming alcoholic liquor on public highway or in park, place of amusement, or publicly owned area; authority of local governmental unit or state department or agency to prohibit possession or consumption of alcoholic liquor; definitions.
- 436.1916 Entertainment, dance, or topless activity permits; issuance; prohibited activity; exceptions; permits issued under administrative rule; fees; definitions.
- 436.1917 Liability of vendor.
- 436.1919 Forging documents, labels, or stamps; prohibited conduct; penalty.
- 436.1921 Sale or exchange of ceramic commemorative bottles.
- 436.1923 Warehouse receipts for alcoholic liquor; authority of commission.
- 436.1925 Construction of act; severability.

CHAPTER 10

- 436.2001 Armories, air bases, naval installations and state military reservation.
- 436.2003 False or fraudulent statements.
- 436.2005 Adulterated, misbranded, or refilled liquors.
- 436.2007 Alcoholic liquor as contraband.
- 436.2009 Delivery of seized alcoholic liquor; bankruptcy; payment.
- 436.2011 Printed price list; posting.
- 436.2013 Sale or purchase of alcoholic liquor for cash; exceptions.
- 436.2014 Sale of unlimited quantity of alcoholic liquor at specific price; conditions; sale of 2 or more identical drinks containing alcoholic liquor for 1 price; prohibition; "private function" defined.
- 436.2015 Awarding unopened alcoholic liquor pursuant to lawful fund raising activity.
- 436.2017 Sterilization of glass; method and manner.
- 436.2019 Sales in hotel rooms.
- 436.2021 Selling or serving food; removal of liquor from premises; removal of partially consumed bottle of wine from premises; class A or B hotel; consumption of wine brought into premises by consumer.
- 436.2023 Pinball machines.
- 436.2024 Automatic teller machine; preventing access to cash benefits from Michigan bridge card; definitions.
- 436.2025 Giving away alcoholic liquor; samplings or tastings of alcoholic liquor; sales to intoxicated persons prohibited; inadmissibility of breathalyzer or blood alcohol test results.
- 436.2027 Samplings or tastings of alcoholic liquor generally.
- 436.2029 Packaging of nonalcoholic carbonated beverages with spirits.
- 436.2030 Sale of keg beer; duties of retailer; receipt; contents of receipt; signature of purchaser; notice; identification tags; availability; size; materials; retention of copy of receipt; violation; sanctions; attachment of tag to beer keg; return of untagged keg by commission agent or law enforcement agent; "keg" defined.
- 436.2031 "Wine auction license" defined; issuance of license; restrictions; payment of taxes; delivery, storage, warehousing, and delivery of wine; sale and resale of wine purchases at auction.

CHAPTER 11

- 436.2101 Sale of spirits and mixed spirit drink for consumption on premises; resolution; petition; notice; submission of question to electors; ballot; canvass; effect of tie vote; use of section to nullify referendum vote prohibited.
- 436.2101a Violation of MCL 168.1 to 168.992 applicable to petitions; penalties.
- 436.2103 Sale of spirits and mixed spirit drink for consumption on premises; annexation of territory to city prohibiting sale; continuance of license; referendum.
- 436.2105 Sale of spirits and mixed spirit drink for consumption on premises; referendum; license to serve spirits in addition to beer and wine for consumption on premises; application; approval; fee; referendum in certain townships.
- 436.2107 Manufacture and sale of alcoholic liquor; county option; form of ballot; notice of prohibition.
- 436.2109 Ordinance prohibiting retail sale of alcoholic liquor; adoption; duration; election; affirmance or revocation; prohibition.
- 436.2111 Beer and wine; referendum as to Sunday sale; petition; form of ballot; taking, counting, and canvassing votes; prohibition.
- 436.2113 Selling at retail, giving away, furnishing, or buying spirits or mixed spirit drink on Sunday; sale of spirits or mixed spirit drink for consumption on or off premises on Sunday; resolution; petition; election; form of ballot; voting; violation as misdemeanor; exception; selling and buying alcoholic liquor from December 24 to 26; legislative bodies authorized to prohibit sale of alcoholic liquor on certain days.
- 436.2114 Hours of sale.

436.2115 Sale of spirits or mixed spirit drink on Sunday; additional fee; disposition of revenue.

CHAPTER 12

436.2201 Imposition of tax; levy; collection; computations; deposit of proceeds; general fund; inventory.

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

CHAPTER 13

436.2301 Repeal of acts and parts of acts.

436.2303 Prior acts or rights; rules; predecessor commission; editorial changes; references to act.

BEVERAGE CONTAINERS

Initiated Law of 1976

445.571 Definitions.

445.571a "Container composed of a combination of these materials" defined.

445.572 Nonreturnable containers; prohibitions; means for return and refund; regional redemption centers; acceptance of containers and payment of refunds; indicating refund value and name of State on container; exception; metal containers with detachable parts prohibited; deposit previously refunded; refund upon reuse; maximum daily refund; agreement on deposit; refund by manufacturer.

445.572a Designated metal, glass, or plastic containers; sale or offer of sale of certain beverages; requirements; violations; definitions.

445.573 Certification of beverage containers.

445.573a Report; filing; form and contents.

445.573b Unclaimed bottle deposits; audit, assessment, and collection by department of treasury; payment by under redeemer; over redemption credit; applying credit against prior years; definitions; report.

445.573c Bottle deposit fund; creation; administration; deposits; annual disbursement; report of information; rules.

445.573d Unclaimed deposits.

445.573e Cleanup and redevelopment fund.

445.573f Community pollution prevention fund.

445.574 Violation; penalty; separate offense.

445.574a Prohibited return to dealer, distributor, or manufacturer; violation; penalty; exceptions; restitution; action brought by attorney general or county prosecutor.

445.574b Posting notice on dealer's premises; failure to comply; penalty.

445.575 Repeal of '445.191.

445.576 Effective date.

BEVERAGE CONTAINER REDEMPTION ANTIFRAUD ACT

Act 388 of 2008

445.631 Short title.

445.633 Definitions.

445.635 Retrofit of reverse vending machines; payment to reverse vending machine manufacturers; application for payment; acceptance as full payment; proof of completion; conditions for requiring installation or retrofitting of reverse vending machines.

445.636 Establishment of new retail store in county bordering another state or in Lower Peninsula contiguous with county bordering another state; installation of vision technology; requirements.

445.637 Beverage container redemption antifraud fund; creation; payments; allocations; report.

445.639 Payment amount; purchase or lease.

445.641 Distribution of money left in fund.

445.643 Report.

REVERSE VENDING MACHINE ANTIFRAUD ACT

Act 387 of 2008

445.651. Short title.

445.653. Definitions.

445.655. Installation of vision technology.

445.657. Reverse vending machine used in county that borders another state or county in Lower Peninsula contiguous with county that borders another state; processing metal beverage containers; requirements; extension of date.

- 445.659. Reverse vending machine used in county that borders another state or county in Lower Peninsula contiguous with county that borders another state; processing glass or plastic beverage containers; requirements; extension of date.
- 445.661. Change, alteration, or modification; prohibitions.
- 445.663. Fraudulent change, alteration, or modification; data; retention; availability for inspection.
- 445.665. Inspection; investigation of complaint; notice of violation; installation or update to comply with requirements.
- 445.667. Violations; penalties; restitution.
- 445.669. Report.

THE MICHIGAN PENAL CODE (EXCERPTS)

Act 328 of 1931

CHAPTER IV

ADULTERATING AND MISBRANDING

- 750.28 Cereal beverage with alcoholic content; furnishing to minors, penalty.

CHAPTER XX

CHILDREN

- 750.141 Presence of minor under 17 in places where liquor is sold, given away, or furnished; attendance of minors at dances.
- 750.159g "Racketeering" defined.

CHAPTER XLIV

GAMBLING

- 750.303a Applicability of chapter; recreational card playing conducted at senior citizen housing facility.
- 750.310a Applicability of chapter; bowling game or bowling card game.
- 750.310b Applicability of chapter; redemption game.

THE MICHIGAN VEHICLE CODE (EXCERPTS)

- 257.7b "Commercial quadricycle" defined.
- 257.33 "Motor vehicle" defined.
- 257.319 Mandatory suspension of license; record of conviction for certain crimes; waiver; restricted license; prior convictions; violations arising out of same transaction.
- 257.518a Commercial quadricycle; liability insurance; minimum limit.**
- 257.624a Transportation or possession of alcoholic liquor in open or uncapped container open or upon which seal broken; violation as misdemeanor; exception; subsections (1) and (2) inapplicable to passenger in commercial quadricycle; definitions.**
- 257.624b Transport or possession of alcoholic liquor by person less than 21 years of age.**
- 257.625p Operation of commercial quadricycle by person with certain alcohol content; prohibition; violation as misdemeanor; penalty.**
- 257.657 Rights and duties of persons riding bicycle, electric personal assistive mobility device, moped, low-speed vehicle, or commercial quadricycle.**
- 257.660 Electric personal assistive mobility device, low-speed vehicle, or moped; operation; limitations; applicability to police officer; regulation by local government; prohibitions; regulation by department of natural resources.**
- 257.662 Bicycle, electric personal assistive mobility device, or commercial quadricycle; equipment; violation as civil infraction.**
- 257.901 Violation as misdemeanor; penalty; civil infraction.**
- 257.907 Civil infraction; payment of civil fine and costs; limitation; program of treatment, education, or rehabilitation; sanctions; schedule of civil fines, costs, and assessments; recommended range of civil fines and costs; certification of repair of defective equipment; collection of civil fines or costs; noncompliance with order or judgment; waiver of fine, cost, and assessment; civil infraction arising out of ownership or operation of commercial quadricycle; "moving violation" defined.**

ELLIOT-LARSON-CIVIL RIGHTS ACT (EXCERPTS)

Act 453 of 1976

- 37.2301 Definitions.
- 37.2302 Public accommodations or services; prohibited practices.
- 37.2302a Applicability to private club.
- 37.2303 Exemptions

37.2304 Violation.

STATE OF MICHIGAN ADMINISTRATIVE CODE
SPECIAL LICENSES FOR SALE OF ALCOHOLIC LIQUOR AT RETAIL
FOR CONSUMPTION ON PREMISES

- R 436.571 Rescinded.
- R 436.572 Definition.
- R 436.573 Rescinded.
- R 436.574 Application limited to nonprofit organizations; profits.
- R 436.575 Applications.
- R 436.576 Resolution.
- R 436.577 Approval of sheriff or chief of police required.
- R 436.578 Rescinded.
- R 436.579 Place and time of operation.
- R 436.580 Rescinded.
- R 436.581 Rescinded.
- R 436.582 Special licensee source of purchase options.

GENERAL RULES

- R 436.1001 Definitions.
- R 436.1003 Building and health laws, rules, and ordinances.
- R 436.1005 Rescinded.
- R 436.1007 Records; maintenance.
- R 436.1009 Rescinded.
- R 436.1011 Prohibited conduct of licensees, agents, or employees.
- R 436.1013 Rescinded.
- R 436.1015 Display of license and permit.
- R 436.1017 Rescinded.
- R 436.1019 Contests.
- R 436.1021 Sale to licensed truck driver salesman.
- R 436.1023 Transfer of location of licensed premises; alteration of premises; lease, sale, or transfer of premises.
- R 436.1025 Storing of alcoholic liquor.
- R 436.1027 Confiscation and impoundment of alcoholic liquor.
- R 436.1029 Orders of commission.
- R 436.1031 Sales prohibited during periods of suspension; notice of suspension.
- R 436.1033 Rescinded.
- R 436.1035 Aid or assistance by or to licensee prohibited; exception.
- R 436.1037 Rescinded.
- R 436.1039 Living quarters in connection with licensed premises.
- R 436.1041 Obtaining a license for use or benefit of another.
- R 436.1043 Liquor analysis.
- R 436.1045 Dispensing equipment, furniture, or fixtures.
- R 436.1047 Return of licenses and permits.
- R 436.1049 Transfer of license or corporate stock while an alleged violation is pending final disposition.
- R 436.1051 Notice of changes affecting control of privately held corporation.
- R 436.1053 Proof of loss or destruction of a license or permit.
- R 436.1055 Sale of alcoholic liquor below cost prohibited; exception.
- R 436.1057 Rescinded.
- R 436.1059 Dishonored payment.
- R 436.1060 Server training, requirements.
- R 436.1061 Grounds for suspension or revocation of a permit or privilege.
- R 436.1062 Facsimile transmissions.
- R 436.1063 Rescissions.

LICENSING QUALIFICATIONS

- R 436.1101 Rescinded.
- R 436.1103 Application for license; forms; required information.
- R 436.1105 Application for license; denial; grounds.
- R 436.1107 Renewal of license.
- R 436.1109 Application for license by corporation; requirements.
- R 436.1110 Application for license by limited liability company; receipt of distributions by assignee of membership interest in company; approval for reorganization or realignment of company; transfer

fee; notification of changes in managers, members, assignees, articles of organization, or operating agreement; investigation of company; company authorization to do business in state required.

- R 436.1111 Application for license by partnership; requirements.
- R 436.1113 Wholesale license; minimum qualifications; corporate stock transfer.
- R 436.1115 Retail license; minimum qualifications; corporate stock transfer.
- R 436.1117 Retail license; participating agreement.
- R 436.1119 Retail license; agreements.
- R 436.1121 On-premises license; requirements.
- R 436.1123 Resort license; minimum qualifications.
- R 436.1125 Resort license; limitation.
- R 436.1127 Club license; requirements.
- R 436.1129 Specially designated merchant license; issuance and transfer; limitation; waiver; applicability.
- R 436.1131 Rescinded.
- R 436.1133 SDD license; prohibited issuance or transfer.
- R 436.1135 Specially designated distributor license; limitations upon issuance or transfer; waiver; applicability.
- R 436.1137 SDD license; photographs.
- R 436.1139 SDD license; initial minimum purchase.
- R 436.1141 SDD license; population requirement.
- R 436.1142 SDD license; limitation on applications.
- R 436.1143 SDD license; transfer of location.
- R 436.1145 Watercraft license; minimum qualifications.
- R 436.1147 Aircraft license; minimum qualifications.
- R 436.1149 Class C or SDD license; hardship transfer.
- R 436.1151 Rescinded.

SPECIAL PERMITS FOR HOSPITALS AND INSTITUTIONS

- R 436.1251 Special permits for hospitals and institutions.

ADVERTISING

- R 436.1301 Rescinded.
- R 436.1303 Beer.
- R 436.1305 Wine.
- R 436.1307 Spirits.
- R 436.1309 Advertising approval.
- R 436.1311 Rescinded.
- R 436.1313 Inside advertising signs and displays.
- R 436.1315 Retail advertising space
- R 436.1317 Brand promotion
- R 436.1319 Cooperative advertising
- R 436.1321 Contests and advertising articles.
- R 436.1323 Team sponsorship
- R 436.1325 Calendars and matchbooks.

R 436.1327 Rescinded.

R 436.1329 Displays.

R 436.1331 Dispenser signs.

R 436.1333 Rescinded.

R 436.1335 Rescinded.

R 436.1337 Rescinded.

R 436.1339 Rescissions.

ON-PREMISES LICENSES

- R 436.1401 Definitions.
- R 436.1403 Hours and days of operation.
- R 436.1405 Capacity of licensed premises.
- R 436.1407 Temporary entertainment, dance, or dance-entertainment permits; approval.
- R 436.1409 Rescinded.
- R 436.1411 Rescinded.
- R 436.1413 Clothing changes by entertainers.
- R 436.1415 Dance floor; requirements.
- R 436.1417 Employees serving food or liquor prohibited from eating, drinking, or mingling with customers; licensees, agents, and employees prohibited from soliciting customers; allowing customer to solicit liquor prohibited.
- R 436.1419 Outdoor service without approval prohibited; requirements for outdoor service if approval is granted.

- R 436.1421 Sample bottles or cans; sale prohibited; removal from premises.
- R 436.1423 Soliciting, accepting, or receiving rebates, refunds, or adjustments from a person other than the commission for broken or defective containers prohibited.
- R 436.1425 Rescinded.
- R 436.1427 Washing of drinking containers and draft beer equipment.
- R 436.1429 Rescinded.
- R 436.1431 Serving of brand names.
- R 436.1433 Food operation.
- R 436.1435 Contests; tournaments.
- R 436.1437 Specific purpose permit.
- R 436.1438 Sale of unlimited quantity of alcoholic liquor at specific price.

OFF-PREMISE LICENSES

- R 436.1501 Definitions.
- R 436.1503 Hours and days of operation.
- R 436.1505 Rescinded.
- R 436.1507 Stock of liquor.
- R 436.1509 Rescinded.
- R 436.1511 Open containers on licensed premises prohibited; exception; consumption of liquor on licensed premises prohibited; exception.
- R 436.1513 Sample bottles or cans; removal.
- R 436.1515 Sale and delivery of alcoholic liquor.
- R 436.1517 Type of business; change; approval.
- R 436.1519 Soliciting, accepting, or receiving rebates, refunds, or adjustments from a person other than the commission for broken or defective containers prohibited.
- R 436.1521 Outdoor service prohibited; exception.
- R 436.1523 Allowing consumption on licensee's property adjacent to licensed premises prohibited.
- R 436.1525 Sale by club licensee of liquor to nonmember prohibited.
- R 436.1527 Delivery of liquor to person under 21 years of age prohibited; requirements for delivery of liquor to persons of legal age.
- R 436.1529 Sale of spirits at a uniform price.
- R 436.1531 Return of alcoholic liquor product.
- R 436.1533 Off-premises server training; requirements.

BEER

- R 436.1601 Definitions.
- R 436.1603 Rescinded.
- R 436.1605 Equipment.
- R 436.1607 Agricultural product compliance with law.
- R 436.1609 Outstate sellers of beer.
- R 436.1611 Labels and advertising.
- R 436.1613 Gifts of beer and consumption on licensed premises.
- R 436.1615 Sales and transportation by manufacturers; warehouse licensees.
- R 436.1617 Sales and shipments by outstate sellers of beer.
- R 436.1621 Excise tax on beer; reports.
- R 436.1623 Rescinded.
- R 436.1625 Price schedules and temporary price reductions.
- R 436.1627 Rescinded.
- R 436.1629 Container deposit and refund.
- R 436.1631 Reports of brewers, outstate sellers of beer, and wholesalers.
- R 436.1632 Invoices and bills of lading.
- R 436.1633 Damage refunds.
- R 436.1635 Sale or delivery; restrictions; exception.
- R 436.1641 Brewers' and wholesalers' reports and records.
- R 436.1643 Rescinded.
- R 436.1645 Inspection and enforcement.
- R 436.1651 Prohibited acts.
- R 436.1659 Rescissions.

WINES

- R 436.1701 Rescinded.
- R 436.1702 Building and health laws and ordinances.
- R 436.1703 Equipment.

- R 436.1705 Outstate sellers of wine.
- R 436.1706 Rescinded.
- R 436.1707 Federal standards of identity for wine.
- R 436.1708 Manufacturing wine pursuant to federal wine regulations.
- R 436.1711 Inspections.
- R 436.1712 Fruit and agricultural products; compliance with law.
- R 436.1714 Rescinded.
- R 436.1716 Bottling.
- R 436.1717 Restraining orders; record.
- R 436.1719 Requirements for sale of bottled wine.
- R 436.1720 Invoice for bottled wine.
- R 436.1721 Requirements for sale of bulk wine.
- R 436.1722 Transportation of wine.
- R 436.1723 Rescinded.
- R 436.1723a Barrel deposit and refund.
- R 436.1724 Sacramental wine.
- R 436.1725 Reports of manufacturers, wholesalers, and outstate sellers.
- R 436.1726 Price schedule; quantity discounts prohibited.
- R 436.1727 Records.
- R 436.1728 Inspection; analysis; enforcement.
- R 436.1731 Rescinded.
- R 436.1735 Prohibited acts; penalties.
- R 436.1749 Rescissions.

SPIRITS

- R 436.1801 Definitions.
- R 436.1802 Authorized distribution agents; generally.
- R 436.1803 Building and health laws and ordinances.
- R 436.1805 Equipment.
- R 436.1807 Agricultural product compliance with law.
- R 436.1809 Sellers of alcohol.
- R 436.1811 Industrial manufacturers.
- R 436.1813 Limited alcohol buyers.
- R 436.1815 Transportation.
- R 436.1817 Warehouse receipts.
- R 436.1819 Prohibited acts by licensees.
- R 436.1821 Damaged goods.
- R 436.1823 Rescissions.
- R 436.1825 Adoption by reference of federal standards of identity for spirits.
- R 436.1827 Adoption by reference of federal distilled spirit regulations.
- R 436.1829 Labels and advertising.

VENDOR REPRESENTATIVE AND SALESMAN

- R 436.1851 Rescinded.
- R 436.1853 Licenses.
- R 436.1855 Identification cards.
- R 436.1857 Common carriers.
- R 436.1859 Prohibited acts.
- R 436.1861 Promotions.
- R 436.1863 Samples.
- R 436.1865 Expenses and expense records.
- R 436.1869 Rescissions.

HEARING AND APPEAL PRACTICE

- R 436.1901 Definitions.
- R 436.1903 Hearings; transcripts.
- R 436.1905 Violations; violation report; complaint; notice of hearing.
- R 436.1907 Waiver of hearing; acknowledgment of violation.
- R 436.1909 Violation hearing.
- R 436.1910 Violation rehearing.
- R 436.1911 Costs.
- R 436.1913 Personal appearance of licensee.
- R 436.1915 Failure to personally appear at violation hearings.

- R 436.1917 Violation appeal hearings; appeal board.
- R 436.1919 Appeal notice.
- R 436.1921 Violation appeal hearings; burden of proceeding.
- R 436.1923 Violation appeal hearing decision.
- R 436.1925 Hearings on matters other than violations.
- R 436.1927 Filing of papers.
- R 436.1929 Subpoena.
- R 436.1931 Postponements; continuances.
- R 436.1933 Attorney at law.
- R 436.1935 Rescissions.

CHURCH OR SCHOOL HEARINGS

- R 436.1951 "Act" defined.
- R 436.1953 Notice of application and proposed location.
- R 436.1955 Filing of objection; copy to applicant; scheduling hearing.
- R 436.1957 Notice of hearing; basis for conduct of hearing.
- R 436.1959 Burden of proceeding, closing arguments.
- R 436.1961 Hearing; procedures; findings of fact and conclusions of law.
- R 436.1963 Granting of the waiver.

DECLARATORY RULINGS

- R 436.1971 Request for declaratory ruling; form; contents.
- R 436.1973 Declaratory ruling; notice of issuance; request for information or arguments; hearing.
- R 436.1975 Denial of request for declaratory ruling; reasons.

FINANCIAL RESPONSIBILITY

- R 436.2001 "Securities" defined.
- R 436.2003 "Unencumbered securities" defined.
- R 436.2005 Forms.
- R 436.2007 Unencumbered securities; maintenance of value.
- R 436.2009 Interest and dividends on cash and securities.
- R 436.2011 Cash or unencumbered securities; payment of judgments.
- R 436.2013 Cash or unencumbered securities; release.
- R 436.2015 Cash or unencumbered securities; request for return.
- R 436.2017 Failure to provide proof of financial responsibility.
- R 436.2019 Constant value bond; requirements.
- R 436.2021 Failure to provide proof of financial responsibility; hearings; revocation.

SIZE CLASSIFICATION RULES

- R 445.1 Definitions.
- R 445.3 Size classifications.

CONVERSION CHART - EFFECTIVE APRIL 14, 1998

INDEX TO LIQUOR CONTROL CODE, RELATED ACTS AND ADMINISTRATIVE RULES OF THE COMMISSION

An issuing officer shall issue a work permit only upon application in person by the minor desiring employment and after having examined, approved, and filed the following papers:

- 1) A statement of intention to employ, signed by the prospective employer or by a person authorized by the prospective employer, setting forth the general nature of the occupation in which the employer intends to employ the minor, the hours during which the minor will be employed, the wages to be paid and other information the department of education, in cooperation with the department of labor, requires.
- 2) Evidence showing that the minor is of the age required by this act. Proof of age shall be established by one of the following:
 - i) A certified copy of the birth record or any other proof of age showing the place and date of birth.
 - ii) A certified copy of valid operator's license issued by this state clearly showing date of birth.
 - iii) The school record or the school census record.
 - iv) The sworn statement of the minor's parent or guardian, together with a corroborating statement of a physician.
 - v) If documentary proof as described in subparagraphs (i) to (iv) is not obtainable, the issuing officer may accept other documentation as established by department of education rules.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.106 Work permit; form; color; contents; rules.

Sec. 6.

- (1) Work permits shall be issued in the form prescribed by the department of education in cooperation with the department of labor and in accordance with instructions so prescribed. The color of work permits for minors under 16 years of age shall be distinct from that for minors 16 years of age and over. Work permits shall state the name and address of the minor, the date of birth, the occupation and industry in which the minor is employed, the employer's name and address, and other information required by the department of education.
- (2) The department of education shall promulgate rules prescribing standards for the issuance of work permits, which shall include the following factors:
 - (a) Evidence of age.
 - (b) Standards of work as established by the department of labor and federal regulation.
 - (c) Statutory requirements.
- (3) A fee shall not be charged for a work permit or other record required by this act.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's Notes: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

Administrative rules: R 340.186 et seq.; R 408.201 et seq.; R 409.1 et seq.; and R 423.401 et seq. of the Michigan Administrative Code.

409.107 Revocation of permit; factors; record of refusal, suspension, or revocation; informing minor of appeal process.

Sec. 7.

- (1) The issuing officer may revoke a permit based solely on the following factors:
 - (a) Poor school attendance, characterized by repeated erratic or unexcused absences, which results in consistent performance of school work at a level lower than that which preceded the minor's employment. The work permit shall be revoked only after the permit has been

suspended. The suspension shall take place upon notice to the minor and the employer, and an opportunity to correct the deficiency is afforded. The suspension shall not exceed 30 days after date of notification.

- (b) The minor's employment is in violation of federal or state law or of a regulation or rule promulgated under federal or state law, and the issuing officer is informed of the violation by the department of labor.
- (2) The issuing officer shall keep a record of each refusal, suspension, or revocation and the reasons for the action. Upon revocation, the minor shall be informed of the appeal process and shall be given instructions as to the initiation of an appeal.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.108 Failure or refusal to issue work permit; appeal; procedure.

Sec. 8.

The failure or refusal of the issuing officer to issue a work permit may be appealed in accordance with Act No. 306 of the Public Acts of 1969, as amended, by the minor or by the parent or guardian of the minor applying therefor, or by the person or agency to whom custody of the minor has been awarded. An appeal may be taken in the same manner from the revocation of a permit.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.109 Work permit as evidence of age.

Sec. 9.

A work permit issued in accordance with this act shall be conclusive evidence of the age of the minor for whom issued in a proceeding involving the employment of the minor under this act.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.110 Minor under 16 years; days and hours of employment.

Sec. 10.

A minor under 16 years shall not be employed in an occupation subject to this act for more than 6 days in 1 week, nor for a period longer than a weekly average of 8 hours per day or 48 hours in 1 week, nor more than 10 hours in 1 day. The minor shall not be employed between the hours of 9 p.m. and 7 a.m. A minor who is a student in school shall not be employed more than a combined school and work week of 48 hours during the period when school is in session.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.111 Minor 16 years or older; days and hours of employment; definitions.

Sec. 11.

1. Except as provided in subsection (3), a minor 16 years of age or older shall not be employed in an occupation subject to this act for more than any of the following periods:
 - (a) Six days in 1 week.
 - (b) An average of 8 hours pay day in 1 week.
 - (c) Ten hours in 1 day.
 - (d) Subject to subdivision (e), 48 hours in 1 week.
 - (e) If the minor is a student in school and school is in session, 24 hours in 1 week.
2. Except as provided in subsection (3), a person shall not employ a minor 16 years of age or older between 10:30 p.m. and 6 a.m. However, except as provided in subsection (3), a person may be employ a minor 16 years of age or older who is a student in school until 11:30 p.m. on any of the following days:
 - (a) On Fridays and Saturdays.
 - (b) During school vacation periods.
 - (c) During periods when the minor is not regularly enrolled in school.
3. A person may employ a minor 16 years of age or older in farming operations involved in the production of seed or in agricultural processing for a period greater than the periods described in subsections (1) and (2) if all of the following conditions are met:
 - (a) If the minor is a student in school, the period greater than the periods described in subsections (1) and (2) occurs when school is not in session.
 - (b) The minor is employed for not more than 11 hours in 1 day.
 - (c) The minor is employed for not more than 62 hours in any week. However, the employer shall not require the minor to work more than 48 hours during any week without the consent of the minor
 - (d) The minor is not employed between 2 a.m. and 5:30 a.m.
 - (e) The agricultural processing employer maintains on file a written acknowledgment of the minor's parent or guardian consenting to the period of employment authorized under this subsection.
4. As used in this section:
 - (a) "Agricultural processing" means the cleaning, sorting, or packaging of fruits or vegetables.
 - (b) "Farming operations involved in the production of seed" means farming activities and research involved in the production of seed, including plant detasseling, hand-pollination, roguing, or hoeing, and any other similar farming activity required for commercial seed production.

History: 1978, Act 90, Eff. June 1, 1978;—Am. 1995, Act 251, Eff. Mar. 28, 1996;—Am. 1996, Act 499, Imd. Eff. Jan. 9, 1997;—Am. 2000, Act 418, Imd. Eff. Jan. 8, 2001;—Am. 2011, Act 197, Imd. Eff. Oct. 18, 2011.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.112 Meals and rest period.

Sec. 12.

A minor shall not be employed for more than 5 hours continuously without an interval of at least 30 minutes for a meal and rest period. An interval of less than 30 minutes shall not be considered to interrupt a continuous period of work.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.112a Employment of minor in occupation involving a cash transaction after sunset or 8 p.m. at fixed location; condition.

Sec. 12a.

A minor who would otherwise be permitted under this act to be employed in an occupation subject to this act shall not be employed in an occupation that involves a cash transaction subject to this act after sunset or 8 p.m., whichever is the earlier, at a fixed location unless an employer or other employee 18 years of age or older is present at the fixed location during those hours.

History: Add. 1980, Act 436, Eff. Mar. 31, 1981.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.113 Posting copy of "409.110, 409.111, and 409.112; time record.

Sec. 13.

- (1) Each employer shall keep posted conspicuously in or about the premises at which a minor is employed, a printed copy of sections 10, 11, and 12 as furnished by the department.
- (2) Each employer shall keep in or about the premises at which a minor is employed, an adequate time record which shall state the number of hours worked by the minor each day of the week together with starting and ending times and other information the department of labor requires. The employer shall keep the record on file for not less than 1 year.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.114 Employment of minor in performance by performing arts organization; approval.

Sec. 14.

This act shall not prevent a minor from being employed in a performance by any performing arts organization if a letter of approval is obtained from the department of labor by the representative of the arts organization. Approval shall be issued only if the department of labor determines that the employment is not detrimental to the health or personal well-being of the minor, that the minor is adequately supervised, and that the minor's education is not neglected.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.114a Performing in or being subject to child abusive commercial activity.

Sec. 14a.

Except as provided in section 14, a minor shall not perform in or be a subject of a child abusive commercial activity as defined in section 145c of Act No. 328 of the Public Acts of 1931, being section 750.145c of the Michigan Compiled Laws.

History: Add. 1978, Act 228, Imd. Eff. June 14, 1978.

substances or other activities that would constitute a great risk of serious injury. Activities that would constitute a great risk of serious injury include, but are not limited to, all of the following:

- (A) Excavation.
- (B) Highway, bridge, or street construction.
- (C) Wrecking.
- (D) Demolition.
- (E) New commercial or new multiple residential construction.

- (2) If a minor is required by law to attend school, the work may only be performed outside of school hours, unless the minor is enrolled and employed under a work-related educational program.

History: 1978, Act 90, Eff. June 1, 1978; -- Am. 2003, Act 288, Imd. Eff. Jan. 8, 2004.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.120 Rules; deviations.

Sec. 20.

- (1) The department of labor shall promulgate rules prescribing standards not inconsistent with this act as to the working conditions, safety, health and personal well-being of minors in various types of employment.
- (2) Deviations from established standards or from hours by employment shall be granted by the director of labor when it is determined to be in the best interests of the minor and the community. The procedures for applying and issuing deviations shall be prescribed by the department of labor.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

Administrative rules: R 408.6202 et seq. of the Michigan Administrative Code.

409.121 Enforcement and prosecution of act; right of entry and inspection.

Sec. 21.

The department of labor shall enforce this act and assist in the prosecution of this act. The department shall have the authority to enter and inspect any place where a minor may be employed and to have access to work permits, age certificates, or other proof of age and time records of the employer, and other records which may aid in the enforcement of this act.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.122 Violation as misdemeanor or felony; penalties.

Sec. 22.

- (1) Except as provided in subsection (2) or (3), a person who employs a minor in violation of this act, violates this act or a rule promulgated under this act, or obstructs the department of labor in the enforcement of this act is guilty of a misdemeanor punishable by imprisonment for not more than 1 year, or a fine of not more than \$500.00, or both.
- (2) A person who employs, permits, or suffers a minor in violation of section 12a is guilty of a misdemeanor punishable by imprisonment for not more than 1 year, or a fine of not more than 2,000.00, or both. A person who commits a second offense under section 12a is guilty of a misdemeanor, punishable by imprisonment for not more than 2 years, or a fine of not more than

\$5,000.00, or both. A person who commits a third or subsequent violation of section 12a is guilty of a felony, punishable by imprisonment for not more than 10 years, or a fine of not more than \$10,000.00, or both.

- (3) A person who employs, permits, or suffers a minor to be employed or to work in violation of section 14a is guilty of a felony, punishable by imprisonment for not more than 20 years, or a fine of not more than \$20,000.00, or both.

History: 1978, Act 90, Eff. June 1, 1978; -- Am. 1978, Act 228, Imd. Eff. June 14, 1978; -- Am. 1980, Act 436, Eff. Mar. 31, 1981.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.123 Repeal of MCL 409.1 to 409.30 and 380.1597

Sec. 23.

(1) Act No. 157 of the Public Acts of 1947, as amended, being sections 409.1 to 409.30 of the Compiled Laws of 1970, is repealed.

(2) Section 1597 of Act No. 451 of the Public Acts of 1976, being section 380.1597 of the Compiled Laws is repealed.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

409.124 Effective date.

Sec. 24.

This act shall take effect June 1, 1978.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011. For transfer of powers and duties of wage hour division relative from department of licensing and regulation to department of education, see E.R.O. No. 2011-4, compiled at MCL 445.2030.

- (c) The person has an adequate warehousing facility located in this state to store spirits from which all delivery of spirits to retail licensees must be made.
- (3) An authorized distribution agent shall not have a direct or indirect interest in a supplier of spirits or in a retailer. A supplier of spirits or a retailer shall not have a direct or indirect interest in an authorized distribution agent. An authorized distribution agent shall not hold title to spirits.
- (4) An authorized distribution agent shall deliver to each retailer located in its assigned distribution area on at least a weekly basis if the order meets the minimum requirements. Except that in a week that accompanies a state holiday, the commission may order a modified delivery schedule if a retailer will not wait longer than 9 days between deliveries because of the modified delivery schedule. The commission shall provide for an integrated on-line ordering system for spirits and shall require the continuance of any ordering system in existence on the activation date of the system established under section 206. The commission shall set minimum requirements that must be a sufficient number of bottles to comprise not more than 2 cases. A retailer may pick up the product at the authorized distribution agent's warehouse. To avoid occasional emergency outages of spirits, a retail licensee may make up to 12 special emergency orders to an authorized distribution agent in each calendar year. An authorized distribution agent shall make a special emergency order available to the retail licensee within 18 hours of the placing of the order. An authorized distribution agent shall make a special emergency order placed on Saturday or Sunday available to the retail licensee before noon on the following Monday. An authorized distribution agent may impose a fee of up to \$20.00 to deliver a special emergency order to a retail licensee.
- (5) In locations inaccessible to a motor vehicle as that term is defined by the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, an authorized distribution agent shall arrange that a delivery of spirits to a retailer be in compliance with the following procedures:
- (a) After processing an order from a retailer, an authorized distribution agent shall contact a retailer to confirm the quantity of cases or bottles, or both, and the exact dollar total of the order.
 - (b) The authorized distribution agent shall coordinate with the retailer the date and time a driver is scheduled to deliver the order to a ferry transport dock, shall arrange any ferry, drayage, or other appropriate service, and shall pick up the retailer's payment at that time.
 - (c) The ferry transport company or company representing any other form of conveyance shall take the retailer's payment to the mainland dock and give that payment to the authorized distribution agent's driver.
 - (d) The ferry transport company or company representing any other form of conveyance shall transport the order to the drayage or other appropriate company at the island dock for immediate delivery to the retailer.
 - (e) The drayage or other appropriate company shall deliver the order to the retailer.
- (6) An authorized distribution agent is responsible for the payment of all transportation and delivery charges imposed by the ferry, drayage, or other conveyance company and is responsible for all breakage and any shortages, whether attributable to the ferry, drayage, or other conveyance company or any combination of those companies, until the order is delivered to the retailer's establishment. This subsection does not prevent the authorized distribution agent from seeking reimbursement or damages from any company conveying the authorized distribution agent's product.
- (7) Except as otherwise provided in subsection (4), an authorized distribution agent shall not charge a delivery fee or a split-case fee for delivery of spirits sold by the commission to a retailer.
- (8) An authorized distribution agent or prospective authorized distribution agent shall maintain and make available to the commission or its representatives, on notice, any contract or written agreement it has with a supplier of spirits or other authorized distribution agent for the warehousing and delivering spirits in this state.
- (9) For a violation of this act, a rule promulgated under this act, or the terms of an order appointing an authorized distribution agent, an authorized distribution agent is subject to the suspension, revocation, forfeiture, and penalty provisions of sections 903(1) and 907 in the same manner in which a licensee would be subject to those provisions. An authorized distribution agent aggrieved by a penalty imposed by the commission may invoke the hearing and appeal procedures of section 903(2) and rules promulgated under that section.

- (10) A specially designated distributor may sell to an on-premises licensee up to 9 liters of spirits during any month and an on-premises licensee may purchase, collectively from specially designated distributors, up to 9 liters of spirits during any 1 month. Notwithstanding any other provision of this act or rule promulgated under this act, a specially designated distributor is only liable for knowingly violating this section. An on-premises licensee shall maintain and make available to the commission upon request records verifying the purchases described in this subsection.
- (11) In addition to paying a vendor of spirits the acquisition price for purchasing spirits, the commission may pay a vendor of spirits an additional amount of not less than \$4.50 and not more than \$8.25 for each case of spirits purchased as an offset to the costs being incurred by that vendor of spirits in contracting with an authorized distribution agent for warehousing and delivering spirits to retailers. The payment described in this subsection may not be included in the cost of purchasing spirits by the commission and is not subject to the commission's markup, special taxes, or state sales tax. The per-case offset established by this subsection may be increased by the state administrative board each January to reflect reasonable increases in the authorized distribution agent's cost of warehousing and delivering. As used in this subsection, "case" means a container holding twelve 750 ml bottles of spirits or other containers containing spirits that are standard to the industry.

History: 1998, Act 58, Imd. Eff. Apr. 14, 1998 ;-- Am. 1998, Act 416, Imd. Eff. Dec. 21, 1998 ;-- Am. 2001, Act 274, Imd. Eff. Jan. 11, 2002 ;-- Am. 2010, Act 175, Imd. Eff. Sept. 30, 2010; Am. 2010, Act 213, Eff. November 17, 2010;--Am. 2015, Act 246, Eff. Mar. 21, 2016

436.1206 Integrated on-line ordering system.

Sec. 206.

- (1) Not later than January 1, 2003, the commission shall provide for an integrated on-line ordering system for retail licensees to place orders for spirits from authorized distribution agents. The system shall allow retail licensees to order all brands and types of spirits from the commission and provide the order to the appropriate authorized distribution agents.
- (2) The commission may enter into any agreements with or contract with private or other public entities as provided for or allowed by law to establish the integrated on-line ordering system described in subsection (1). A licensee of the commission or an authorized distribution agent shall not have a direct or indirect interest in the person with whom the commission contracts or enters into an agreement to establish the integrated on-line ordering system described in subsection (1). Ownership of the integrated on-line ordering system remains with the commission. The commission may, through issuance of an order, allow banner advertising in conjunction with the on-line ordering system as a means of defraying the costs of operation or maintenance, or both, of the system.

History: Add. 2001, Act 274, Imd. Eff. Jan. 11, 2002

436.1514a Hotel and conference center owned and operated by university with class B hotel license; issuance of additional class B hotel license at another location; conditions; limitation; “hospitality program” defined.

Sec. 514a.

- (1) Notwithstanding section 501 and subject to the quota system under this act, the commission may issue a class B hotel license to a hotel and conference center owned and operated by a university that holds a class B hotel license issued under section 514 and meets at least all of the following:
 - (a) Contains a hotel with at least 45 guest rooms.
 - (b) Has a restaurant seating at least 90 guests that serves a full-menu breakfast, lunch, and dinner.
 - (c) Has over 13,000 square feet of flexible meeting space.
 - (d) Is open year-round to provide services to the public and to serve the mission of the hospitality program.
 - (e) Has a hospitality program providing at least 2 of the following at the site of the hotel and conference center as part of that program:
 - (i) Student education classrooms.
 - (ii) A working hospitality laboratory setting.
 - (iii) Utilization of rotational interns each semester or during the summer.
- (2) In public areas of the hotel and conference center, the sale and consumption of alcoholic liquor is limited to table service only unless the public areas are reserved for private functions.
- (3) As used in this section, “hospitality program” means a course of academic study that, at a minimum, is a nationally accredited program at baccalaureate and graduate levels in the hospitality business that requires at least 120 semester credits or the equivalent for completion of the baccalaureate degree and that has a teaching and research staff predominated by individuals with at least doctoral degrees.

History: Add. 2004, Act 194, Imd. Eff. July 8, 2004

436.1515 Class “C” license for certain golf courses; tavern license for certain golf courses; transfer of license to another location prohibited; surrender of license.

Sec. 515.

- (1) The commission may issue in a county with a population of 1,000,000 or more, without regard to the quota provisions of section 531, a class C license for a golf course that is owned by a county, city, village, or township and is open to the public.
- (2) The commission may issue in a county with a population of between 500,000 and 700,000, without regard to the quota provisions of section 531, 1 tavern license for a golf course that is owned by a city with a population of over 190,000 but under 300,000 and is open to the public.
- (3) The commission shall not transfer a license issued under this section to another location. If a licensee who receives a license under this section goes out of business, the license issued under this section shall be surrendered to the commission.

History: 1998, Act 58, Imd. Eff. Apr. 14, 1998 ;-- Am. 2004, Act 192, Imd. Eff. July 8, 2004

436.1517 International sporting event licenses; issuance; circumstances; duration; limitation; list; recommendation by governing body; certification of compliance; fee.

Sec. 517.

- (1) The commission may issue international sporting event licenses for the sale of alcoholic liquor for consumption on the premises in connection with an international golf tournament conducted during calendar year 2004 if all of the following circumstances are found by the commission to exist:

- (a) The local governmental unit in which the international sporting event is to be conducted is the host governmental unit for that event.
 - (b) The premises to be licensed are located in a theme area or theme areas designated by the governing body of the host governmental unit in connection with the international sporting event or are operated in conjunction with that event.
 - (c) The commission determines that the international sporting event will attract a substantial number of tourists from outside this state.
 - (d) The international sporting event is conducted under the auspices of a national or international sanctioning body.
 - (e) The applicant is any of the following:
 - (i) A Michigan licensee for the sale of alcoholic liquor for consumption on the premises.
 - (ii) The promoter of the international sporting event or an affiliate of the promoter.
 - (iii) A person who has entered into a written concession or catering agreement with the promoter of the international sporting event or its affiliate, which agreement has been approved by the commission.
 - (iv) An organization qualified for licensure as a special licensee under section 111(10) and the rules of the commission.
- (2) Licenses issued under this section shall be for a period of not more than 30 consecutive days and are not transferable as to ownership or location. The license shall be for specific designated time periods that include the international sporting event and activities associated with the event.
 - (3) Not more than 40 licenses shall be issued under this section for use at the same time in a theme area or theme areas.
 - (4) The governing body of a host governmental unit described in subsection (1) shall supply to the commission for the commission's review a list containing the names of applicants and the locations of the premises to be licensed under this section. The governing body of the host governmental unit shall recommend the number of licenses to be issued pursuant to this section in the theme area or theme areas. The commission shall not issue any licenses pursuant to this section that are not recommended by the governing body of the host governmental unit.
 - (5) The governing body of the host governmental unit shall provide, in conjunction with the list described in subsection (4), written certification to the commission that all premises to be licensed under this section comply with applicable state and local building, safety, and health laws, rules, and regulations.
 - (6) A license issued pursuant to this section is not subject to section 503.
 - (7) An applicant for a license under this section shall pay to the commission a license fee of \$1,000.00 at the time of application.

History: 1998, Act 58, Imd. Eff. Apr. 14, 1998 ;-- Am. 2004, Act 169, Imd. Eff. June 24, 2004

436.1517a National sporting event licenses; issuance; circumstances; duration; limitation; list; recommendation by governing body; certification of compliance; fee; "national sporting event" defined.

Sec. 517a.

- (1) The commission may issue national sporting event licenses for the sale of alcoholic liquor for consumption on the premises concerning a national sporting event, if the commission finds all of the following circumstances exist:
 - (a) The local governmental unit in which the national sporting event is to be conducted is the host governmental unit for the national sporting event.
 - (b) The premises to be licensed are located in a theme area or theme areas designated by the governing body of the host governmental unit in connection with the national sporting event or are operated in conjunction with the national sporting event.
 - (c) The commission determines that the national sporting event will attract a substantial number of tourists from outside this state.
 - (d) The national sporting event is conducted under the auspices of a national sanctioning body.

- (e) The applicant is any of the following:
 - (i) A Michigan licensee for the sale of alcoholic liquor for consumption on the premises.
 - (ii) The promoter of the national sporting event or an affiliate of the promoter.
 - (iii) A person who has entered into a written concession or catering agreement with the promoter of the national sporting event or its affiliate, which agreement has been approved by the commission.
 - (iv) An organization qualified for licensure as a special licensee under section 111(11) and the rules of the commission.
- (2) A license issued under this section must be for a period of not more than 30 consecutive days and is not transferable as to ownership or location. The license must be for specific designated time periods that include the national sporting event and activities associated with the national sporting event.
- (3) Not more than 40 licenses may be issued under this section for use at the same time in a theme area or theme areas.
- (4) The governing body of a host governmental unit described in subsection (1) shall supply to the commission for the commission's review a list containing the names of applicants and the locations of the premises to be licensed under this section. The governing body of the host governmental unit shall recommend the number of licenses to be issued under this section in the theme area or theme areas. The commission shall not issue a license under this section that is not recommended by the governing body of the host governmental unit.
- (5) The governing body of the host governmental unit shall provide, in conjunction with the list described in subsection (4), written certification to the commission that all premises to be licensed under this section comply with applicable state and local building, safety, and health laws, rules, and regulations.
- (6) A license issued under this section is not subject to section 503.
- (7) An applicant for a license under this section shall pay to the commission a license fee of \$1,000.00 at the time of application.
- (8) As used in this section, "national sporting event" means a sports related event considered of national prominence and includes only the following:
 - (a) The Major League Baseball All-Star Game during calendar year 2005.
 - (b) The National Football League Super Bowl during calendar year 2006.
 - (c) The Professional Golfers Association Championship during calendar year 2008.
 - (d) The National College Athletic Association Final Four games during calendar year 2009.
 - (e) The United States Golf Association Amateur Championship during calendar year 2016.

History: Add. 2004, Act 170, Imd. Eff. June 24, 2004;--Am. 2016, Act 180, Imd. Eff. June 14, 2016

436.1518 Definitions; consumption of alcohol on premises of motorsports entertainment complex.

Sec. 518.

- (1) As used in this section:
 - (a) "Motorsports entertainment complex" means a closed-course motorsports facility and its ancillary grounds that comply with all of the following:
 - (i) Has at least 1,500 fixed seats for race patrons.
 - (ii) Has at least 7 scheduled days of motorsports events each calendar year.
 - (iii) Serves food and beverages at the facility during sanctioned motorsports events each calendar year through concession outlets, which may be staffed by individuals who represent or are members of 1 or more nonprofit civic or charitable organizations that directly financially benefit from the concession outlets' sales.
 - (iv) Engages in tourism promotion.
 - (b) "Motorsports event" means a motorsports race and its ancillary activities that have been sanctioned by a sanctioning body.
 - (c) "Owner" means a person who owns and operates a motorsports entertainment complex.

- (d) "Sanctioning body" means the American motorcycle association (AMA); auto racing club of America (ARCA); championship auto racing teams (CART); grand American road racing association (GRAND AM); Indy racing league (IRL); national association for stock car auto racing (NASCAR); nation hot rod association (NHRA); professional sportscar racing (PSR); sports car club of America (SCCA); United States auto club (USAC); Michigan state promoters association; or any successor organization or any other nationally or internationally recognized governing body of motorsports that establishes an annual schedule of motorsports events and grants rights to conduct the events, that has established and administers rules and regulations governing all participants involved in the events and all persons conducting the events, and that requires certain liability assurances, including insurance.
- (2) Notwithstanding the quota provisions of section 531, the commission may issue motorsports event licenses for the sale of beer and wine or beer, wine, mixed spirit drink, and spirits for consumption on the premises to the owner of a motorsports entertainment complex for use during sanctioned motorsports events only. The sale of beer, wine, mixed spirit drink, and spirits at concession outlets or additional locations within the motorsports entertainment complex during motorsports sanctioned events shall not be considered additional bars for the purpose of determining a license fee pursuant to section 525(1)(o). An applicant for a license under this section that elects to sell beer and wine only shall pay to the commission a license fee of \$250.00. An applicant for a license under this section that elects to sell beer, wine, mixed spirit drink, and spirits shall pay to the commission a license fee of \$600.00.
- (3) For a period of time not to exceed 7 consecutive days during which public access is permitted to a motorsports entertainment complex in connection with a motorsports event, members of the general public at least 21 years or older may bring beer and wine not purchased at the licensed motorsports entertainment complex into the motorsports entertainment complex and possess and consume that beer and wine. Possession and consumption of beer and wine under this section are allowed only in portions of the motorsports entertainment complex open to the general public that are also part of the licensed premises of a retail licensee under both of the following circumstances:
- (a) The licensed premises are located within the motorsports entertainment complex.
 - (b) The retail licensee holds a license for consumption on the licensed premises of the motorsports entertainment complex.
- (4) A person holding a license for the sale of alcoholic liquor for consumption on the premises at a motorsports entertainment complex is subject to the civil liability provisions of section 801 if the civil action is brought by or on behalf of an individual who suffers damage or is personally injured by a minor or visibly intoxicated person by reason of the unlawful consumption of alcoholic liquor on the licensed premises by that minor or visibly intoxicated person if the unlawful consumption is proven to be a proximate cause of the damage, injury, or death of the individual, whether the alcoholic liquor was sold or furnished by the licensee or was brought onto the licensed premises under subsection (3).

History: Add. 2002, Act 725, Imd. Eff. Dec. 30, 2002 ;-- Am. 2005, Act 166, Imd. Eff. Oct. 6, 2005 ; Am. 2010, Act 279, Imd. Eff. Dec. 16, 2010.

436.1519 Property or establishment situated in or on state-owned land.

Sec. 519.

- (1) Except as otherwise provided in this act, the commission shall not issue a license to sell alcoholic liquor, either on or off the premises, if the property or establishment to be covered by the license is situated in or on state owned land.
- (2) Subsection (1) does not apply to a special license which has been approved by the governing authority of that state owned land.
- (3) Subsection (1) does not apply to the following land:
- (a) The Michigan state fairgrounds.
 - (b) The Upper Peninsula state fairgrounds.

property, leasehold improvement, and fixtures for the premises to be licensed is \$75,000.00 or more. Further, the commission shall issue 1 license under this subsection per year to an applicant located in a rural area that has a poverty rate, as defined by the latest decennial census, greater than the statewide average, or that is located in a rural area that has an unemployment rate higher than the statewide average for 3 of the 5 preceding years. In counties having a population of less than 50,000, as determined by the last federal decennial census or as determined under subsection (11) and subject to subsection (16) in the case of a class A hotel or a class B hotel, the commission shall not require the establishments to have dining facilities to seat more than 50 persons. The commission may cancel the license if the resort is no longer active or no longer qualifies for the license. Before January 16 of each year the commission shall transmit to the legislature a report giving details as to all of the following:

- (a) The number of applications received under this subsection.
 - (b) The number of licenses granted and to whom.
 - (c) The number of applications rejected and the reasons they were rejected.
 - (d) The number of the licenses revoked, suspended, or other disciplinary action taken and against whom and the grounds for revocation, suspension, or disciplinary action.
- (4) In addition to any licenses for the sale of alcoholic liquor for consumption on the premises that may be available in the local governmental unit under subsection (1) and the resort licenses authorized in subsections (2) and (3), the commission may issue not more than 15 resort economic development licenses per year. A person is eligible to apply for a resort economic development license under this subsection upon submitting an application to the commission and demonstrating all of the following:
- (a) The establishment's business and operation, as determined by the commission, is designed to attract and accommodate tourists and visitors to the resort area.
 - (b) The establishment's primary business is not the sale of alcoholic liquor.
 - (c) The capital investment in real property, leasehold improvement, fixtures, and inventory for the premises to be licensed is in excess of \$1,500,000.00.
 - (d) The establishment does not allow or permit casino gambling on the premises.
- (5) In governmental units having a population of 50,000 or less, as determined by the last federal decennial census or as determined under subsection (11), in which the quota of specially designated distributor licenses, as provided by section 533, has been exhausted, the commission may issue not more than a total of 15 additional specially designated distributor licenses per year to established merchants whose business and operation, as determined by the commission, is designed to attract and accommodate tourists and visitors to the resort area. A specially designated distributor license issued under this subsection may be issued at a location within 2,640 feet of existing specially designated distributor license locations. A specially designated distributor license issued under this subsection shall not bar another specially designated distributor licensee from transferring location to within 2,640 feet of that licensed location. A specially designated distributor license issued under section 533 may be located within 2,640 feet of a specially designated distributor license issued under this subsection. The person signing the application for a specially designated distributor license under this subsection shall state that he or she attempted to secure an escrowed specially designated distributor license or quota license and that, to the best of his or her knowledge, an escrowed specially designated distributor license or quota license is not readily available within the county in which the applicant for the specially designated distributor license under this subsection proposes to operate.
- (6) In addition to any licenses for the sale of alcoholic liquor for consumption on the premises that may be available in the local governmental unit under subsection (1), and the resort or resort economic development licenses authorized in subsections (2), (3), and (4), and notwithstanding section 519, the commission may issue not more than 5 additional special purpose licenses in any calendar year for the sale of beer and wine for consumption on the premises. A special purpose license issued under this subsection shall be issued only for events that are to be held from May 1 to September 30, are artistic in nature, and that are to be held on the campus of a public university with an enrollment of 30,000 or more students. A special purpose license is valid for 30 days or for the duration of the event for which it is issued, whichever is less. The fee for a special purpose license is \$50.00. A special purpose license may be issued only to a corporation that meets all of the following requirements:
- (a) Is a nonprofit corporation organized under the nonprofit corporation act, 1982 PA 162, MCL 450.2101 to 450.3192.

- (b) Has a board of directors constituted of members of whom half are elected by the public university at which the event is scheduled and half are elected by the local governmental unit.
- (c) Has been in continuous existence for not less than 6 years.
- (7) Notwithstanding the local legislative body approval provision of section 501(2) and notwithstanding the provisions of section 519, the commission may issue, without regard to the quota provisions of subsection (1) and with the approval of the governing board of the university, either a tavern or class C license which may be used only for regularly scheduled events at a public university's established outdoor program or festival at a facility on the campus of a public university having a head count enrollment of 10,000 students or more. A license issued under this subsection may only be issued to the governing board of a public university, a person that is the lessee or concessionaire of the governing board of the university, or both. A license issued under this subsection is not transferable as to ownership or location. Except as otherwise provided in this subsection, a license issued under this subsection may not be issued at an outdoor stadium customarily used for intercollegiate athletic events. A license may be issued at an outdoor stadium customarily used for intercollegiate athletic events for not more than 30 consecutive days to a concessionaire of an entity granted exclusive use of a public university's property in conjunction with a hockey game sanctioned by an unincorporated not-for-profit association that operates a major professional ice hockey league consisting of teams located in Canada and in the United States or in conjunction with a professional international soccer match between 2 international soccer clubs as part of a tournament sanctioned by a not-for-profit association that is the governing body for soccer in the United States and organized and promoted by a match agent that is licensed by the international governing body for soccer if the concessionaire has entered into an agreement granting it control of the licensed premises for the purposes of complying with this act and rules promulgated under this act regarding the sale of alcoholic liquor. A nationally televised game between 2 professional hockey teams or 2 professional soccer clubs played outdoors is considered an established outdoor program for the purposes of this subsection. Notwithstanding any provision of this act or any rule promulgated under this act, a concessionaire obtaining a license under this subsection may share the profits generated from that license with an unincorporated not-for-profit association that operates a major professional ice hockey league consisting of teams located in Canada and in the United States or an affiliated entity under a written contract reviewed by the commission or with a licensed match agent and a promoter that organizes and promotes international soccer matches under a written contract reviewed by the commission. If the established outdoor program is a nationally televised game between 2 professional hockey teams or 2 professional international soccer clubs, the commission may allow the promotion and advertising of alcoholic liquor brands on the campus of a public university where a concessionaire has been issued a license under this subsection for the duration of the license.
- (8) In issuing a resort or resort economic development license under subsection (3), (4), or (5), the commission shall consider economic development factors of the area in issuing licenses to establishments designed to stimulate and promote the resort and tourist industry. The commission shall not transfer a resort or resort economic development license issued under subsection (3), (4), or (5) to another location. If the licensee goes out of business the license shall be surrendered to the commission.
- (9) The limitations and quotas of this section are not applicable to issuing a new license to a veteran of the armed forces of the United States who was honorably discharged or released under honorable conditions from the armed forces of the United States and who had by forced sale disposed of a similar license within 90 days before or after entering or while serving in the armed forces of the United States, as a part of the person's preparation for that service if the application for a new license is submitted for the same governmental unit in which the previous license was issued and within 60 days after the discharge of the applicant from the armed forces of the United States.
- (10) The limitations and quotas of this section are not applicable to issuing a new license or renewing an existing license where the property or establishment to be licensed is situated in or on land on which an airport owned by a county or in which a county has an interest is situated.
- (11) For purposes of implementing this section a special state census of a local governmental unit may be taken at the expense of the local governmental unit by the federal bureau of census or the secretary of state under section 6 of the home rule city act, 1909 PA 279, MCL 117.6. The special census shall be initiated by resolution of the governing body of the local governmental unit involved. The secretary of state may promulgate additional rules necessary for implementing this section pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

- (12) Before granting an approval as required in section 501(2) for a license to be issued under subsection (2), (3), or (4), a local legislative body shall disclose the availability of transferable licenses held in escrow for more than 1 licensing year within that respective local governmental unit. The local governmental unit shall provide public notice of the meeting to consider the granting of the license by the local governmental unit 2 weeks before the meeting.
- (13) The person signing the application for an on-premises resort or resort economic development license shall state and verify that he or she attempted to secure an on-premises escrowed license or quota license and that, to the best of his or her knowledge, an on-premises escrowed license or quota license is not readily available within the county in which the applicant for the on-premises resort or resort economic development license proposes to operate.
- (14) The commission shall not issue an on-premises resort or resort economic development license if the county within which the resort or resort economic development license applicant proposes to operate has not issued all on-premises licenses available under subsection (1) or if an on-premises escrowed license exists and is readily available within the local governmental unit in which the applicant for the on-premises resort or resort economic development license proposes to operate. The commission may waive the provisions of this subsection upon a showing of good cause.
- (15) The commission shall annually report to the legislature the names of the businesses issued licenses under this section and their locations.
- (16) The commission shall not require a class A hotel or a class B hotel licensed under subsection (2), (3), or (4) to provide food service to registered guests or to the public.
- (17) Subject to the limitation and quotas of subsection (1) and to local legislative approval under section 501(2), the commission may approve the transfer of ownership and location of an on-premises escrowed license within the same county to a class G-1 or class G-2 license or may approve the reclassification of an existing on-premises license at the location to be licensed to a class G-1 license or to a class G-2 license, subject to subsection (1). Resort or economic development on-premises licenses created under subsection (3) or (4) may not be issued as, or reclassified to, a class G-1 or class G-2 license.
- (18) An escrowed specially designated distributor license may be transferred, with the consent of the commission, to an applicant whose proposed operation is located within any local governmental unit in a county in which the specially designated distributor license is located. If the local governmental unit within which the escrowed specially designated distributor license is located spans more than 1 county, the license may be transferred to an applicant whose proposed operation is located within any local governmental unit in either county. If the specially designated distributor license is activated within a local governmental unit other than that local governmental unit within which the specially designated distributor license was originally issued, the commission shall count that activated license against the local governmental unit originally issuing the specially designated distributor license.
- (19) Subsection (8) of R 436.1135 of the Michigan administrative code does not apply to a transfer under subsection (18).
- (20) As used in this section:
- (a) "Escrowed license" means a license in which the rights of the licensee in the license or to the renewal of the license are still in existence and are subject to renewal and activation in the manner provided for in R 436.1107 of the Michigan administrative code.
 - (b) "Readily available" means available under a standard of economic feasibility, as applied to the specific circumstances of the applicant, that includes, but is not limited to, the following:
 - (i) The fair market value of the license, if determinable.
 - (ii) The size and scope of the proposed operation.
 - (iii) The existence of mandatory contractual restrictions or inclusions attached to the sale of the license.

History: 1998, Act 58, Imd. Eff. Apr. 14, 1998 ;-- Am. 1998, Act 282, Imd. Eff. July 27, 1998 ;-- Am. 1998, Act 416, Imd. Eff. Dec. 21, 1998 ;-- Am. 1999, Act 91, Imd. Eff. June 30, 1999 ;-- Am. 2000, Act 399, Imd. Eff. Jan. 8, 2001 ;-- Am. 2001, Act 223, Eff. Mar. 22, 2002 ;-- Am. 2002, Act 725, Imd. Eff. Dec. 30, 2002 ;-- Am. 2004, Act 191, Imd. Eff. July 8, 2004 ;-- Am. 2005, Act 97, Imd. Eff. July 20, 2005 ;-- Am. 2012, Act 212, Imd. Eff. June 27, 2012 ;-- Am. 2013, Act 237, Imd. Eff. Dec. 26, 2013 ;-- Am. 2014, Act 135, Imd. Eff. May 27, 2014

436.1532 Issuance of club license; public notice; annual filing by club; conduct of club affairs and management.

Sec. 532.

- (1) A club license allows the licensee to sell, for consumption on the licensed premises, beer, wine, mixed spirit drink, and spirits only to bona fide members of the club who have attained the age of 21 years. Except as otherwise provided in subsection (2), the commission shall not issue a license to a club unless the club has been in existence for a period of not less than 2 years before the application for the license.
- (2) Public notice of the intent of the commission to issue the club license shall be given by publication in some newspaper published or in general circulation within the local governmental unit at least 10 days before the issuance of the license. A club that is a chapter of a national organization that has had a license for 10 or more years may apply for a license without a waiting period. Public notice of the commission's intent to renew the club license is not required.
- (3) Except in the case of a club paying a maximum fee, within 10 days after February 1 of each year the club shall file with the commission a list of names and residences of its members and make a similar filing of the name and residence with the commission within 10 days after the election of an additional member. The annual filing shall also include a statement that the club's annual aggregate membership fees or dues and other income, exclusive of the proceeds from the sale of alcoholic liquor, are sufficient to defray the annual rental of its leased or rented premises or, if the premises are owned by the club, are sufficient to meet the taxes, insurance, repairs, and interest on a mortgage on the premises.
- (4) The affairs and management of the club shall be conducted by a board of directors, executive committee, or similar body chosen by the members. A member, officer, agent, or employee of the club shall not be paid, or directly or indirectly receive in the form of salary or other compensation, profits from the disposition of alcoholic liquor to the club or to the members of the club, beyond the amount of salary fixed and voted at meetings by the members or by its directors or other governing body and as reported by the club to the commission, within 3 months after the meeting.

History: Add. 2001, Act 223, Eff. Mar. 22, 2002

436.1533 Eligibility for license as specially designated merchant or specially designated distributor.

Sec. 533.

- (1) A person may apply for a specially designated merchant license without holding or applying for any other license under this act.
- (2) An applicant for a class C, class A hotel, class B hotel, class G-1, class G-2, tavern, or specially designated distributor license or a retailer licensed under this act to sell alcoholic liquor may apply for a license as a specially designated merchant.
- (3) An applicant for a specially designated merchant license not in conjunction with an on-premises license, except as provided in section 229(1), or a person licensed under this act as a specially designated merchant only or a class B hotel may apply for a license as a specially designated distributor.
- (4) In cities, incorporated villages, or townships, the commission shall issue only 1 specially designated distributor license for each 3,000 of population, or fraction of 3,000. The commission may waive the quota requirement if there is no existing specially designated distributor licensee within 2 miles of the applicant, measured along the nearest traffic route.

History: 1998, Act 58, Imd. Eff. Apr. 14, 1998 ;-- Am. 1998, Act 416, Imd. Eff. Dec. 21, 1998 ;-- Am. 2016, Act 137, Eff. Aug. 24, 2016.

436.1534 Small distiller license.

Sec. 534.

- (1) Upon application in a manner acceptable to the commission and payment of the appropriate license fee, the commission shall issue a small distiller license to a person annually manufacturing in Michigan spirits in an amount not exceeding 60,000 gallons, of all brands combined.
- (2) A small distiller may only sell at retail from the licensed premises either or both of the following:
 - (a) Brands it manufactures on the licensed premises for consumption off the licensed premises, at a price posted by the commission under section 233

- (b) Brands it manufactures on the licensed premises for consumption on the licensed premises.
- (3) A small distiller may give samplings or tastings of brands it manufactures on the licensed premises.
- (4) A small distiller shall comply with the server training requirements of section 906.
- (5) This section does not allow the sale of spirits transacted or caused to be transacted by means of any mail order, internet, telephone, computer, device, or other electronic means.

History: Add. 2008, Act 218, Imd. Eff. July 16, 2008

436.1535 Vendor as authorized to do business.

Sec. 535.

A vendor shall be a person authorized to do business under the laws of this state.

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

436.1537 Classes of vendors permitted to sell alcoholic liquors at retail; sale of wine by wine maker; wine tastings.

Sec. 537.

- (1) The following classes of vendors may sell alcoholic liquor at retail as provided in this section:
 - (a) Taverns where beer and wine may be sold for consumption on the premises only.
 - (b) Class C licensee, where beer, wine, mixed spirit drink and spirits may be sold for consumption on the premises.
 - (c) Clubs where beer, wine, mixed spirit drink, and spirits may be sold for consumption on the premises only to bona fide members where consumption is limited to these members and their bona fide guests, who are 21 years of age or older.
 - (d) Direct shippers where wine may be sold and shipped directly to the consumer.
 - (e) Hotels of class A where beer and wine may be sold for consumption on the premises and in the rooms of bona fide registered guests. Hotels of class B where beer, wine, mixed spirit drink, and spirits may be sold for consumption on the premises and in the rooms of bona fide registered guests.
 - (f) Specially designated merchants, where beer and wine may be sold for consumption off the premises only.
 - (g) Specially designated distributors where spirits and mixed spirit drink may be sold for consumption off the premises only.
 - (h) Special licensee, where beer and wine or beer, wine, mixed spirit drink, and spirits may be sold for consumption on the premises only.
 - (i) Dining cars or other railroad or Pullman cars, watercraft, or aircraft, where alcoholic liquor may be sold for consumption on the premises only, subject to rules promulgated by the commission.
 - (j) Brewpubs where beer manufactured on the premises by the licensee may be sold for consumption on or off the premises by any of the following licensees:
 - (i) Class C.
 - (ii) Tavern.
 - (iii) Class A hotel.
 - (iv) Class B hotel.
 - (k) Micro brewers and brewers where beer produced by the micro brewer or brewer may be sold to a consumer for consumption on or off the brewery premises.
 - (l) Class G-1 licensee, where beer, wine, mixed spirit drink, and spirits may be sold for consumption on the premises only to members required to pay an annual membership fee and consumption is limited to these members and their bona fide guests.
 - (m) Class G-2 licensee, where beer and wine may be sold for consumption on the premises only to members required to pay an annual membership fee and consumption is limited to these members and their bona fide guests.

- (n) Motorsports event licensee, where beer and wine may be sold for consumption on the premises during sanctioned motorsports events only.
 - (o) Wine maker where wine may be sold by direct shipment, at retail on the licensed premises, and as provided for in subsections (2) and (3).
 - (p) Small distiller selling not more than 60,000 gallons of spirits manufactured by that licensee to the consumer at retail for consumption on or off the licensed premises in the manner provided for in section 534.
 - (q) Nonpublic continuing care retirement center license, where beer, wine, mixed spirit drink, mixed wine drink, and spirits may be sold at retail and served on the licensed premises to residents and bona fide guests accompanying the resident for consumption only on the licensed premises.
 - (r) A small wine maker or an out-of-state entity that is the substantial equivalent of a small wine maker that holds a farmer's market permit, where wine may be sampled and sold at a farmer's market for consumption off the licensed premises.
- (2) A wine maker may sell wine made by that wine maker in a restaurant for consumption on or off the premises if the restaurant is owned by the wine maker or operated by another person under an agreement approved by the commission and located on the premises where the wine maker is licensed.
 - (3) A wine maker, with the prior written approval of the commission, may conduct wine tastings of wines made by that wine maker on the premises where the wine maker is licensed to manufacture wine. The wine maker may charge for the samples.
 - (4) A wine maker, with the prior written approval of the commission, may conduct wine tastings of wines made by that wine maker and may sell the wine made by that wine maker for consumption off the premises at a location other than the premises where the wine maker is licensed to manufacture wine, under the following conditions:
 - (a) The premises upon which the wine tasting occurs conforms to local and state sanitation requirements.
 - (b) Payment of a \$100.00 fee per location is made to the commission.
 - (c) The wine tasting locations are considered licensed premises, and the wine maker may include a charge for the samples.
 - (d) The wine tasting takes place during the legal hours for the sale of alcoholic liquor by the licensee.
 - (e) The premises and the licensee comply with and are subject to all applicable rules promulgated by the commission.
 - (5) Notwithstanding section 1025(1), an outstate seller of beer, an outstate seller of wine, a wine maker, a brewer, a micro brewer, or a specially designated merchant, or an agent of any of those persons, who does not hold a license allowing the consumption of alcoholic liquor on the premises at the same licensed address, may conduct beer and wine tastings on the licensed premises of a specially designated merchant under the following conditions:
 - (a) A customer is not charged for the tasting of beer or wine.
 - (b) The tasting samples provided to a customer do not exceed 3 servings at up to 3 ounces per serving of beer or 3 servings at up to 2 ounces of wine. A customer shall not be provided more than a total of 3 samples of beer or wine within a 24-hour period per licensed premises.
 - (c) The specially designated merchant, outstate seller of beer, outstate seller of wine, wine maker, micro brewer, or brewer has first obtained an annual beer and wine tasting permit approved by the commission.
 - (d) The commission is notified, in writing, a minimum of 10 working days before the event, regarding the date, time, and location of the event.
 - (6) During the time a beer or wine tasting is conducted under subsection (5), a specially designated merchant, outstate seller of beer, outstate seller of wine, wine maker, micro brewer, or brewer, or its agent or employee who has successfully completed a server training program as provided for in section 906, shall devote full time to the beer and wine tasting activity and shall perform no other duties, including the sale of alcoholic liquor for consumption off the licensed premises. Beer and wine used for the tasting must come from the specially designated merchant's inventory, and all open bottles must be removed from the premises on the same business day or resealed and stored in a locked, separate storage compartment on the licensed premises when not being used for the activities allowed by the permit.

- (7) A wholesaler shall not conduct or participate in beer and wine tastings allowed under a permit issued under subsection (5)
- (8) A beer and wine tasting under subsection (5) may only be conducted during the legal hours for the sale of alcoholic liquor by the licensee.
- (9) A brandy manufacturer or small distiller, with the prior written approval of the commission, may conduct tastings of brandy and spirits made by that brandy manufacturer or small distiller and may sell the brandy and spirits made by that brandy manufacturer or small distiller for consumption off the licensed premises at a location other than the licensed premises where the brandy manufacturer or small distiller is licensed to manufacture brandy or spirits under the following conditions:
 - (a) The premises upon which the brandy and spirits tastings occur conform to local and state sanitation requirements.
 - (b) Payment of a \$100.00 fee per location is made to the commission.
 - (c) The brandy and spirits tasting locations are considered licensed premises.
 - (d) The brandy and spirits tasting takes place during the legal hours for the sale of alcoholic liquor by the licensee.
 - (e) The premises and the license comply with and are subject to all applicable rules promulgated by the commission.
- (10) An eligible merchant may fill and sell growlers with beer for consumption off the premises under the following conditions:
 - (a) The premises where the filling of growlers takes place comply with the requirements for food service establishments under the food law, 2000 PA 92, MCL 289.1101 to 289.8111.
 - (b) The growler is sealed and has a label affixed to it that includes at least the brand name of the beer, the class of the beer, the net contents of the container, and the name of the retailer filling the growler.
 - (c) The eligible merchant or his or her agent or employee shall not fill a growler in advance of the sale.
 - (d) The eligible merchant or his or her agent or employee shall only utilize containers that have a capacity of 5 gallons or more to fill a growler.
 - (e) The beer to be dispensed has received a registration number from the commission and has been approved for sale by the commission.
 - (f) The eligible merchant complies with all applicable rules promulgated by the commission.
- (11) As used in this section:
 - (a) "Eligible merchant" means a person that holds a specially designated merchant license and a class C, tavern, class A hotel, class B hotel, club, class G-1, or class G-2 license.
 - (b) "Growler" means any clean, refillable, resealable container that is exclusively intended, and used only, for the sale of beer for consumption off the premises and that has a liquid capacity that does not exceed 1 gallon.

History: 1998, Act 58, Imd. Eff. Apr. 14, 1998 ;-- Am. 2001, Act 223, Eff. Mar. 22, 2002 ;-- Am. 2005, Act 166, Imd. Eff. Oct. 6, 2005 ;-- Am. 2005, Act 269, Imd. Eff. Dec. 16, 2005 ;-- Am. 2008, Act 218, Imd. Eff. July 16, 2008; Am. 2010, Act 213, Eff. November 17, 2010; Am. 2011, Act. 298, Imd. Eff. Dec. 22, 2011; Am. 2013, Act. 101, Imd. Eff. July 2, 2013.

436.1539 Marina as specially designated merchant or distributor; license; conditions.

Sec. 539.

A marina that is situated on 1 of the Great Lakes, on that part of an inland waterway or tributary connected to and navigable to 1 of the Great Lakes, or on a Great Lakes connecting waterway may be issued a license as a specially designated merchant or specially designated distributor, notwithstanding the fact that the marina maintains motor vehicle fuel pumps on or adjacent to the licensed premises, or maintains a financial interest in any motor vehicle fuel pumps if both of the following conditions are met:

- (a) The marina's primary business is the sale of boats or the provision of services and supplies to recreational power cruisers and sailboats of the type that typically travel on the Great Lake

(b) The fuel pumps are used for dispensing fuel only to boats described in subdivision (a).

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

436.1541 Motor vehicle fuel pumps.

Sec. 541.

- (1) Except as provided in subsections (2) to (6) the commission shall not allow an applicant for or the holder of a specially designated distributor license or specially designated merchant license from owning or operating motor vehicle fuel pumps on or adjacent to the licensed premises, unless both of the following conditions are met:
 - (a) One or both of the following conditions exist:
 - (i) The applicant or licensee is located in a neighborhood shopping center.
 - (ii) Subject to subsection (9) the applicant or licensee maintains a minimum inventory on the premises, excluding alcoholic liquor and motor vehicle fuel, of not less than \$250,000.00, at cost, of those goods and services customarily marketed by approved types of businesses.
 - (b) The site of payment and selection of alcoholic liquor is not less than 5 feet from that point where motor vehicle fuel is dispensed.
- (2) The commission shall not prohibit an applicant for or the holder of a specially designated distributor license or specially designated merchant license from owning or operating motor vehicle fuel pumps on or adjacent to the licensed premises, if all of the following conditions are met:
 - (a) The applicant is located in a township with a population of 7,000 or less that is not contiguous with any other township. For purposes of this subdivision, a township is not considered contiguous by water.
 - (b) The applicant or licensee maintains a minimum inventory on the premises, excluding alcoholic liquor and motor vehicle fuel, of not less than \$12,500.00 at cost, of those goods and services customarily marketed by approved types of businesses.
 - (c) The applicant has the approval of the township, as evidenced by a resolution duly adopted by the township and submitted with the application to the commission.
- (3) The commission shall not prohibit an applicant for or the holder of a specially designated merchant license from owning or operating motor vehicle fuel pumps on or adjacent to the licensed premises if both of the following conditions are met:
 - (a) The applicant or licensee is located in any of the following:
 - (i) A city, incorporated village, or township with a population of 3,500 or less and a county with a population of 31,000 or more.
 - (ii) A city, incorporated village, or township with a population of 4,000 or less and a county with a population of less than 31,000.
 - (iii) A township in which the applicant or licensee is the only person that owns or operates motor fuel pumps within the township on the date of application. The commission shall not revoke a license that was granted under this subparagraph if a second person that owns or operates motor fuel pumps opens within the township after the original application was filed.
 - (b) The applicant or licensee maintains a minimum inventory on the premises, excluding alcoholic liquor and motor vehicle fuel, of not less than \$10,000.00, at cost, of those goods and services customarily marketed by approved types of businesses.
- (4) The commission shall not prohibit an applicant for or the holder of a specially designated distributor license from owning or operating motor vehicle fuel pumps on or adjacent to the licensed premises if both of the following conditions are met:
 - (a) The applicant or licensee is located in either of the following:
 - (i) A city, incorporated village, or township with a population of 3,500 or less and a county with a population of 31,000 or more.
 - (ii) A city, incorporated village, or township with a population of 4,000 or less and a county with a population of less than 31,000.

- (b) The applicant or licensee maintains a minimum inventory on the premises, excluding alcoholic liquor and motor vehicle fuel, of not less than \$12,500.00, at cost, of those goods and services customarily marketed by approved types of businesses.
- (5) A person that was issued a specially designated merchant license or specially designated distributor license at a location at which another person owned, operated or maintained motor vehicle fuel pumps at the same location may have or acquire an interest in the ownership, operation or maintenance of those motor vehicle fuel pumps.
- (6) The commission may transfer ownership of a specially designated merchant license or specially designated distributor license to a person that owns or is acquiring an interest in motor vehicle fuel pumps already in operation at the same location at which the license is issued.
- (7) If a specially designated merchant's licensed premises are a primary location, the commission may issue a secondary location permit to the specially designated merchant, as an extension of the specially designated merchant's license, for the sale of beer, wine, or both, at the secondary location. The commission shall issue a secondary location permit only to a specially designated merchant to which both of the following apply:
- (a) The holder of the specially designated merchant license for the primary location premises or a subsidiary or affiliate of the license holder owns or leases the secondary location.
- (b) The holder of the specially designated merchant license for the primary location or a subsidiary or affiliate of the license holder owns or operates motor vehicle pumps at the secondary location under subsection (1).
- (8) An applicant for a secondary location permit shall submit an application to the commission in a format provided by the commission and accompanied by an application and initial permit fee of \$100.00. The application must include a diagram of the secondary location with the building dimensions and a depiction of the distance measurement described in subsection (1)(b). The secondary location permit expires on the same date as the specially designated merchant license and may be renewed in conjunction with the specially designated merchant license. The secondary location permit holder may renew the secondary location permit by submitting a permit renewal fee of \$100.00 and a completed renewal application.
- (9) After a specially designated merchant is issued a secondary location permit under subsection (7) and if the specially designated merchant's licensed premises are a primary location that is not a neighborhood shopping center, for purposes of determining the minimum inventory condition described in subsection (1)(a)(ii), the primary location and the secondary location are considered 1 premises.
- (10) After a specially designated merchant is issued a secondary location permit under subsection (7), if a subsidiary or affiliate of the specially designated merchant owns or operates the secondary location and the subsidiary or affiliate shares the same ultimate controlling party of the specially designated merchant, the secondary location may receive and sell beer, wine, or both under the specially designated merchant's license.
- (11) The holder of a secondary location permit shall prominently display the secondary location permit at the secondary location in the point-of-sale area.
- (12) As used in this section:
- (a) "Neighborhood shopping center" means 1 commercial establishment or a group of commercial establishments organized or operated as a unit, that is related in location, size, and type of shop to the trade area that the unit serves, and consists of not less than 50,000 square feet of leasable retail space, and has access to off-street parking spaces.
- (b) "Primary location" means licensed premises that meet the conditions under subsection (1).
- (c) "Secondary location" means a business operation of the holder of a specially designated merchant license for a primary location, or a subsidiary or affiliate of that license holder, that takes place on real property, that includes at least 1 building and 1 or more motor vehicle fuel pumps, and that is located on or adjacent to the primary location. Upon commission approval of the secondary location permit, the secondary location is considered licensed premises and an extension of the licensed primary location.

History: 1998, Act 58, Imd. Eff. Apr. 14, 1998 ;-- 2006, Act 253, Imd. Eff. July 3, 2006 ;-- Am. 2008, Act 489, Imd. Eff. Jan. 13, 2009 ; Am. 2016, Act 84, Eff. July 11, 2016

436.1543 Disposition and use of retailers' license and license renewal fees; special fund; "license fee enhancement" defined.

Sec. 543.

- (1) Quarterly, upon recommendation of the commission, the state shall pay pursuant to appropriation in the manner prescribed by law to the city, village, or township in which a full-time police department or full-time ordinance enforcement department is maintained or, if a police department or full-time ordinance enforcement department is not maintained, to the county, to be credited to the sheriff's department of the county in which the licensed premises are located, 55% of the amount of the proceeds of the retailers' license fees and license renewal fees collected in that jurisdiction, for the specific purpose of enforcing this act and the rules promulgated under this act. Forty-one and one-half percent of the amount of the proceeds of retailers' license and license renewal fees collected shall be deposited in a special fund to be annually appropriated to the commission for carrying out the licensing and enforcement provisions of this act. Any unencumbered or uncommitted money in the special fund shall revert to the general fund of the state 12 months after the end of each fiscal year in which the funds were collected. The legislature shall appropriate 3-1/2% of the amount of the proceeds of retailers' license and license renewal fees collected to be credited to a special fund in the state treasury for the purposes of promoting and sustaining programs for the prevention, rehabilitation, care, and treatment of alcoholics. This subsection does not apply to retail license fees collected for railroad or Pullman cars, watercraft, aircraft, or wine auctions or to the transfer fees provided in section 529.
- (2) All license and license renewal fees, other than retail license and license renewal fees, shall be credited to the grape and wine industry council created in section 303, to be used as provided in section 303. Money credited to the grape and wine industry council shall not revert to the state general fund at the close of the fiscal year, but shall remain in the account to which it was credited to be used as provided in section 303.
- (3) All retail license fees collected for railroad or Pullman cars, watercraft, or aircraft and the transfer fees provided in section 529 shall be deposited in the special fund created in subsection (1) for carrying out the licensing and enforcement provisions of this act.
- (4) The license fee enhancement imposed for licenses issued under section 531(3) and (4) shall be deposited into a special fund to be annually appropriated to the commission for enforcement and other related projects determined appropriate by the commission. The money representing that amount of the license fees for identical licenses not issued under section 531(3) and (4) shall be allocated and appropriated under subsection (1).
- (5) The license fee imposed on direct shipper licenses and any violation fines imposed by the commission shall be deposited into the direct shipper enforcement revolving fund. The direct shipper enforcement revolving fund is created within the state treasury. The state treasurer shall direct the investment of the fund. The state treasurer shall credit to the fund interest and earnings from fund investments. Money in the fund at the close of the fiscal year shall remain in the fund and shall not lapse to the general fund. The commission shall expend money from the fund, upon appropriation, only for enforcement of the provisions of section 203 and related projects.
- (6) One hundred percent of the wine auction license fee imposed in section 525(1)(aa) shall be deposited into the general fund.
- (7) As used in this section, "license fee enhancement" means the money representing the difference between the license fee imposed for a license under section 525(1) and the additional amount imposed for resort and resort economic development licenses under section 525(2).
- (8) Notwithstanding any other provision of this section, the additional \$160.00 license fee imposed upon any licensee selling alcoholic liquor between the hours of 7 a.m. on Sunday and 12 noon on Sunday is allocated to the general fund.

History: 1998, Act 58, Imd. Eff. Apr. 14, 1998 ;-- Am. 2005, Act 97, Imd. Eff. July 20, 2005 ;-- Am. 2005, Act 269, Imd. Eff. Dec. 16, 2005 ;-- Am. 2010, Act 175, Imd. Eff. Sept. 30, 2010; Am. 2010, Act 213, Eff. November 17, 2010

436.1545 "Nonpublic continuing care retirement center" defined; license.

Sec. 545.

- (1) As used in this act, "nonpublic continuing care retirement center" means a residential community that, as determined by the commission, meets both of the following conditions:
 - (a) Provides full-time residential housing predominantly for individuals over the age of 62.

- (b) Is registered as a facility under the living care disclosure act, 1976 PA 440, MCL 554.801 to 554.844.
- (2) The commission, upon submission of a completed application, shall grant a nonpublic continuing care retirement center license to an applicant complying with this section. The total number of licenses issued under this section shall not exceed 20. If the holder of a license issued under this section goes out of business, the license shall be surrendered to the commission. The commission may allow the transfer of such a license to a new business owner upon transfer of the owner's interest in the business.
- (3) The nonpublic continuing care retirement center license allows the licensee to sell at retail and serve on the licensed premises beer, wine, mixed spirit drink, mixed wine drink, and spirits, for consumption by a resident or the bona fide guests accompanying the resident, only on the licensed premises.

History: Add. 2010, Act 213, Eff. November 17, 2010

436.1547 Definitions; catering permits.

Sec. 547.

- (1) As used in this section:
- (a) "Private event" means an event where no consideration, as defined in section 913, is paid by the guests.
- (b) "Catering permit" means a permit issued by the commission to a specially designated distributor, specially designated merchant, or holder of a public on-premises license for the sale of beer, wine, or spirits, or any combination thereof, that is also licensed as a food service establishment or retail food establishment under the food law of 2000, 2000 PA 92, MCL 289.1101 to 289.8111, which permit authorizes the permit holder to sell and deliver beer, wine, and spirits in the original sealed container to a person for off-premises consumption but only if the sale is not by the glass or drink and the permit holder serves the beer, wine, or spirits. The permit does not allow the permit holder to deliver, but not serve, the beer, wine, or spirits.
- (2) Spirits sold by a specially designated distributor, specially designated merchant, or on-premises licensee under a catering permit shall not be sold at less than the minimum retail selling price fixed by the commission, including under rules promulgated by the commission for specially designated distributors under section 229.
- (3) The commission may issue a catering permit to a specially designated distributor, specially designated merchant, or public on-premises licensee, as a supplement to that license, to allow the sale and delivery of beer, wine, or spirits in the original sealed container at locations other than the licensed premises and to require the catering permit holder to serve beer, wine, or spirits at the private event where the alcoholic liquor is not resold to guests. The commission shall not issue a catering permit to an applicant who delivers beer, wine, or spirits but does not serve the beer, wine, or spirits.
- (4) This section does not limit the number of catering permits the commission may issue within any local unit of government.
- (5) This section does not prevent a catering permit holder from using the catering permit at multiple locations and events during the same time period.
- (6) This section does not prohibit a catering permit holder from selling beer, wine, or spirits to a person who has obtained a special license if that catering permit holder serves the beer, wine, or spirits and complies with all catering permit rules promulgated by the commission.
- (7) An applicant for a catering permit shall apply on a form approved and provided by the commission and pay an application and processing fee of \$70.00 and a catering permit fee of \$100.00 on the issuance of the catering permit. The applicant shall also pay the catering permit fee on renewal of the specially designated distributor, specially designated merchant, or on-premises licensee.
- (8) The person delivering the beer, wine, or spirits under a catering permit shall verify that the individual accepting delivery is at least 21 years of age. The catering permit holder may utilize a third party that provides delivery service to municipalities in this state that are surrounded by water and inaccessible by motor vehicle to deliver beer, wine, or spirits to the designated location of the private event if the delivery service is approved by the commission and agrees to verify that the individual accepting delivery of the beer, wine, or spirits is at least 21 years of age.

- (9) A catering permit holder providing the service, or an employee of the catering permit holder, shall successfully complete a server training program approved by the commission before providing the service.
- (10) A catering permit holder delivering the beer, wine, or spirits, or an employee of the catering permit holder, shall have in his or her possession while delivering the beer, wine, or spirits documentation demonstrating that the beer, wine, or spirits being delivered are for a private event being conducted under this section.
- (11) A catering permit holder who prepares food or drink for direct consumption through service on the premises or elsewhere shall comply with the requirements for food service establishments under the food law of 2000, 2000 PA 92, MCL 289.1101 to 289.8111.
- (12) A catering permit holder is subject to all sanctions, liabilities, and penalties provided under this act or under law.

History: Add. 2011, Act 20, Eff. April 20, 2011

CHAPTER 6

436.1601 Licensing qualifications; wholesale licensee or applicant for wholesale license as individual, partnership, limited partnership, or corporation; prohibitions.

Sec. 601.

- (1) A wholesale licensee or an applicant for a wholesale license, if an individual, shall be licensed only if that individual has resided in this state for not less than 1 year immediately prior to the date of issuance of the license.
- (2) A wholesale licensee or an applicant for a wholesale license, if a partnership other than a limited partnership, shall be licensed only if all of its members have resided in this state for not less than 1 year immediately prior to the date of issuance of the license.
- (3) A wholesale licensee or an applicant for a wholesale license, if a limited partnership, shall be licensed only if the limited partnership is authorized to do business under the laws of this state, and if the general partner and all limited partners have resided in this state for not less than 1 year immediately preceding the date of issuance of the license. If the general partner is a corporation, the limited partnership shall be licensed only if the corporation has been authorized to do business under the laws of this state for not less than 1 year immediately preceding the date on which the corporation obtained an interest in the limited partnership. A limited partnership that holds a wholesale license shall not admit as a new limited partner an individual who has not resided in this state for at least 1 year immediately preceding the date on which the limited partnership interest was acquired by the individual.

- (d) The brewer, wine maker, distiller, brandy manufacturer, its parent company, subsidiary, or affiliate has not acquired, developed, sold, leased, financed, or maintained, operated, or promoted more than 7 real properties that are occupied or to be occupied by another vendor, except a wholesaler.
- (2) The commission may deny or approve an arrangement or contract to be entered into under this section. In denying or approving an arrangement or contract, the commission shall consider all of the following:
- (a) That the arrangement or contract to be entered into is concerned only with real property.
 - (b) That the certification required under subsection (1)(b) has been received by the commission.
 - (c) That the arrangement or contract does not violate this act or the rules promulgated under this act.
- (3) The commission may review any arrangement or contract under this section at the time that 1 of the parties to the arrangement or contract applies for or renews a license. The commission may deny, revoke, or suspend the license of a party to the arrangement or contract if the commission finds that the party to the arrangement or contract has violated this act or the rules promulgated under this act.
- (4) Except as otherwise provided in subsection (5), a wholesaler shall not be a party to, directly or indirectly, an arrangement or contract under this section.
- (5) A manufacturer, mixed spirit drink manufacturer, warehouse, wholesaler, authorized distribution agent, outstate seller of beer, outstate seller of wine, outstate seller of mixed spirit drink, or vendor of spirits may acquire, develop, sell, lease, finance, maintain, operate, or promote a condominium project or own a condominium unit as its sole property, under the condominium act, 1978 PA 59, MCL 559.101 to 559.276, if that condominium unit is not the licensed premises owned separately by a retailer and if all of the following apply:
- (a) Condominium assessments in the condominium project are based on the proportional area each condominium unit has to the total area.
 - (b) A condominium unit operating as a licensed premises operates under a separate name from the condominium project except that cooperative advertising shall be permitted among owners of condominium units for the purpose of promoting the condominium project if the name of a brand or brands of an alcoholic liquor is not mentioned in the advertising.
 - (c) Ownership of a condominium unit and participation in a condominium association under this section is not considered a financial interest, interest by ownership, or interest by interlocking directors on stock ownership prohibited by section 603.
 - (d) A retailer separately owning a separate condominium unit as sole property does not directly purchase alcoholic liquor from the manufacturer, warehouse, wholesaler, outstate seller of mixed spirit drink, or vendor of spirits who owns, leases, maintains, finances, or operates the condominium project.
 - (e) A wholesaler that has a direct or indirect interest in a condominium unit in which a retailer is located does not sell alcoholic liquor to any licensed retail business in which that retailer, or any person having an ownership interest in that retailer, has an ownership interest; and, a retail licensed business in which that retailer, or any person having an ownership interest in that retailer, has an ownership interest does not purchase alcoholic liquor from a wholesaler that has a direct or indirect interest in a condominium or condominium unit in which that retailer is located.
 - (f) A retailer acquiring a separate condominium unit as sole property pays the fair market value for the unit.
- (6) Subsection (5) does not apply to a manufacturer, mixed spirit drink manufacturer, warehouse, wholesaler, authorized distribution agent, outstate seller of beer, outstate seller of wine, outstate seller of mixed spirit drink, or vendor of spirits with a direct or indirect interest in a license under the Michigan gaming control and revenue act, 1996 IL 1, MCL 432.201 to 432.226. Subsection (5) does not prohibit a direct physical connection between a condominium unit that is the licensed premises and a condominium unit that is not the licensed premises.

436.1607 Eligibility for license as specially designated merchant or specially designated distributor; prohibitions; small distiller; wine maker and small wine maker; brewer as specially designated merchant; brewery hospitality room; sales or deliveries by wholesaler.

Sec. 607.

- (1) Except as provided in section 537(2), a warehouse, mixed spirit drink manufacturer, wholesaler, outstate seller of beer, outstate seller of wine, outstate seller of mixed spirit drink, or vendor of spirits shall not be licensed as a specially designated merchant or a specially designated distributor. A person licensed as a small distiller is not considered to be a specially designated distributor. Beginning December 23, 2007 and in addition to the persons described in this subsection, a wine maker and a small wine maker shall also not be licensed as a specially designated merchant or a specially designated distributor. Any wine maker or small wine maker holding a specially designated merchant or specially designated distributor license on December 23, 2007 may continue to hold a specially designated merchant or specially designated distributor license.
- (2) A specially designated distributor or specially designated merchant or any other retailer shall not hold a mixed spirit drink manufacturer, wholesale, warehouse, outstate seller of beer, outstate seller of mixed spirit drink, or outstate seller of wine license. Beginning December 23, 2007, a specially designated distributor or specially designated merchant shall not hold a wine maker or small wine maker license in addition to being prohibited from holding any other license described in this subsection. Any specially designated distributor or specially designated merchant holding a wine maker or small wine maker license on December 23, 2007 may continue to hold a wine maker or small wine maker license.
- (3) A brewer, warehouse, or wholesaler shall not be licensed as a specially designated merchant. This subsection does not affect the operation of a brewery hospitality room.
- (4) A wholesaler may sell or deliver beer and alcoholic liquor to hospitals, military establishments, governments of federal Indian reservations, and churches requiring sacramental wines and may sell to the wholesaler's own employees to a limit of 2 cases of 24 12-ounce units or its equivalent of malt beverage per week, or 1 case of 12 1-liter units or its equivalent of wine or mixed spirit drink per week.

History: 1998, Act 58, Imd. Eff. Apr. 14, 1998 ;-- Am. 2005, Act 269, Imd. Eff. Dec. 16, 2005 ;-- Am. 2008, Act 218, Imd. Eff. July 16, 2008

436.1609 Aiding or assisting other vendor prohibited; exception; refunding amount of price reductions; providing licensee with advertising items; providing licensee with goods and services; approval by commission; sale of brand logoed items; possession and use of brand logoed barware; conditions for promotion of brand under R 436.1321(1) to (3); unauthorized providing or selling of barware; fine; on-premises brand promotional event; removal of merchandise; purchase and sale of brand logoed inventory by retailer holding off-premises license; adding or removing item by rule; definitions.

Sec. 609.

- (1) Except as provided in this section and sections 605 and 1029, a manufacturer, mixed spirit drink manufacturer, warehouse, wholesaler, outstate seller of beer, outstate seller of wine, outstate seller of mixed spirit drink, or vendor of spirits shall not aid or assist any other vendor by gift, loan of money or property of any description, or other valuable thing, or by the giving of premiums or rebates, and a vendor shall not accept the same. However, if manufacturers of spirits reduce the price of their products, the manufacturer of spirits may refund the amount of the price reductions to specially designated distributor licensees in a manner prescribed by the commission.
- (2) A manufacturer, mixed spirit drink manufacturer, warehouse, wholesaler, outstate seller of beer, outstate seller of wine, outstate seller of mixed spirit drink, or vendor of spirits may, in a manner consistent with rules, regulations, and orders made by the commission, provide another licensee with an advertising item that promotes the brands and prices of alcoholic liquor produced by the manufacturer; sold by the outstate seller of beer, the outstate seller of wine, or the outstate seller of mixed spirit drink; or distributed by the wholesaler. Except as otherwise allowed under subsection (3),

- (4), (5), or (6) the advertising item shall not have any use or value beyond the actual advertising of brands and prices of the alcoholic liquor.
- (3) Except for those orders that were approved for specific sponsorships or festivals, a manufacturer, mixed spirit drink manufacturer, warehouse, wholesaler, outstate seller of beer, outstate seller of wine, outstate seller of mixed spirit drink, or vendor of spirits may provide goods and services to another licensee that were approved by the commission under rules or orders adopted before January 1, 2014 and the following items:
- (a) Alcoholic liquor recipes literature.
 - (b) Calendars and matchbooks.
 - (c) Removable tap markers or signs.
 - (d) Table tents.
 - (e) Shelf talkers.
 - (f) Bottle neckers.
 - (g) Cooler stickers.
 - (h) Buttons, blinking and nonblinking.
 - (i) Menu clip-ons.
 - (j) Mirrors.
 - (k) Napkin holders.
 - (l) Spirits cold shot tap machines.
 - (m) Alcoholic liquor drink menus.
 - (n) Keg couplers that are lent to an on-premises retailer.
 - (o) Sporting event or entertainment tickets.
 - (p) Suction cups.
 - (q) Cooler door attachments.
 - (r) Tear pad holders.
- (4) A wholesaler may sell brand logoed items to an off-premises licensee if those brand logoed items are contained within the packaging of an alcoholic liquor product that is to be sold to a consumer.
- (5) A retailer shall not use or possess, at its licensed premises, advertising items that have a use or value beyond the actual advertising of brands and prices of alcoholic liquor except for those items allowed in subsection (3), (4), or (6), or as otherwise allowed under this subsection. A retailer may possess and use brand logoed barware that advertises spirits if the items are purchased from a manufacturer of spirits, vendor of spirits, salesperson, broker, or barware retailer. A retailer may possess and use brand logoed barware that advertises beer or wine if the items are purchased from a barware retailer. A retailer shall maintain the receipts of all purchased brand logoed barware for at least 3 years and shall make those receipts available for inspection by the commission as provided in section 217. Beginning in the 2015 licensing year, a retailer shall disclose, in a manner as prescribed by the commission on the application for renewal of an existing license, if any barware was purchased by the retailer during the immediately preceding license year.
- (6) A manufacturer, outstate seller, or vendor of spirits may provide brand logoed merchandise to an on-premises retailer and off-premises retailer to promote the brand and price of its products under R 436.1321(1) to (3) of the Michigan Administrative Code if all of the following conditions are complied with:
- (a) Brand logoed merchandise must be used for display purposed only.
 - (b) Brand logoed merchandise may only provide brand advertising when used in a display.
 - (c) Brand logoed merchandise must be returned to the alcoholic beverage supplier or wholesaler on completion of the display.
 - (d) Brand logoed merchandise shall not be given to the retail licensee or the retail licensee's staff or any other person for their personal use.
 - (e) The value of the brand logoed merchandise on display may not exceed \$200.00 per item.
 - (f) Brand logoed merchandise that a licensee could use in the daily operation of the licensee's business is prohibited.
 - (g) Brand logoed merchandise must be unilluminated.
 - (h) Brand logoed merchandise may not be more than 3,500 square inches in dimension.
 - (i) Brand logoed merchandise must be owned by the manufacturer or supplier. The ownership of the brand logoed merchandise may not be transferred to the retail licensee, the retail licensee's employer, or any other person.

- (j) A wholesaler may deliver and install a display using brand logoed merchandise provided without charge by a manufacturer, outstate seller of beer, outstate seller of wine, or outstate seller of mixed drink.
- (7) In addition to the penalties provided under section 903, a manufacturer of beer or wine, mixed spirit drink manufacturer, warehouse, wholesaler, outstate seller of beer, outstate seller of wine, or outstate seller of mixed spirit drink that provides or sells barware and is not authorized to provide or sell barware is subject to a fine in an amount of up to \$2,500.00 as determined by the commission. Multiple violations resulting from the same incident may be treated as a single violation for purposes of issuance of any penalty imposed under this act.
- (8) An on-premises retailer that hosts an on-premises brand promotional event conducted by a wholesaler or supplier has 14 days after the event to remove from the premises any brand logoed merchandise from the event to maintain compliance with this section.
- (9) This act and rules promulgated under this act do not prevent a retailer that holds an off-premises license only from purchasing brand logoed inventory and selling that inventory to its customers.
- (10) Beginning after September 25, 2015, the commission may, by rule, add an item to or remove an item from the definition of barware. The commission shall not add or remove more than 1 item per rule and shall not promulgate more than 1 rule at a time on the definition of barware. The commission shall not issue a rule that adds refrigerator systems, draft systems, or furniture to the definition of barware. A rule, regulation, or order adopted after January 1, 2014 that is not adopted in accordance with this subsection and that is not consistent with this section or is in conflict with this section is void and unenforceable.
- (11) As used in this section:
 - (a) "Barware" means the following brand logoed items:
 - (i) Trays.
 - (ii) Coasters.
 - (iii) Napkins.
 - (iv) Shirts.
 - (v) Hats.
 - (vi) Pitchers.
 - (vii) Drinkware that is intended to be reused.
 - (viii) Bar mats.
 - (ix) Buckets.
 - (x) Bottle openers.
 - (xi) Stir rods.
 - (xii) Patio umbrellas.
 - (xiii) Any packaging used to hold and deliver the alcoholic liquor purchased by the retailer.
 - (xiv) Any other items that have been added by the commission under subsection (10).
 - (b) "Barware retailer" means a person that offers brand logoed barware for sale to retailers, whether or not it is in their ordinary course of business, and that is not licensed as, or directly or indirectly affiliated with, a manufacturer of beer or wine, mixed spirit drink manufacturer, warehouse, wholesaler, outstate seller of beer, outstate seller of wine, or outstate seller of mixed spirit drink. For purposes of this subdivision, a licensing agreement that authorizes use of a brand logo is not a direct or indirect affiliation.
 - (c) "Broker" means a person, other than an individual, that is licensed by the commission and that is employed or otherwise retained by a manufacturer of spirits or a vendor of spirits to sell, promote, or otherwise assist in the sale or promotion of spirits.
 - (d) "Indirectly affiliated" means, for purposes of this section only, that a person owns 5% or more of the voting interest of another person.
 - (e) "Other valuable thing" means a good, service, or intangible good that is given, loaned, leased, or sold to another licensee that has value regardless of whether the value is nominal and includes, but is not limited to, a good, service, or intangible good that provided a benefit, regardless of how nominal, to the licensee other than advertising the brands and prices of alcoholic liquor produced by the manufacturer; sold by the outstate seller of beer, the outstate seller of wine, or the outstate seller of mixed spirit drink; or distributed by the wholesaler, except for consumable goods and those goods, services, or intangible goods approved by rule or order of the commission before January 1, 2014.

- (f) "Salesperson" means, for the purposes of this subsection only, a person who is employed by a vendor of spirits or a broker and who is licensed by the commission to sell, deliver, or promote, or otherwise assist in the sale of, spirits in this state.

History: 1998, Act 58, Imd. Eff. Apr. 14, 1998 ;-- Am. 2010, Act 175, Imd. Eff. Sept. 30, 2010 ;-- Am. 2014, Act 47, Imd. Eff. Mar. 25, 2014; Am. 2014, Act 353, Imd. Eff. Oct. 17, 2014—Am 2016, act 81, Imd. Eff. Apr. 12, 2016

436.1609a Filing by manufacturer or wholesaler; schedule of net cash prices; beer package price; sale of beer at quantity discount prohibited; disclosure of filing under subsections (1) and (2); comparison of filing under subsections (1) and (2) with tax filing; reasons for regulation.

Sec 609a.

- (1) A manufacturer or wholesaler shall file with the commission a schedule of net cash prices to the retail licensee for all brands of case and keg beer for its market area.
- (2) A manufacturer or wholesaler shall file with the commission a beer package price reduction for its market area. The manufacturer or wholesaler shall file the price reduction before its effective date. A price reduction under this subsection must continue for at least 90 days after the effective date.
- (3) The beer package price for a market area may be increased during the 90-day period described in subsection (2) for any of the following reasons:
 - (a) To reflect a tax increase in the market area.
 - (b) To reflect a general industry price increase in the market area.
- (4) The beer package price for a market area may be decreased during the 90-day period described in subsection (2) if both the following conditions are met:
 - (a) The price reduction is not greater on a cents-per-case basis than the price reduction filed by the competition.
 - (b) The price reduction continues for the balance of the 90 days filed by the competition.
- (5) A manufacturer or wholesaler shall not sell beer at a quantity discount.
- (6) A net cash price filed under subsection (1) and a price reduction filed under subsection (2) are exempt from disclosure under section 13 of the freedom of information act, 1976 PA 442, MLC 15.243, until 1 year after the net cash price or price reduction is filed, as applicable.
- (7) The Commission shall periodically compare a manufacturer's or wholesaler's filing under subsection (1) or (2) with the manufacturer's or wholesaler's tax filing under section 409.
- (8) The regulation described in this section is necessary for both of the following reasons:
 - (a) To promote temperance and the public health and welfare.
 - (b) To promote a stable 3-tier distribution system with orderly markets for wine and malt beverage products in which there is no price discrimination by a wholesaler in its sales to retailers within the wholesaler's sale inventory.

History: Add. 2016, Act 81, Imd. Eff. Apr. 12, 2016

436.1609b Expenditure records for each call on retail licensee; drink purchase for promotional purposes; limitation.

Sec 609b.

- (1) A vendor representative and salesperson of a vendor of spirits, manufacturer of beer, manufacturer of wine, outstate seller of beer, outstate seller of wine, or wholesaler shall maintain accurate records of expenditures for each call on a retail licensee. The records must be maintained for 4 years and must be made available for commission inspection.
- (2) A vendor representative or salesperson of a spirits or wine, for promotional purposes, may purchase 1 drink for each customer of an on-premises licensee. A drink purchased under this subsection must be of the brand represented by the vendor representative or salesperson.
- (3) A vendor representative or salesperson of a manufacturer of beer, a wholesaler of beer, or an outstate seller of beer, for promotional purposes, may purchase 1 drink for each customer of an on-premises retail licensee subject to a total spending limit of \$100,00 per day. A drink purchased under this subsection must

be of the brand represented by the vendor representative or salesperson.

(4) A vendor representative or salesperson of a manufacturer of beer, a wholesaler of beer, or an outstate seller of beer shall not purchase a drink under subsection (3) more than twice per month at the same on-premises retail licensed location.

(5) A licensee employed to deliver alcoholic liquor shall not purchase a drink of alcoholic liquor for a retail licensee while on duty or in the course of employment.

History: Add. 2016, Act 81, Imd. Eff. Apr. 12, 2016

436.1610 Advertising; use of unpaid social media; definitions.

Sec 610.

(1) Notwithstanding section 609, a wholesaler, manufacturer, outstate seller of beer, outstate seller of wine, outstate seller of mixed spirit drink, vendor of spirits, broker, or retailer may use unpaid social media to advertise any of the following [in accordance with all applicable laws and regulations]:

- (a) An on-premises brand promotion.
- (b) Beer, wine or spirits tastings under section 537.
- (c) A product [location, communications].

(2) As used in this section:

- (a) "Broker" means term as defined in section 609.
- (b) "On-premises brand promotion" means a promotion in the manner provided by the order of the commission issued on October 27, 1999. That order's prohibition against advertising an on-premises promotion by a party off the licenses premises does not apply to this section.
- (c) "Product [location communication]" means a [listing or] program that allows an individual to [determine] the availability of a specific product at licensed retailers in a certain geographic area.
- (d) "Social media" means a service, platform, or website where users communicate with one another and share media, such as pictures, videos, music, and blogs, with other users free of charge. Social media includes the website of a wholesaler, manufacturer, outstate seller of beer, outstate seller of wine, outstate seller of mixed spirit drink, vendor of spirits, broker, or retailer.

History: Add. 2016, Act 106, Imd. Eff. Aug. 1, 2016

- (11) Except as otherwise provided for under this section and section 815, a civil action under subsection (3) against a retail licensee shall be subject to the revised judicature act of 1961, 1961 PA 236, MCL 600.101 to 600.9947.

History: 1998, Act 58, Imd. Eff. Apr. 14, 1998 ;-- Am. 2008, Act 11, Imd. Eff. Feb. 29, 2008

Compiler's Notes: Former sections 22 to 22h of Act 8 of 1933 (Ex. Sess.), being MCL 436.22 to 436.22h, and which were repealed by Act 58 of 1998, Eff. Apr. 14, 1998, were formerly known and cited as the "Dram Shop Act."

Popular Name: Dram Shop Act

436.1803 Retailer or applicant for retail license; proof of financial responsibility; naming insurer or surety as defendant prohibited; effect of bankruptcy; policies and bonds to be continued from year to year; cancellation of liquor liability insurance policy; revocation; section inapplicable to special licensee or applicant for special license; rules.

Sec. 803.

- (1) Before the renewal or approval and granting of a retail license, a retail licensee or applicant for a retail license shall file with the commission proof of financial responsibility providing security for liability under section 801(3) of not less than \$50,000.00. The proof of financial responsibility may be in the form of cash, unencumbered securities, a policy or policies of liquor liability insurance, a constant value bond executed by a surety company authorized to do business in this state, or membership in a group self-insurance pool authorized by law that provides security for liability under section 801.
- (2) A licensee may furnish proof of financial responsibility that exceeds the requirements of this section.
- (3) An insurer under a policy or policies of liquor liability insurance or a surety under a bond shall not be named as a defendant in an action brought against the insured or bonded licensee for liability under section 801. Bankruptcy of the insured does not discharge an insurer or surety under this section from liability. Insurance policies and bonds issued for purposes under this section shall continue from year to year unless sooner canceled by the insurer.
- (4) An insured retail licensee shall not cancel any such liquor liability insurance except upon 30 days' prior written notice to the commission and unless new proof of financial responsibility complying with this section is procured by the retail licensee and delivered to the commission before the expiration of the 30-day period. The commission shall revoke the license of a retail licensee that violates this subsection.
- (5) This section does not apply to a special licensee or applicant for a special license.
- (6) The commission shall promulgate rules under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, to implement and enforce this section.

History: 1998, Act 58, Imd. Eff. Apr. 14, 1998;-- Am. 2016, Act 105, Eff. Aug., 2016

Compiler's Notes: Former sections 22 to 22h of Act 8 of 1933 (Ex. Sess.), being MCL 436.22 to 436.22h, and which were repealed by Act 58 of 1998, Eff. Apr. 14, 1998, were formerly known and cited as the "Dram Shop Act."

Popular Name: Dram Shop Act

Admin Rule: R 436.2001 et seq. of the Michigan Administrative Code.

436.1805 Suit to enforce liability when service of process not effected; affidavit; service upon commission in duplicate; return; copy served on defendant; hearing; duty of commission.

Sec. 805.

If an action is instituted against a retailer as defendant in any court of competent jurisdiction to enforce the liability provided in section 801 and service of process has not been effected in the manner provided for by law, and either the sheriff or constable to whom process has been delivered for service shall make return that he or she has not been able to serve the defendant for a period of 30 days, in which period he or she has made 3 or more attempts to serve the defendant at his or her residence or place of business, or the plaintiff or another person with knowledge of the facts files an affidavit in the cause stating that the defendant has ceased to be a resident of the state of Michigan or has been absent from the state for a continuous period of 6 months, then it shall be competent for the plaintiff to cause service of process to be made upon the defendant by service of the process upon the commission, the liability for which suit is brought arose during the period in which the defendant was a licensed retailer and was insured under the provisions of section 803. Such service of process shall be made in duplicate on the commission, and return showing such service shall be made to the court. The commission shall mail a copy of the process served upon it to the defendant at the address shown in the consent to service of process, and shall immediately transmit to the clerk of the court in which the action is pending an acknowledgment of the mailing of the copy of that process by the commission to the defendant. Whenever the foregoing provisions of this section have been complied with, the court may proceed to hear and determine the matter as fully and effectually as though the defendant retailer had been personally served with process within the jurisdiction of the court. The commission shall also notify the insurer under the liability policy of the defendant, on file with the commission, that the commission has received service of that process, stating the names of the parties to the action and the court in which the action is pending. If the defendant retailer is deceased, service of process may be made upon the executor or administrator of the deceased defendant by service on the commission, in an action in which that service would be authorized by this section upon the defendant if he or she were living, in the manner provided in this section.

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

Compiler's Notes: Former sections 22 to 22h of Act 8 of 1933 (Ex. Sess.), being MCL 436.22 to 436.22h, and which were repealed by Act 58 of 1998, Eff. Apr. 14, 1998, were formerly known and cited as the "Dram Shop Act."

Popular Name: Dram Shop Act

436.1807 Insurer to file notice of termination or cancellation of contract or policy; effective date.

Sec. 807.

The insurer shall file with the commission, at Lansing, Michigan, at least 30 days before the effectiveness of any termination or cancellation of the contract or policy, a notice giving the date at which it is proposed to terminate or cancel the contract or policy. Any termination of the contract or policy shall not be effective as far as the insured covered by the policy is concerned until 30 days after such notice of the proposed termination or cancellation is received by the commission.

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

Compiler's Notes: Former sections 22 to 22h of Act 8 of 1933 (Ex. Sess.), being MCL 436.22 to 436.22h, and which were repealed by Act 58 of 1998, Eff. Apr. 14, 1998, were formerly known and cited as the "Dram Shop Act."

Popular Name: Dram Shop Act

INDEX TO LIQUOR CONTROL CODE, RELATED ACTS AND ADMINISTRATIVE RULES OF THE COMMISSION

If the section cited for a particular entry is preceded by the letter "R", that section will be found in the Administrative Rules of this book; if not, it will be found in the Code.

A

A-Hotel, 436.1405, 436.2013, 436.2021

Accosting and soliciting, R436.1011

Accounts, examination, 436.1217

Acknowledgement of violation, R436.1907

Act,

Compliance required, 436.1901

Construction, 436.1925

Defined, R436.1001, R436.1901

Actions and proceedings:

Bond, action on, 436.1801

Church or school hearings,
R436.1951-R436.1963

Civil liability of Commission members,
436.1225

Commencement to enforce liability,
436.1805

Dram Shop Act, 436.1801, et seq.

Hearings and appeal practice rules,
R436.1901-R436.1935

Injury to person or property,
436.1801, et seq.

Liability insurance, 436.1803,
R436.2001, et seq.

Minors and intoxicated persons, 436.1801

Taxes, interest and penalties, recovery,
436.1911

Violation hearings, 436.1903, R436.1909

Acts, prohibited, R436.1651, R436.1735,
R436.1819, R436.1859

ADA (see Authorized Distribution Agent)

Add partners, 436.1529

Add space, to licensed premises, R436.1023;
Inspection fees, 436.1529

Additional bar, R436.1023;

Inspection fee, 436.1529

Administration,

Control authority, 436.1209-436.1219

Power and duties, 436.1209-436.1213

Administrative fine, 436.1905

Adulterated and misbranded liquors,
436.2005

Advertising, R436.1303-R436.1339

Approval, R436.1309

Alcoholic content of beer, R436.1611

Beer, R436.1303, R436.1313, R436.1331

Brand promotion, R436.1317, R436.1333

Calendars and matchbooks, R436.1325

College promotions, R436.1861

Consideration, R436.1315

Contests, R436.1321

Cooperative, R436.1001, R436.1319

Dispenser signs, R436.1331

Displays, R436.1001, R436.1329

Gambling devices, R436.1321

Gifts of things of value, R436.1325

Inside signs and displays, R436.1313

Logo decals, R436.1319

Matchbooks, R436.1325

Mats, R436.1319

Minors, reference to, R436.1311 – Rescinded

Newspapers, programs, R436.1309,
R436.1861

Novelty items, R436.1321

Political, R436.1335

Prices, R436.1333 – Rescinded 3/20/2000

Production literature, R436.1321

Prohibited, R436.1311 - Rescinded 2/26/16

Recipe literature, R436.1321

Retail advertising space, R436.1315

Secondary value or use, R436.1321

Social media, R436.1610

Space, R436.1315

Spirits, R436.1307, R436.1321

Sports/entertainment venue, R436.1313

Tap markers, R436.1331, R436.1611

Team sponsorship, R436.1323

Temporary bin display, R436.1001,
R436.1329

Truck painting, R436.1319

Window display and signs, R436.1315

Wine, R436.1305

*Advise licensee on commission order or
MLCC Code by vendor rep. prohibited*,
R436.1859

Affidavits,

Corporate, 436.1529, R436.1109

Inability to serve, 436.1805

"After Hours" permit, R436.1403, R436.1437

Age for sale or consumption,

Consumption by underage person,
436.1703, R436.1009

Employment of underage persons,
R436.1009

Sale or delivery by underage persons,
436.1203, R436.1011, R436.1009,
R436.1527

Sale or furnishing to underage persons,
436.1701, 436.1801

*Agent of Commission, inspection and
search authority*, 436.1217

Agreements,

Between supplier and wholesaler,
436.1305, 436.1401

To transfer license, R436.1119

Participating, R436.1041, R436.1117

Agriculture Department,

Grape & Wine Industry Council, 436.1303

Licensing land under control of, 436.1501

Aid and assistance to licensee,

By another licensee or vendor, 436.1609,
R436.1035

By manufacturer, warehouseman or

Aid and assistance to licensee (continued)
wholesaler, 436.1609
By salesman or vendor representative,
R436.1303, et seq., R436.1859
Cooperative advertising, R436.1319
Financial interest, 436.1603
Providing furniture, fixtures and
dispensing equipment, R436.1045
Refunding amount of price reductions,
436.1609

*Air bases, armories, naval installations and
state military reservations,*
Regulation of use of liquor, 436.2001
Right by rule to sell at discount, 436.1233
Sale or delivery by wholesaler, 436.1607

Aircraft,
Classes of vendors, 436.1537
License fees, 436.1525, 436.1543
Minimum qualifications, R436.1147

Airport,
City, village or township owned, 436.1515
County owned, 436.1515, 436.1531
Publicly owned, 436.1507
State owned, 436.1505

Alcohol,
Compliance with law to sell, 436.1901
Content,
Beer (.05%+), 436.1105
Mixed wine drink (.05% to 7%), 436.1109
Sacramental wine (.05% to 24%), 436.1111
Spirits (21%+), 436.1113
Wine (.05% to 21%), 436.1113
Defined, 436.1105
Exceptions, 436.1207
Homemade, 436.1207
Powdered, 436.1914a
Use in manufacturing, 436.1207

Alcohol vapor devices, 436.1914

Alcoholic liquor,
Adulterated, 436.2005, 750.28
Allowed in buses and limousines, open
beverages within, 436.1915, 257.624a
Analysis of by commission, R436.1027,
R436.1043, R436.1645, R436.1728
Approval for sale by commission required,
R436.1043
Auctions, Special Licensee, 436.1527
Beer,
Advertisement, R436.1303
Give-away, R436.1613
Below cost at retail, R436.1055
Bottles refilled prohibited, 436.2005
Ceramic commemorative bottles, 436.1921
Certain direct sales, 436.2013
College campus, deliver to, R436.1011
Confiscation of, R436.1027
Consumption,
As cause of death, 436.1701
By intoxicated person, 436.1707
By minors, 436.1703, 436.1707
On property controlled by off-premises
licensee, R436.1523

Consumption on highways, parks, etc.,
436.1915
Contamination of, refund, R436.1531
Contests,
as prize or in connection to, R436.1019,
R436.1435
sale, use or consumption, R436.1435
Contraband, 436.2007
County option, 436.2107
Damage, R436.1027, R436.1633
Defined, 436.1105, Vehicle Code 257.1d
Delivery by person licensed by
commission, 436.1203, R436.1515,
R436.1853
Delivery restrictions, R436.1635
Delivery to college campus, R436.1011
Delivery, transportation into state,
436.1203, R436.1057, R436.1632
Dispenser sign, matching, R436.1331
Display, R436.1509
Disposition of, by insolvent licensee,
436.2009
Direct shipment, 436.1203
Employment of minor in estab., 409.115
Enforcement, 436.1201
Excluded from security agreement or
financing statement, R436.1119
Furnishing to intoxicated person,
R436.1005
Gifts, 436.1207, 436.1603, 436.2025,
R436.1613, R436.1865
Giving away, 436.2013, 436.2025,
436.2113, 436.2114, R436.1055
Gross profit on sale of, 436.1233
Home-made, 436.1207
Hotel, A & B, 436.2021, 436.2025
Importation, for personal use, 436.1203,
436.1231, R436.1722
Importation, in accordance with Act only,
436.1201
Impoundment, R436.1027
In confectionary, Food Law of 2000;
289.1105
Industrial, 436.1207
Intoxicated person consuming, 436.1707
Local ordinance to prohibit sale, 436.2109
Minimum pricing, 436.1229, R436.1055
Minor consuming, 436.1707
Misbranded, 436.2005, 750.28
Non-licensee trafficking in, 436.1901
Open containers, 257.624a MI Vehicle Code
Open within passenger compartment,
257.624a
Possession by minor, 436.1703
Prize of, 436.2015, R436.1019, R436.1435
Prohibited sales, 436.1901, 436.1913,
436.2113
Purchase by minor, 436.1703
Purchase of spirits, less than \$10,000 per
year by SDD, R436.1133
Purchase only from authorized source,

Alcoholic liquor (Continued)

436.1203, 436.1901
Special licensee, R436.582
Purchase, spirits, by commission only,
436.1203
Raffle of, unopened, 436.2015
Refunds, R436.1423, R436.1531,
R436.1735
Removal from premises, 436.2021
Representative stock (SDD), R436.1507
Sale and delivery by off-premises licensee,
R436.1515, R436.1527
Sale below cost, 436.2025, R436.1055
Sale by electronic means, 436.1203
Sale, delivery or importation, 436.1203
Sale of alcohol, license required,
R436.1809
Sale of spirits at uniform price, 436.1229,
436.1233, R436.1529
Sale and delivery, R436.1515
Sale below cost prohibited, R436.1055
Sale or delivery by Commission, 436.1203
Sale or service to intoxicated person,
436.1707
Sale to licensed truck driver salesman,
R436.1021
Sale, right and duty to control, 436.1201
Samples, 436.2025, 436.2027, R436.1421,
R436.1511, R436.1513, R436.1863
Sampling and tastings, 436.2025, 436.2027
Secured asset, excluded as, R436.1119
Seizure of, 436.1907
Sell, furnish to minor, 436.1905
Solicitation, R436.1417, R436.1423,
R436.1519
Spirits,
Advertisement, R436.1307
Less than minimum retail selling price,
hotel, 436.1229
Spoiled, refund, R436.1531
Storage, off premise, R436.1025
Refill, 436.2005
Return of, R436.1531
Transportation through Michigan, bill of
lading required, R436.1632, R436.1722
Transportation and possession by minor,
436.1703, R436.1009, R436.1011;
and employee under 21, 257.624b
Transportation in passenger compartment,
436.1915, 257.624a
Transportation, possession, sale on military
bases, 436.2001
Two-for-one pricing, 436.2014, R436.1438
Unauthorized purchase, 436.1203,
436.1901
Unlicensed premises, at, 436.1913
Unlimited quantity for one price,
436.2014, R436.1438
Vapor device, 436.1914
Vending machine, R436.1045
Wine, Advertisement, R436.1305

Alteration of documents, labels or stamps,
436.1919, R436.1651, R436.1735,
R436.1819
Amusement places, consumption,
436.1915
Annexation of territory to city, license
continuance, 436.2103
Annoying of customers and employees,
R436.1011
Appeal and review,
Administrative decisions, 436.1209
Beer manufacturer within state,
discrimination by foreign state,
436.1409
Board, 436.1209
Impounding of motor vehicle, 436.1701
License, revocation or suspension,
436.1903
Violation appeal hearing, R436.1917,
R436.1923
Appearance ticket, 436.1705
Application forms, R 436.1103
Appointments,
Commission, 436.1209
Grape & Wine Industry Council, 436.1303
Approved type business, R436.1129,
R436.1135
Armed Forces, 436.2001
Armories, air bases, naval installations and
state military reservations, 436.2001
Tax credit, 436.1219
Assessment and demand, 436.1911
Assistance to vendors prohibited, 436.1603,
436.1609, R436.1035
Attempted purchase of alcoholic liquor by
minor, 436.1701, 436.1703
Auction, special license, 436.1527
Automatic Teller Machine, 436.2024
Auditorium license, 436.1509
Authority to detain, 436.1705
Authorized Distribution Agent, 436.1105,
436.1205, R436.1802

B

B-Hotel, 436.1405, 436.1505, 436.1511,
436.2021, 436.2013
Ballots,
Local option, 436.2111, 436.2113,
436.2101, 436.2103, 436.2107
Local ordinance to prohibit sale, 436.2109
Referendum on Sunday sales, 436.2111
Sunday sale of spirits, 436.2113
Bankruptcy,
Insured, liability of insurer, 436.1803
License, seizure, 436.2009
Trustee, deposition of liquor seized by,
436.2009
Banquet facility, 436.1522,
Church/school check, 436.1503

Bar,

Additional, R436.1023
Defined, 436.1105
Device, in-room, R436.1045

Barrel

Defined, 436.1409
Deposit and refund, R436.1629,
R436.1723a
Number imported into state, R436.1609

Beer,

Advertising, R436.1303-R436.1333
Agricultural product compliance law,
R436.1607
Barrel deposit, R436.1629
Barrel size, 436.1409
Brewer, 436.1105
Classes of vendors, 436.1537
Collection of tax on, 436.1409
Consumption on premises, R436.1511,
R436.1613
Defined, 436.1105
Definitions, applicability, R436.1601
Deliveries, R436.1011, R436.1515,
R436.1635, R436.1861
Driver, R436.1853
Equipment, R436.1605
Exception from requirement of sale or
delivery by commission, 436.1203
Excise tax, 436.1409, R436.1621
Exclusive sales territory, 436.1401
Exports, discrimination against beer
manufacturers, 436.1409
Failure to pay taxes, 436.1911
Free to patrons from,
Manufacturer (yes), R436.1613
Wholesaler (no), R436.1613
Gifts of, 436.2025, R436.1613
Import for personal use, 436.1203
Industry, 436.1403
Inspection and enforcement, R436.1645
Invoices, bill of lading, R436.1631
Keg, sale of, 436.2030
Labels and advertising, R436.1611
License fees, 436.1525
Manufacture and warehouse licenses,
436.1109, 436.1113, 436.1525
Master distributor, 436.1401
Open containers on SDM premises,
R436.1511
Out of state shipments, 436.1409
Outstate seller, R436.1609 (see also
separate listing "Outstate seller of beer")
Penalty for failure to pay tax on, 436.1911
Price schedules, R436.1625
Quantity discounts, R436.1625
Refunds, 436.1409, R436.1629, R436.1633
Reports, manufacturers and wholesalers,
R436.1641
Samples, R436.1421, R436.1511,
R436.1513, R436.1863

Samplings and tastings, 436.2027
Supplier/wholesaler agreement, 436.1401
Tap markers, R436.1611
Taproom, manufacturer's, R436.1613
Tax credit, refund, 436.1409
Tax exempt, 436.1409
Tax rate, 436.1409
Tied in sales, 436.1525, R436.1651,
R436.1735
Warehouse license, 436.1525, R436.1113

Beverage container deposit law, 445.571,
et seq.

Bids for tax sale of property, 436.1911

Bill of lading, R436.1632

"Blind Pig" prohibited, 436.1913

Boats,

Classes of vendors, 436.1537
License fees, 436.1525, 436.1543
Qualifications for licensing, R436.1145

*Body piercing prohibited, influence of
alcoholic liquor*, 722.4, 333.13102

Bona fide picture ID (see "Diligent Inquiry")

Bonds,

Constant value, R436.2019
Liability insurance in lieu of, 436.1803
Registered, R436.2001
Requirements, 436.1501, 436.1801,
436.1803

Books and records,

Examination of, 436.1217
Grape & Wine Industry Council, 436.1303
Manufacturers and wholesalers,
R436.1641, R436.1727
Necessity for licensee to maintain,
R436.1007
Salesman and vendor rep., R436.1865

Bottle and can openers, R436.1523

Bottle deposit, 445.571, et seq.

Fail to post notice, 445.574b

Bottle, ceramic commemorative, 436.1921

Bowling establishments, R436.1429

Brands,

Advertising, R436.1333
Commission to satisfy public demand for,
436.1231
Defined, 436.1105
Forging and altering marks and labels,
436.1919
Promotion, R436.1317
Service required when ordered,
R436.1331, R436.1431

Brandy,

Defined, 436.1105
Manufacturers, defined, 436.1109

Brewer,

Agricultural product, R436.1607
As Specially Designated Merchant,
436.1607
Condominiums, 436.1605
Defined, 436.1105
Eligible brewer, defined, 436.1409

Brewer (Continued)

Equipment, R436.1605
Excise tax, R436.1621
Interest in real property of another vendor, 436.1605
Not licensed as microbrewer, 436.1411
Qualifications to hold SDM, 436.1607
Brewery, hospitality room, 436.1607, 436.2025, R436.1613
Brewpub, 436.1105, 436.1405, 436.1407, 436.1537, 436.1603
Bridge Card (prohibit use), 436.2024
Broken spirit containers, rebates prohibited, R436.1423, R436.1821
Buildings and land, power of commission to lease and occupy, 436.1231
Building codes, compliance with, R436.1003, R436.1803
Bulk wine, sales, R436.1721
Buses, w/valid MDOT decal, open alcoholic liquor allowed, 436.1915, 257.624a
Business manager, 436.1211
Business practices, responsible, 436.1815

C

Cancellation,
Bond by surety, 436.1801
Insurance, 436.1803, 436.1807, 436.1813
Resort area licenses, 436.1531
Canvass of returns, local option, 436.2101, et seq.
Capacity, seating, of on-premises establishment, R436.1405
Capital investment, Resort Class C, 436.1531
Cash,
And credit sales of alcohol, 436.2013, 436.2025, R436.1055
Defined, 436.1107
Payment of judgments, R436.2011
Release, R436.2013
Sales, 436.2013
Catering, 436.1547, R436.1515
Census, 436.1531, R436.1141
Cereal beverage, 750.28
Certificates,
Liability insurance policy, 436.1803
Of Occupancy, R436.1105
Official acts, 436.1217
Certification of compliance, 436.1517, 436.1517a
Certified mail, notice, impounding of motor vehicle, 436.1703
Certiorari,
Appeal final determination of Commission, 436.1903
Beer, discrimination against beer manufacture within state, 436.1409
Change in nature of business by off-premise licensee, R436.1129, R436.1135, R436.1517
Chairperson, Commission, 436.1209
Children under 17 inside licensed on-

premises estab., 750.141
Charitable institutions, price for sale, 436.1233
Christmas, hours, 436.2113, R436.1403
Church,
And school hearings, R436.1951- R436.1963
Defined, 436.1107
Hearings, R436.1951-R436.1963
Method of measurement, 436.1503
Proximity of licensee to church, 436.1503
Transfer location farther from, 436.1503
Waiver, 436.1503
Cigarettes, illegal sales, 205.426, et seq., 205.427, et seq., R436.1011
Selling separately, 722.642a
Civic center, auditorium, license, 436.1509
Civil liability of Commission, 436.1225
Civil liability of vendor, 436.1917
Civil Rights Act,
Elliot-Larson, 37.2301, 37.2303
Class C license, 436.2105
Bond, 436.1803
Brewpub, 436.1405
Children inside, 436.1707, 750.141
Defined, 436.1107
Discount to, 436.1233
Golf courses, 436.1515
Hours of operation, exceptions, R436.1403
License fees, 436.1525
Limitation, 436.1521
Local approval, 436.1501
Local objection to renewal, 436.1501
Nine liters of spirits per month from SDD, 436.1205
Outdoor service area, R436.1419
Quota, 436.1505
Removing alcoholic liquor from, 436.2021
Resort, 436.1531
Sales, 436.1537
University, 436.1531, 436.2113
Vendor, 436.1537
Classes of vendors and what they may sell, 436.1537
Clothing changes by entertainers, R436.1413
Club,
Annual filing, 436.1532
Add bar permit not required, R436.1023
Affairs and management of, 436.1532
Annual filing, 436.1532
Bond, 436.1803
Cash sale,
exception, 436.2013
to bona-fide members only, 436.1532, 436.1537
Children inside, R436.1009, 750.141
Conduct of affairs and management, 436.1532
Defined, 436.1107
Discriminatory practices prohibited,

Club (Continued)

37.2302a
Hall rental, licensed premises, R436.1023
Hours of operation, exceptions,
R436.1403
Issuance of license, 436.1532
Law enforcement membership, 436.1523
License, 436.1107, 436.1525, R436.1127
Issuance, 436.1532
License fees, 436.1525
List of members annually submitted to
commission, 436.1532
Members, 436.1525, 436.1532, 436.1533,
436.1537
Outdoor service area, R436.1419
Public notice of intent, 436.1532
Qualifications for license, R436.1127
Raffle, prizes, 436.2015
Record keeping, R436.1007, R436.1127
Removing alcoholic liquor from, 436.2021
Self-supporting without sale of alcoholic
beverages, 436.1532
Special license, 436.1525, 436.1527,
436.572, 436.579
Codes and ordinances, R436.1003,
R436.1105
Coerce, 436.1305, 436.1403
Colleges and universities,
Conference center, licenses, 436.1513
Hospitality Program, licenses, 436.1513a
Delivery to customer, R436.1011
Licenses and permits, 436.1531
Promotions, R436.1861
Commemorative ceramic bottle, 436.1921
Commercial purpose, tastings, 436.2027
Commission,
Appeal body, 436.1209
Appointment, 436.1209, 436.1903
Assistants and employees, 436.1213
Authority to revoke or suspend license,
436.1903
Bonds of members and employees,
436.1213
Branch (district) offices, 436.1219
Brands, requirement to satisfy public
demand for, 436.1231
Buildings and land, power to lease and
occupy, 436.1231
Business manager, 436.1211
Chairperson, 436.1209
Civil liability of members, 436.1225
Compensation of, 436.1209
Defined, 436.1107
Disposition of funds received, 436.1221
Examination of, and fees for, witnesses,
436.1217
Examination of books, records and
papers, 436.1217
Failure to obey order of, R436.1029
Handling of liquor, 436.1231

Handling of money, 436.1221
Hearing commissioners, 436.1209
Hearing officer, 436.1903
Inspections, 436.1217
Interest of members or employees,
436.1223
Investigations, 436.1217
Investigator powers to detain, 436.1705
Liability of members or employees,
436.1225
Licensing, 436.1209
Membership, 436.1209
Offices, branch/district, 436.1219
Orders for special liquor, profit, 436.1231
Organization, 436.1209
Private orders of foreign goods, 436.1231
Profit to, 436.1233
Public hearings for complaints, 436.1215
Purchases of warehouse, 436.1231
Quorum, 436.1209
Records, 436.1215
Removal of members from office,
436.1209
Revolving funds, 436.1221
Rules and regulations, 436.1215
Rules, power to make, 436.1215,
436.2303
Seal, 436.1217
Search of licensed premises, 436.1217
Seizures, 436.1217
State liquor store, 436.1229
Subpoenas, 436.1217, 436.1525
Term, 436.1209
Vacancies, 436.1209
Wholesale purchase and sale, 436.1231,
436.1233
Witnesses, 436.1217
Common carriers, R436.1857
Compensation and salaries,
Assistants and employees, 436.1213
Commission members, 436.1209
Employees of on-premises licensee,
436.1815
Completed application for license, 436.1525
Compliance with Act required, 436.1901
Computer, defined; also network,
program and system, 436.1203
Internet gambling, 750.145d, R436.1011,
R436.1013
Concession stands, 436.1525
Concessionaire,
Agreement, food operation, R436.1433
Municipal civic center or auditorium,
436.1509, R436.1105
Municipally owned facility, R436.1105 of
amusement, 436.1915
Concessionaire license, 436.1509, R436.1105
Conditional License, 436.1525
Conduct of licensees, R436.1011
Confiscation of alcoholic liquor, R436.1027
Conflict of interest, 436.1223

Connection between licensed and unlicensed premises, R436.1039
Consideration, unlicensed premises, 436.1913
Consumer, 436.1203
Consumption of alcoholic liquor,
By intoxicated person, 436.1707
By minors, 436.1703, 436.1707
On property,
controlled by off-premises licensee, R436.1523
public highways, parks, and places, 436.1915
school, 436.1904
Construction of Act, 436.1925
Container,
Beverage, 445.571, et seq.
Bottle deposits, 445.573b
Broken or defective, R436.1519
Certification of beverage, 445.573
Nonreturnable, 445.572
Prohibited returns, 445.574a
Contempt, 436.1217
Contests, 436.1916, R436.1019, R436.1321, R436.1435, R436.1861
With alcoholic liquor, R436.1435
Contraband, forfeiture, 436.1235

Control and regulation by Commission, 436.1201
Controlled substance, R436.1011
Convention facility development fund, 436.2207
Conviction of crime, R436.1011, R436.1105
Cooperation with law enforcement officers and commission investigators required, R436.1011
Cooperative advertising,
Defined, R436.1001
Prohibitions and allowances, R436.1319
Corporate vendor license,
Classes, 436.1537
Notification of change in offices or Articles, R436.1051
Qualifications, 436.1601, R436.1105, R436.1109, R436.1115
Transfer of stock or membership interest, 436.1529
Transfer of stock or membership interest pending violation, R436.1049
Corporation, notice of change, R436.1051
Corrective action, 436.1701
Counterfeiting documents, labels or stamps, 436.1919
County option, form of ballot, 436.2107
Credit sales, 436.2013
Crime, R436.1011
Criminal liability of vendor, 436.1917
Customary goods and services, 436.1541, R436.1129, R436.1135

D

Damaged alcoholic liquor, R436.1027, R436.1531, R436.1633, R436.1821
Damages, injury to persons or property, 436.1801, et seq.
Dance permit, 436.1916, R436.1407, R436.1415
Dance floor requirements, R436.1415
Days and hours of sale by licensees, 436.2113, R436.1405, R436.1503
Death of licensee, operation of establishment, 436.1501
Declaratory rulings, R436.1971-R436.1975
Decoy operation, 436.1701, 436.1801, 436.1901
Defenses,
Hearing for suspension or revocation of license, 436.1903
Sales to minors, 436.1701, 436.1801
Definitions,
A-Hotel, 436.1107
Act, R436.1001, R436.1901, R436.1951
Administrator, 436.1906
Agreement, 436.1305, 436.1403
Alcohol, 436.1105
Alcohol vapor device, 436.1105
Alcoholic liquor, 436.1105, 257.1d MI Vehicle Code
Ancillary business, 436.1305, 436.1403
Any bodily alcohol content, 436.1703
Authorized distribution agent, 436.1105
B-Hotel, 436.1107
Bar, 436.1105
Barrel, 436.1409
Beer, 436.1105
Brand, 436.1105
Brand extension, 436.1105
Brandy, 436.1105
Brandy manufacturer, 436.1105
Brewer, 436.1105
Brewpub, 436.1105
Broker, R436.1001
Case, of alcoholic liquor, 436.1205
Cash, 436.1107
Church, 436.1107
City, 436.1521a
Class C license, 436.1107
Class G-1 license, 436.1107
Class G-2 license, 436.1107
Class A hotel, 436.1107
Class B hotel, 436.1107
Club, 436.1107
Co-licensee, R436.1001
College, 436.1513
Completed application, 436.1525
Computer, 436.1203
Computer network, 436.1203
Computer program, 436.1203
Computer system, 436.1203
Commission, 436.1107
Computer, 436.1203
Conference center, 436.1513
Consideration, 436.1913

Definitions (Continued)

Cooperative advertising, R436.1001
Corrective action, 436.1701 (*Continued*)
Department store, R436.1001
Designated member, 436.1305, 436.1403
Development district, 436.1521
Device, electronic, 436.1203
Diligent inquiry, 436.1203, 436.1701
Distiller, 436.1107
Drive-in or drive-through, R436.1001
Drive-up or walk-up window, R436.1001
Driver helper, R436.1001
Duly authorized agent, R436.1901
Eligible brewer, 436.1409
Escrowed license, 436.1521a
Established merchant, R436.1001
Good faith, 436.1305, 436.1403
Hearings & appeals, R436.1901
Hospitality program, 436.1514
Hotel, 436.1107
Instructor, 436.1906
Law enforcement personnel, 436.1523
License, 436.1107
Licensee, R436.1001
Licensed premises, R436.1001
Licensee, R436.1001
Major thoroughfare, R436.1001
Manufacturer, 436.1109
Marinas, 436.1539
Master distributor, 436.1305, 436.1403
Micro brewer, 436.1109
Minimum retail selling price, 436.1229
Minor, 436.1109
Mixed spirit drink, 436.1109
Mixed spirit drink manufacturer, 436.1109
Mixed wine drink, 436.1109
Motor sports entertainment complex,
436.1518
Motor sports event, 436.1518
Neighborhood shopping center,
R436.1001
Nudity, 436.1916
Off-premises licensee, R436.1001
On-premises licensee, R436.1001
Outstate seller of beer, 436.1109,
R436.1001
Outstate seller of mixed spirit drink,
436.1109
Outstate seller of wine, 436.1109
Permit, R436.1001
Person, 436.1111
Primary source of supply, 436.1111
Prior conviction, 436.1904
Privately held corporation, R436.1001
Professional account, 436.1111
Prohibited sale, 436.1906
Public room, R436.1001
Reasonable qualifications, 436.1305,
436.1403
Redemption game, 750.310b

Release, R436.1001
Residence, 436.1111
Retail selling price, 436.1229
Retailer, 436.1111
Retaliatory action, 436.1305, 436.1403
Sacramental wine, 436.1111
Sale, 436.1111
Salesperson, R436.1001
Sales territory, 436.1305, 436.1403
Sample of alcoholic liquor, R436.1001
Sanctioned body, 436.1518
School, 436.1111, 436.1904
School property, 436.1904
Server training program, 436.1906
Small wine maker, 436.1111
Special license, 436.1111, R436.572
Specially designated distributor, 436.1111
Specially designated merchant, 436.1111
Spirits, 436.1111
Sports/entertainment venue, R436.1001
State liquor store, 436.1111
Successor, 436.1305, 436.1403
Supplier, 436.1305, 436.1403
Supplier of spirits, 436.1111
Tavern, 436.1113
Temporary bin display, R436.1001
Topless activity, 436.1916
Transfer of wholesaler's business,
436.1305, 436.1403
University, 436.1513
Vapor device, 436.1105
Vehicle, 436.1113
Vendor, 436.1113, 436.1537
Vendor of spirits, R436.1001
Vendor representative, R436.1001
Warehouse, 436.1113
Warehouser, 436.1113
Wholesaler, 436.1113
Wine, 436.1113
Wine maker, 436.1113

Delivery,

By salesperson and vendor representative,
R436.1515, R436.1859
Of seized alcoholic liquor, 436.2009
On Sunday, R436.1635
To customer of campus, R436.1011
To minor prohibited, R436.1527
To retail customer by whlser, mfgr of
beer/wine, OSSB, OSSW; R436.1515
To retail customer by off-premises
licensee, 436.1203, 436.1707,
R436.1011, R436.1527, 257.624b,
To wholesaler, R436.1617, R436.1719

Denial of application for license, grounds,
R436.1105

Deposit,

Kegs, R436.1629
Refusal to refund, 445.572
Returnable containers, 445.572

Depositions, 436.1217

Diligent inquiry, 436.1203, 436.1801,

Diligent inquiry (Continued)
Due Diligence, 436.1701
Dining car,
Fee, 436.1525
Vendor, 436.1537
Direct connection, R436.1039
Direct shipper, 436.1203, 436.1537
Enforcement revolving fund, 436.1543
Limits of shipment, 436.1203
Package requirements, 436.1203
Discounts to licensee, 436.1233
Discretionary issuance of licenses, 436.1501
Discrimination against Michigan
manufacturers forbidden, 436.1201
Discrimination, foreign state, beer
manufacturer within state, 436.1409
Dishonored payment, checks, R436.1059
Dispensing,
Equipment, R436.1045, R436.1331
Machine, R436.1045
Display bin, temporary, R436.1001,
R436.1329
Display of licenses and permits required,
R436.1015
Distributor, specially designated, 436.1111,
436.1533, 436.1537, R436.1135
Dividends and interest on cash and
securities, R436.2009
Documents, forging, altering, counterfeiting,
436.1919
Down payment required, R436.1121
Draft beer equipment, R436.1037,
R436.1045, R436.1427
Dram Shop Act,
Abatement and revival of actions,
wrongful death, 436.1801
Bond of licensees, 436.1801, 436.1803
Cancellation of insurance, 436.1803,
436.1807, 436.1813
Financial responsibility, R436.2001-
R436.2021
Judgments and decrees, injury to person
or property, 436.1809
Liability, 436.1801
Liability insurance, 436.1803, 436.1811
Mandatory suspension or revocation,
436.1903
Proof of financial responsibility, 436.1905
Rebuttal presumption, 436.1801
Responsible business practices, 436.1815
Right of action, 436.1801
Service of process, 436.1805
Dressing rooms for entertainers, R436.1413
Drinking contests prohibited, R436.1019,
R436.1435
Drinks, removal from premises, 436.2021
Drive-in, drive-through, drive-up,
R436.1001, R436.1129, R436.1135
Drop partner, 436.1529
Drop space from licensed premises,
R436.1023

inspection fees, 436.1529
Due diligence, exercise of, 436.1701
Duty of Commission to control, 436.1201

E

Economic development factors, 436.1531
Elections days, sales, 436.2113
Elections,
Approval, implementation procedure,
436.2105
Consumption on premises, 436.2101,
et seq.
Local option, 436.2101, et seq.
Local ordinance to prohibit sales, 436.2109
Sunday sale, beer and wine, 436.2111
Sunday sale, spirits, 436.2113, 436.2115
Electronic means to sell, deliver or import,
436.1203
Eligibility of,
Law enforcement officer or spouse,
436.1523
SDM/SDD distributor, 436.1533,
436.1607
Employee compensation, 436.1815
Employees,
Commission, 436.1209
Compensation on commission basis,
436.1815
Intoxicated, 436.1707
Mingling with customers, R436.1417
Responsibility of licensee for acts of,
436.1917, R436.1011
Sales to, by wholesaler, 436.1607
Soliciting drinks, R436.1417
Employment of minors, 436.1707, 409.101
et seq., 409.115
Empty returnable containers, 445.571, et seq.
Enforcement of Act,
Commission inspector, 436.1201
Conductor of trains, 462.253
Peace officer or law enforcement officer,
436.1201, 436.1701, 436.1801, 436.1905
Enhancement fee, license renewal,
436.1543
Entertainers, less than 18, R436.1009
Entertainment and entertainers, 436.1916,
R436.1409, R436.1411, R436.1413
Entertainment permit, 436.1916, R436.1407
Equipment,
Cleaning, R436.1427
Furnishing to retailers, R436.1037,
R436.1045, R436.1611
Escrow license, R436.1047, R436.1107
Established merchant, 436.1229,
Applicability, R436.1135
Establishment of relationship, injury to
person or property, 436.1801
Evidence, certified copies, orders and
records, 436.1217
Majority and identity of minor, 436.1903

Established merchant (Continued)
Possession in motor vehicle by minor,
436.1701, R436.1527, 257.624b
Seizure of, R436.1027
Examine books and records, 436.1217
Excise tax,
Beer, 436.1409, R436.1621
Convention facility development fund,
436.2207
General fund, 436.2201
Liquor purchase revolving fund, 436.2205
School aid fund, 436.2203
Exclusive sales territory,
Beer, 436.1401
Mixed spirit drink, 436.1307
Mixed wine drink, 436.1307
Wine, 436.1401
Executors and administrators,
Operation of business on death or
licensee, 436.1501
Service of process, 436.1805
Wrongful death action, survival, 436.1801
Exceptions, fruit juices, preparations,
436.1207
Exceptions to Act, 436.1207
Excessive use of alcohol, crime, R436.1011
Exemplary damages,
Failure of insurer to pay judgment and
costs, 436.1809
Injury to person or property, 436.1801
Expiration of licenses, 436.1501,
R436.1107, R436.1853
Exports, beer, 436.1409
Extended hours, 436.1916

F

Farmer's market permit, 436.1415
Facsimile transmissions, R436.1062
Fail to appear at violation hearing,
R436.1915
Fail to comply with Commission Order,
R436.1029
*Fail to cooperate with Commission inspector
or law enforcement officer*, R436.1101
*Fail to make required records available for
inspection*, 436.1217
Fail to pay tax, 436.1911
*Fail to provide evidence of financial
responsibility*, R436.2017
Fairgrounds, 436.1519
*False and fraudulent statements to
Commission*, 436.1813, 436.2003
False identification by minors, 436.1701,
436.1703, 436.1903
False statement, 436.1813, 436.2003
*Farm mutual cooperative wineries,
incorporation*, 436.1301
Federal distilled spirit regulations,
R436.1827
Federal malt beverage regulations,

436.1405
Federal standards of identity, spirits,
R436.1825
Fees,
For appeal, 436.1903
Inspection, 436.1529
License, 436.1525
Retailer's license fees, disbursement to
police department, 436.1543
Subpoena, R436.1929
Sunday sales, 436.2115
Transfer, 436.1529
Warrant for tax sale, 436.1911
Witness, 436.1217
Felony, 436.1701, 436.1909, 436.1919,
409.122, R436.1011, R436.1105
Fiduciaries, 436.1501
Fighting on licensed premises prohibited,
R436.1011
Finances, adequate and verifiable,
R436.1105
Financial interest in business of vendor,
436.1603
Financial investment, R436.1105,
R436.1121
Financial responsibility, 436.1803,
R436.2001-R436.2021
Fines and penalties,
Against licensee, 436.1903, 436.1909
Forgery, documents, labels, 436.1919
Up to \$1,000, 436.1903, 436.1801
Fingerprints, R436.1113, R436.1115
Firearms, illegal use of, R436.1011
Five-hundred-foot rule, waiver, 436.1503
Five-year probation, R436.1149
Flavoring extracts, manufacture and sale,
436.1207
Food,
Adulterated with alcohol, 436.2005;
289.1105a Food Law of 2000
Concession, R436.1433
Minimum sales with Resort Class C,
R436.1123
Requiring purchase of, forbidden,
436.2021
Service by other than licensee, R436.1433
Unlicensed places, 436.1913
Food Assistance Program Benefits Violation,
436.1903a
*Foreign states, beer manufacturing within
state*, 436.1409
Forfeiture,
Contraband, 436.1235, 436.2007
Privileges on revocation of license,
436.1907
Forgery, documents, labels or stamps,
436.1919
Forms,
Application for license, R436.1103
Application for special license, R436.575
Bond of licensees, 436.1801, 436.1803

Forms (Continued)

Financial responsibility, R436.2005
Local option ballot, 436.2101, 436.2107
Sunday sale beer and wine ballot, 436.2111
Violation report, R436.1905

Franchise agreements between wholesaler and supplier, 436.1401, 436.1305

Fraud,

Documents, labels or stamps, 436.1919
Liability insurance, cancellation, 436.1813

Fraudulent identification, 436.1703

Fraudulent statements, 436.2003

Frequent or loiter on licensed premises,
intoxicated person, 436.1707

Fruit and agricultural products, R436.1712

Fruit juices, preparation and other
exceptions, 436.1207

Fuel pumps, 436.1539, 436.1541

Full service kitchen, R436.1123, R436.1437

Fund-raising activity, 436.2015

Funds,

Credit to general fund, 436.1221
Enforcement fund (55%), 436.1543
Grape and wine industry council,
436.1303
Payment to State treasurer, 436.1221
Revolving fund, 436.1221

*Furnishing alcoholic liquor to minor by non-
licensee*, 436.1905, 750.28

*Furnishing unlicensed drinking premises for
consideration prohibited*, 436.1913

G

G-1 license, 436.1107, 436.1531, 436.1537

G-2 license, 436.1107, 436.1531, 436.1537

Gambling and gambling devices, 436.1901,
R436.1321, 750.303a

Bowling w/ cash prize, 750.310a
Internet, illegal, 436.1901, 750.145d,
R436.1011, MI Gaming Control Act
Redemption game, 750.310b

Gasoline pumps, 436.1541, R436.1129,
R436.1135

General fund,

Fines and penalties, 436.1903, 436.1221
Retailer's license fee, 436.1543
Tax on spirits, deposit to credit of,
436.2201

Gifts of alcoholic liquor, 436.1603,
436.2025, R436.1613, R436.1865

Gifts to vendors, 436.1609, R436.1035

Give away alcoholic liquor, 436.2025,
436.2113

Glassware, sterilization, 436.2017,
R436.1427

Good cause, R436.1041, R436.1062,
R436.1135

Goods and services, customary, R436.1129,
R436.1135

Grape and Wine Industry Council,

436.1303

Gross profit, 436.1233

Grounds for denial, R436.1105

H

Half-mile rule,

Exceptions, 436.1531
Measurement method, 436.1503
SDD, R436.1133

Handling of money, 436.1221

"Happy Hour," R436.1438

Hardship, transfer of license, 436.1501,
R436.1149

Health ordinances, compliance necessary,
R436.1003, R436.1702

Hearing, "penalty", 436.1903

Hearings and appeals, 436.1903,

Acknowledgment, R436.1907

Adjournment, R436.1915

Appeals, R436.1917, R436.1919,

R436.1921, R436.1923

Appearance of licensee, R436.1913

Attorney,

Appearance, R436.1913

At law, R436.1933

Right to retain, R436.1905

Burden of proceeding, R436.1921

Complaints, R436.1905

Conclusions of law, R436.1909

Continuance, R436.1931

Costs, R436.1911

Decisions of violation appeal board,
R436.1923

Default, decision of, R436.1915

Definitions, decisions of, R436.1915

Denial of license, right to appeal, R436.1925

Failure to appear at violation hearing,
R436.1915

Failure to provide financial responsibility,
R436.2021

Fees, R436.1929

Filing of papers, R436.1927

Findings of fact, R436.1909

Matters other than violations, R436.1925

Notice of hearing, R436.1905

On matters other than violations,
R436.1925

Papers, filing of, R436.1927

Penalty, 436.1903

Personal appearance of licensee,
R436.1913

Postponements, R436.1931

Rehearing, R436.1910

Request for appeal, R436.1917

Subpoena, R436.1929

Suspension of revocation, 436.1903

Testimony, transcript of, R436.1903

Transcripts, R436.1903

Violation appeal hearing, R436.1917
Burden of proceedings, R436.1921

Decisions, R436.1923

Hearings and appeals (Continued)
Notice, R436.1919
Violation hearing, R436.1909
Violation hearings, fail to appear,
R436.1915
Violation rehearing, R436.1910
Violation report, licensee's right to copy
of, R436.1905
Violations, R436.1905
Waiver of appearance by licensee,
R436.1913
Waiver of hearing and acknowledgment,
R436.1907
Witness fees, R436.1929
Hearings, semiannual public, 436.1215
Highways, consumption on, forbidden,
436.1915
Hinder and obstruct, R436.1011
Holidays, power of local legislative body to
prohibit sale on, 436.2113
*Home wine tastings for commercial
purposes*, 436.2027
Hospitals, 436.1233
Sale or delivery by wholesaler, 436.1607
Special permit, R436.1251
Hotels,
Applications for license, 436.1501
Bond, 436.1803
Brewpub, 436.1405
Cash sales, exceptions, 436.2013
Classes of vendors, 436.1537
Consumption in bedrooms and suites,
R436.1033
Consumption on premises, 436.2101,
et seq.
Defined, 436.1107
Fees, 436.1525
Hours of operation, exceptions,
R436.1403
Local approval, 436.1501
Local objection to renewal, 436.1501
Local revocation, 436.1501
Mackinac Island State Park, license,
436.1511
Minimum bedrooms, R436.1123
Operated/owned by University, 436.1514
Reclassification to Class C, 436.1531
Resort, 436.1531, R436.1123
Sales,
Guest rooms, 436.2019
Off-premises consumption, 436.1229
Retail, 436.1501
Specially designated distributor, 436.1229
Hours and days of operation,
Extended hours, 436.1916
Off-premises, R436.1503
On-premises licensees, 436.2113,
436.2114, 436.2115, R436.1403,
R436.1437
SDD and SDM, 436.2113, R436.1503
Special license, R436.579

Special purpose permit, R436.1437
Tap room, R436.1613
Wine tasting room, 436.1603

I

Identification, 436.1701, 436.1703,
436.1801, 436.1903
Identification verification service, 436.1203
Illegal acts,
By licensee, R436.1011
On licensed premises, R436.1011
*Impersonate Commission employee or
investigator, or law enforcement officer*,
R436.1011
Importation of alcoholic liquor, 436.1203,
436.1231, R436.1722
Impoundment,
Alcoholic liquor, R436.1027
Motor vehicle, 436.1701
Incorporate, 436.1529
Independent personal representative,
436.1501
Indian reservations, 436.1531, 436.1611
Industrial accounts, exceptions to cash sales,
436.2013
Industrial alcohol, 436.1207
Industrial manufacturer, R436.1811
Injury to person or property, 436.1801
In-room bar device, R436.1045
Insolvent licensee, disposition of liquors
owned by, 436.2009
Inspection fees, 436.1529
Inspections and search, 436.1217,
R436.1645, R436.1711, R436.1728
Inspector of Commission, powers, 436.1201,
436.1217
Instructor, server training program, defined,
436.1906, R436.1060
Insurance, 436.1801
Cancellation of, 436.1803, 436.1807,
436.1813
Conditions, 436.1811
Coverage, 436.1811
False statement, 436.1813
Liability insurance, 436.1501, 436.1803,
et seq.
Lieu of bond, 436.1803
Payment of judgment, 436.1809
Policy, 436.1811
Proof of financial responsibility, 436.1803,
R436.2001-R436.2021
Interest and dividend on cash and securities,
R436.2009
Interest in business of vendor, 436.1603,
R436.1041
Interlocking director, and stock ownership,
436.1603
International sporting event license,
436.1517
Internet, electronic, sales, 436.1203

Intoxicated person, 436.1703,
Chemical breath analysis, PBT, 436.1701
Consuming alcoholic liquor by, 436.1707
Furnishing alcoholic liquor to, 436.1707
Loitering on licensed premises,
436.1707, 436.1906
Right of action for damage, injury or
Intoxicated Person
death, 436.1801
Sales to, 436.1707, 436.1801, 436.2025
Visibly, 436.1801
Inventory,
As security, R436.1119
SDD/SDM, 436.1541, R436.1129,
R436.1135
Tax, 436.2201
Investigations, 436.1211, 436.1217,
436.1523, 436.1529, R436.1103
Investment trust of liquor license stock
forbidden, 436.1603

J

Judgment debtor, license holder, seizures,
436.2009

K

Keg deposit, R436.1629
Kitchen, full service, R436.1123, R436.1437

L

Labels,
Beer, R436.1611
Forging, altering, counterfeiting,
436.1919, R436.1651, R436.1735
Wine, R436.1719
Land, state owned, 436.1519
Landlord, 436.1603
Law enforcement officers,
Disbursement from retailers' license fees,
436.1543
Duty to enforce Act, 436.1201
Impounding of motor vehicles, 436.1701
Ineligibility as licensee, 436.1523
Inspections, 436.1217, R436.1011
Process, return, inability to serve,
436.1805
Railroad conductor, 462.253
Subpoenas, service, 436.1217
Tax sale, 436.1911
Leases, 436.1231,
Business of vendor, financial interest,
436.1603, 436.1605
Licensed premises, 436.1605, R436.1023
Participating agreement, R436.1041,
R436.1117
Unlicensed, consumption of alcohol,
436.1913
Liability insurance, 436.1501, 436.1803,

436.1811
Liability of Commission and members,
436.1225
Liability of vendor, 436.1917
Liberal construction of Act, 436.1925
License,
Aircraft, 436.1543, R436.1147
Airport, 436.1501, 436.1505, 436.1507,
436.1515, 436.1525
Application, grounds for denial,
R436.1105
Application to sell near church/school,
436.1503
As contract to be signed, 436.1501
Bonds, 436.1501, 436.1801
Census quota, 436.1531, R436.1141
Change in status, 436.1529
Civic centers and auditoriums, 436.1509
Civil defense volunteer police officer,
436.1523
Class C, 436.1521
Classes of vendors, 436.1537
Clubs, 436.1107, 436.1525, 436.1532,
R436.1127, 37.2302a
Colleges, 436.1513
Conference center, 436.1513
Contract, 436.1501
Corporation, R436.1109
County airports, 436.1515, 436.1531
Definition, 436.1107
Destroyed or lost, R436.1053
Dining cars, 436.1537
Discretion of Commission, 436.1501
Display prominently required, R436.1015
Eligibility of law enforcement, 436.1523
Escrow, R436.1047, R436.1107
Exceptions to 500-foot rule, 436.1503
Expiration date, 436.1501, R436.1107,
R436.1853
Fees, 436.1501, 436.1525, 436.1529,
Disposition, 436.1543
Transfer and inspection, 436.1529
Five-hundred foot rule, 436.1503,
436.1531
Forfeiture of privileges upon revocation,
436.1907
Funding sources for on-premises,
R436.1121
G-1, 436.1107, 436.1537
G-2, 436.1107, 436.1537
Golf course, 436.1515
Granting or renewal, conditions, 436.1801
Hardship transfer, R436.1149
Hotels, 436.1107, 436.1529
Inspection fee, 436.1529, 436.1543
Insurance, 436.1501, 436.1803, 436.1811
Issuance, 436.1501
After revocation, 436.1907
International sporting event, 436.1517

License (Continued)

Law enforcement officer, interest in, 436.1523
Limited alcohol buyer, R436.1813
Limited liability company, R436.1110
Location transfer, 436.1503, R436.1023, R436.1129, R436.1133, R436.1143
Mackinac Island State Park, 436.1511
Manufacturer of medicinal, toilet or

License

flavoring solutions, 436.1207
Marinas, 436.1539
Motor sports,
Event, 436.1518
License, 436.1537
Municipal civic centers and auditoriums, 436.1509
Municipal golf course, 436.1515
Municipally owned facility, 436.1515, R436.1105
National sporting event, 436.1517
Ninety-day issue or renew, 436.1525
Nonpublic continuing care retirement center, 436.1545
Objections to renewals, 436.1501
Obtaining for use and benefit of another, R436.1041
Partnership, R436.1111
Proof of loss, destruction, R436.1053
Public, 436.1531, 436.1531a, 37.2301
Publicly owned airports, 436.1507
Pullman cars, 436.1543
Qualifications, 436.1535, 436.1601, R436.1103-R436.1149
Quota requirements, retail license, 436.1531, R436.1141,
Reclassification, 436.1531
Remove from escrow, R436.1049
Renewal, R436.1107
Enhancement fee, 436.1543
Renewal, approval of local legislative body, 436.1501
Request of local legislative body to revoke, 436.1501
Required to sell alcoholic liquor, 436.1203
Residency requirements, 436.1535, 436.1601
Resort areas, 436.1501, 436.1531
Resort, 436.1531, R436.1123, R436.1125
Retail, defined, 436.1537; R436.1115, R436.1117
Return for escrow, R436.1047
Revocation or suspension, 436.1501, 436.1903, 436.1905, 436.1907
Revocation, effect on new application, 436.1907
Revocation, request of local government for, 436.1501
Seller of alcohol, required, 436.1203, R436.1809
Signatures, 436.1501, R436.1015

Special census, 436.1531, R436.1141
Special, R436.1062, R436.572, et seq.
Special Purpose, 436.1531
Specially Designated Distributor (SDD), 436.1111, R436.1103, et seq., R436.1501, et seq.
Approved type business, R436.1135
Prohibited issuance or transfer, R436.1133
Specially Designated Merchant (SDM), 436.1111, R436.1103, et seq., R436.1501, et seq.
Approved type business, R436.1129
Sports/entertainment venue, R436.1123
State-owned airport, 436.1505
State-owned land, 436.1519
Surrender of, 436.1515
Suspension, 436.1903, 436.1905, R436.1031
Transfer,
Approval by Commission, 436.1501, 436.1529, R436.1023
Fee, 436.1529
Of corporate stock, 436.1529, 436.1601, R436.1115
Of location, R436.1023, R436.1129, R436.1133, R436.1143
Of license/ownership, 436.1501 436.1529, R436.1023
Of membership interest, 436.1529
Pending violation, R436.1049
Within 500-foot of church/school, 436.1503
Types of alcoholic liquor allowed to sell, 436.1537
University, 436.1513
Vendor representative, R436.1853
Veterans of armed forces, 436.1531
Waiver of 500-foot rule, 436.1503
Watercraft, 436.1543, R436.1145
Wholesale, 436.1601, R436.1113
Wine maker, 436.1537
License fee enhancement, 436.1543
Licensed establishments/premises,
Add or drop space, R436.1023
Bowling, R436.1429
Defined, R436.1001
Illegal acts upon, R436.1011
Inspections and search of, 436.1217
Leasing of, R436.1023
Movie theaters, R436.1429
Operation by administrator, receiver, trustee, 436.1501
Pinball machines on, 436.2023
Presence of minor under 17 years of age, 750.141
Seating capacity, R436.1405
Used by non-licensee for food operation, R436.1433
Wine tasting rooms, hours, 436.1537
Licensee,

Bonds, 436.1801, 436.1803
 Civil liability of, 436.1801, et seq.
 Compliance with state and local ordinances, R436.1003
 Criminal prosecution of, 436.1903
 Deceased, 436.1501
 Defined, R436.1001
 Financial responsibility, R436.2001-R436.2021 (Continued)
 Fines, 436.1903
 Illegal act of, R436.1011
 Interest in certain business prohibited, 436.1603, R436.1037
 Intoxicated on licensed premises, 436.1707
 Responsibility for acts of employees, 436.1917
Licensing qualifications, 436.1601, R436.1103- R436.1149
 Agreements, restrictions, R436.1119
 Aircraft license, R436.1147
 Application, R436.1103, R436.1105
 Applications, grounds for denial, R436.1105
 Application limitation, SDD, R436.1142
 Approved businesses, SDM, R436.1129; SDD, R436.1135
 Club, requirements, 436.1107, R436.1127
 Corporate requirements, 436.1601, R436.1109, R436.1115
 Corporate stock transfer,
 Retail license, 436.1529, R436.1115
 Wholesale license, 436.1529, R436.1113
 Escrow license, R436.1107
 Extension of time for renewal, R436.1107
 Financial requirements, on-premise license, R436.1121
 Gasoline, motor vehicle fuel pumps, 436.1541, R436.1129, R436.1135
 Half-mile,
 Exception (SDD), 436.1531
 Limitation, SDD, R436.1133, R436.1143
 Hardship transfer, R436.1149
 Industrial manufacturer, R436.1811
 Initial minimum purchase, SDD, R436.1139
 Inspection and search, 436.1217, R436.1819
 Inventory as security, R436.1119
 Limited alcohol buyer, R436.1813
 Major thoroughfare, exception, SDD, R436.1001, R436.1133
 Marina, 436.1539
 Membership interest transfer, retail license, 436.1529, R436.1115
 Minimum down payment, on-premises, R436.1121
 Neighborhood shopping center, exception, SDD, R436.1001, R436.1133
 Non-Approved business,
 SDD, R436.1135; SDM, R436.1129
 On-premise license, requirements, R436.1121
 Outstate seller of beer, R436.1609
 Outstate seller of wine, R436.1705
 Participating agreement, R436.1041, R436.1117
 Partnership requirements, R436.1111, R436.1115
 Photographs, R436.1137
 Population quota, SDD, R436.1135, R436.1141
 Purchase agreement restrictions, R436.1119, R436.1121
 Renewal of license, R436.1107
 Resort license,
 Limitation on issuance, 436.1531, R436.1125
 Minimum qualifications, R436.1123
 Retail license, minimum qualifications, R436.1115
 SDD, limitations on issuance or transfer, R436.1135
 SDD, prohibited issuance or transfer, R436.1133
 SDM, limitations on issuance or transfer, R436.1129
 Salesperson and vendor rep., R436.1853
 Sellers of alcohol, R436.1809
 Transfer of location, SDD, R436.1143
 Waiver of limitation on issuance and transfer, SDD, R436.1135; SDM, R436.1129
 Waiver of population quota, SDD, R436.1135, R436.1141
 Watercraft license, R436.1145
 Wholesale license, minimum qualifications, 436.1601, R436.1113
Liens and encumbrances, motor vehicle, 436.1701
Limited alcohol buyers, R436.1813
Limited liability company, minimum qualifications, R436.1113, R436.1115
Limited partnership,
 Agreement, R436.1111
 Qualifications, 436.1601
 Signatures, R436.1111
 Transfer interest, 436.1529, 436.1601
Limousines, w/valid MDOT decal, open alcoholic liquor allowed, 436.1915, 257.624a
Liquor analysis, R436.1041
Liquor liability insurance, 436.1803
Liquor Tax, 436.1201, 436.1203, 436.1205, 436.1207
Living quarters permit, R436.1039
Loans, manufacturer, etc., 436.1603, 436.1609
Local approval, local option, 436.1501, 436.1531
 Consumption on premises, 436.2101, et.

Local approval, local option (Continued)
seq.
Sale of alcoholic beverages, 436.2109
Sunday sales of beer and wine, 436.2111
Sunday sales of spirits, 436.2113
Local Governmental Unit, 436.1915
Local legislative body, request to revoke
license, 436.1501
Location, transfer of, 436.1503, R436.1023
Loitering, 436.1707
Lunch counters, R436.1509

M

Mackinac Island, 436.1511
Major thoroughfare,
Defined, R436.1001
Waiver for SDD, R436.1133
Manufacture and sale of alcoholic liquor
permitted, 436.1201, 436.2107
Manufacture of medicinal, toilet or flavoring
solutions, 436.1207
Manufacture, sale without license, 436.1901
Manufacturer,
Advertising, R436.1303-R436-1339
Aiding of vendors prohibited, 436.1609
Beer, 436.1105
Bond, 436.1801
Brand promotion, R436.1317
Brandy, 436.1105
Brewer, 436.1105
College promotions, R436.1861
Cooperative advertising, R436.1319
Defined, 436.1109
Fee, 436.1525
Gifts of alcoholic liquor permitted by,
436.2025, R436.1613
Industrial, R436.1811
Interest in business of vendor prohibited,
436.1603, 436.1605
Records, R436.1727
Residency of stockholders, 436.1501
Sales and transportation, R436.1615
Small wine maker, 436.1111
Wine maker, 436.1113
Manufacturers and wholesalers,
Agreements, 436.1305, 436.1401
Dispensing equipment, R436.1045
Displays, advertisement, R436.1329
Price schedules and temporary price
reductions, R436.1625
Quantity discounts, wine, prohibited,
R436.1726
Reports and records, R436.1641
Sales and transportation by, R436.1615
Sales territory,
Beer, 436.1401; Wine, 436.1307
Marina, 436.1539
Measurements,
Church and school, 436.1503
SDD, R436.1133, R436.1141

Medicinal preparations, 436.1207
Membership fees, see Club, G-1 and G-2
Merchant, specially designated, 436.1111,
436.1533, 436.1537, R436.1129
Michigan State Fairgrounds, 436.1501
Michigan State Police, report by
Commission, 436.1701
Microbrewer, 436.1109, 436.1411,
436.1537, R436.1613
Mingling by employees, R436.1417
Military establishments, 436.1219, 436.1233,
436.1501, 436.1531, R436.1251
Minimum,
Food sales, Resort, R436.1123
Inventory, approved, 436.1541
Pricing, below cost, 436.1229, R436.1055
Purchase of spirits (SDD), R436.1133,
R436.1139
Minors,
Action for injury, 436.1801
Consumption and possession by,
436.1703, 436.1707
Documentary evidence, majority and
identity, 436.1701
Employment of, 436.1707, 409.103,
et seq.
Furnishing cereal beverage to, 750.28
Inside licensed establishment, under 17
years of age, 750.141
Motor vehicle operator's license, identity
of, 436.1903, 436.1701
Notification of parents, 436.1703
Possessing, 436.1701, 436.1703,
436.1707, 436.1801
Transporting by employee under 21,
Motor Veh. Code 257.624b
Witness and detain, 436.1705
Presence in licensed estab., 750.141
Proof of majority age, 436.1903
Sale and furnish to, 436.1701, 436.1801
Signs prohibiting sale, display, 436.1701
Use of fraudulent identification, 436.1703
Youth Employment Standards Act,
409.101, et. seq.
Misbranded liquors, 436.2005, R436.1027
Misdemeanor, 436.1701, 436.1703, 436.1909,
256.624a, 409.122, R436.1011, R436.1105
Molesting of customers or employees,
R436.1011
Moral character, R436.1113, R436.1115
Mortgages, business of vendor, interest of
manufacturer, etc., 436.1603, 436.1605
Motor Sports, 436.1537
Motor Sports (Entertainment) Complex,
436.1518
Motor vehicle fuel pumps, 436.1539,
436.1541, R436.1129, R436.1135
Motor vehicle operator's license, identity of
minor, 436.1903, 436.1701
Motor vehicles,
Impounding, 436.1701

Motor vehicles (Continued)

Minors, possession or transportation,
436.1701, 436.1703, 436.1801, Motor
Veh. Code 257.624b

Transfer of title to avoid impounding,
436.1701

Movie theaters, R436.1429 – Rescinded
3/20/2000

Municipal civil centers and auditoriums,
licenses, 436.1509

Municipal election day, sales, 436.2113

Municipally owned facility, licensing,
R436.1105

N

Narcotics, paraphernalia, R436.1011

National Guard, regulations on sale, etc.,
436.2001

National Sporting Event license, 436.1517

Natural Resources Dept., 436.1519

Nature of business, off-premises, R436.1517

*Naval installations, air bases, armories, and
state military reservations*, 436.2001

Neighborhood shopping center, R436.1001,
R436.1133

“Near beer,” 436.1105, 750.28

New Year’s hours, R436.1403

Nine liter per month limit of spirits,
purchased from SDD by on-premises
licensee, 436.1205

No (valid) liquor license,
Compliance required, 436.1901

Unlicensed establishment, 436.1913

Nolo Contendere, plea, R436.1011,
R436.1105

Non-profit charitable organization, 436.1527

Non-renewals, sale of alcoholic liquor,
436.1901, 436.1913

*Non-sufficient funds checks issued to
commission*, R436.1059

Nontransferable licenses, 436.1501,
436.1505, 436.1507, 436.1509, 436.1511,
436.1515, 436.1531

Notice,

Cancellation of bond, 436.1801

Cancellation of insurance, 436.1803,
436.1807, 436.1813

Club, public notice of intent, 436.1107

Hearing, R436.1905

Revocation or suspension of license,
436.1903

Novelty items, R436.1321

Nudity,

Defined, 436.1916

Prohibited, R436.1409

Topless activity, 436.1916

O

Oaths or affirmations, authority to

administer, 436.1217

Objection to renewal, 436.1501

Offices, branch, 436.1219

Off-Premises rules, R436.1501-R436.1531

Consumption of alcoholic liquor,
Exception, R436.1511

On adjacent property, R436.1523

Open containers of alcoholic liquor
prohibited, exceptions, R436.1511

Off-premises storage of alcoholic liquor,
R436.1025

On-line ordering system, 436.1206

On-Premises,

Brand promotions, R436.1321,

Commission Order dtd 10-27-99

Concealed weapons of patrons, 28.425.o

Food operation, R436.1433

Outdoor service, requirements, R436.1419

Requirements, R436.1121

Rules, R436.1401-R436.1438

Samples, R436.1421

“One-Day” license, R436.571-R436.581; see
Special License

Open container on SDD/SDM premises,
R436.1511

*Options, local option, consumption on
licensed premises*, 436.2101, et. seq.

Orders of Commission, compliance,
R436.1029

*Ordinance prohibiting retail sale of alcoholic
liquor*, 436.2109

Ordinances, state and local, R436.1003,
R436.1409, R436.1803

Outdoor service,

Off-premises licensee, R436.1011,
R436.1521

On-premises licensee, R436.1011,
R436.1419

Temporary, annual limit, R436.1419

Out-state seller of beer (OSSB), R436.1609,

Advertising, R436.1301-R436.1339

Beer rules, R436.1601-R436.1659

Bond, 436.1801

College promotions, R436.1861

Cooperative advertising, R436.1319

Defined, 436.1109

Dispensing equipment, R436.1045

Displays, advertisement, R436.1329

Excise tax, R436.1621

Exclusive sales territory, 436.1401

Fee, 436.1525

Interest in business of vendor prohibited,
436.1603

Invoices and bills of lading, R436.1631

Qualifications, R436.1609

Sales and shipments by, R436.1617

Samples and tastings, 436.2025, 436.2027

Tax rate, 436.1409

Outstate seller of wine (OSSW), R436.1705,
Advertising, R436.1301-R436.1339

Outstate seller of wine (Continued)
Bond, 436.1801
Bulk sales, R436.1721
College promotions, R436.1861
Cooperative advertising, R436.1319
Defined, 436.1109
Outstate seller of wine (Continued)
Dispensing equipment, R436.1045
Displays, advertisement, R436.1329
Fee, 436.1525
Interest in business of vendor prohibited,
436.1603
Qualifications, R436.1609
Sale of sacramental wine, 436.1111,
436.1301
Sales territory, 436.1307
Sales to wholesaler, invoices, R436.1720
Samplings and tastings, 436.1537,
436.2025, 436.2027
Tax rate, 436.1301
Wine rules, R436.1701-R436.1749
Overcrowding, R436.1405

P

Parking lots, controlled by off-premises
licensee, R436.1523
Parks, consumption, 436.1915
Participating agreement, R436.1041,
R436.1117
Partner's fee, add, 436.1529
Partnership qualifications, licensee,
436.1601, R436.1105, R436.1111
Passenger terminal complex, 436.1507
Patent or proprietary medicines, 436.1207
PBT, 436.1703, 436.2025
Penalties (fines, suspension, revocation),
436.1903 (limit), 436.1909, 436.1911
Permit
"After hours," R436.1403, R436.1437
Dance, 436.1916, R436.1407, R436.1415
Dance-Entertainment, combined,
436.1916, R436.1407
Defined, R436.1001
Direct connection, R436.1039
Display to public, R436.1015
Entertainment, 436.1916, R436.1407
Escrow, return, R436.1047
Extended hours, 436.1916, R436.1407
Living quarters, R436.1039
Revocation or suspension, grounds,
436.1501, R436.1061
Specific purpose, R436.1403, R436.1437
Sunday Sales, 436.2115
Temporary, R436.1407
Topless activity, 436.1916
Person, defined, 436.1111
Personal consumption, 436.1203
Personal injuries, action for damages,
436.1801, et seq.
Personal representative, 436.1501

Petitions, 436.2101a
Physical plant, R436.1105
Pinball machines, 436.2023
Photographs of establishment (SDD),
R436.1137
Police, ineligibility for liquor license,
436.1523
Police powers, 436.1201, 436.1217
Political advertisement, R436.1335
Population criteria,
A-Hotel, 436.1107
B-Hotel, 436.1107
Civic center, 436.1509
Class C- 436.1515, 436.1521, 436.1531,
436.1533
Club, 436.1531
Development district, 436.1521
Golf course, Class C & tavern, 436.1515
Local legislative body, on-premises,
436.1501
Motor vehicle fuel pumps, 436.1539,
436.1541
On Premises, 436.1521a
Public on-premises licenses, 436.1521a
Resort, 436.1531
SDD/SDM, 436.1533
State liquor stores, 436.1227
Tavern, 436.1521, 436.1531, 436.1533
Population requirements,
Motor vehicle fuel pumps, 436.1541
On-Premise license, 436.1531
SDD license, R436.1141
Possession of alcoholic liquor by minor,
436.1707, R436.1009;
Michigan Constitution, Article IV.
Possession, transportation of alcoholic
liquor in motor vehicle by minor,
436.1701, 436.1703, 436.1801;
and Motor Vehicle Code 257.624b
Posting,
Liquor license and permits, prominently
displayed, R436.1015
Price list, 436.2011
Sign, prohibited sales to minors, 436.1701
Powdered Alcohol, 436.1914a
*Power of police officer or commission
investigator witnessing violation*, 436.1705
Premiums to vendor by manufacturer, etc.,
436.1609
*Pre-ordered quantity, delivery by off-
premises licensee*, 436.1203, R436.1011,
R436.1527
Presque Isle Harbor Marina, 436.1511
Prevention of crime, 436.1201
Price list, on-premises licensee, 436.2011
Prices,
Advertising, R436.1333
Minimum shelf price, R436.1055,
R436.1529
Reductions, 436.1609, R436.1625
Reductions to SDD, 436.1609

Prices (Continued)

Schedule of beer, R436.1625
Schedule of wine, R436.1726
Set by Commission, 436.1229, R436.1529
Primary election day, sales, 436.2113
Primary source of supply, 436.1111
Private manufacture of wine or cider,
436.1207
Private order of foreign goods, 436.1231
Private function, 436.2014
Privately held corporation, defined,
R436.1001
Notifying Commission of certain changes,
Privately held corporation
436.1529, R436.1051
Prize,
\$250 value per day limit, R436.1435
Alcoholic liquor prohibited, R436.1019
Alcoholic liquor approved, unopened,
436.2015
Cash, 750.310a
Production of documents, 436.1217
Professional account, 436.1111
Profits, gross profit on sale, 436.1231,
436.1233
Prohibited conduct by licensee, R436.1011
*Prohibited sales to unlicensed drinking
establishments*, 436.1901
Prohibited transfer, 436.1501
Promotions, R436.1861
Advertised off the licensed premises
prohibited, R436.1321,
Commission Order dtd 10-27-99
Brand, R436.1317, R436.1333
Brand logoed merchandise, R436.1321,
Commission Order dtd 10-27-99
By non-licensee on licensed premises,
R436.1435
By salesperson, R436.1861
College campus, R436.1861
Dispensing equipment, R436.1045
Prostitution, R436.1011
Public,
Accommodations, 37.2301
Notice of intent for clubs, 436.1107
Parks and places of amusement,
consumption of liquor, 436.1915
Rooms, R436.1001, R436.1405
Punitive damages,
Failure to pay judgment and costs,
436.1809
Injury to person or property, 436.1801
Publicly owned area, 436.1915

Q

Qualifications, residency, 436.1601
Quantity discounts prohibited,
Beer, R436.1625
Wine, R436.1726
Quota,

On-Premise licenses, 436.1531
Resort licenses, 436.1531
SDD licenses, R436.1141

R

Raffle, prize, alcoholic liquor, 436.2015
Rebates,
Beer tax, 436.1409
Prohibited, 436.1609, R436.1035,
R436.1821
Tax refund, 436.1219
*Receiver, operation of licensed
establishment*, 436.1501
Reclassification, 436.1531
Records, business,
Inspection of, 436.1217
Maintenance of, R436.1007
Manufacturers and wholesalers,
R436.1641, R436.1727
Salesman and vendors reps., R436.1865
Vendor representative, R436.1865
Warehouse, 436.1923
Records, Commission access, 436.1217
Re-corking and BYO wine, 436.2021
Redemption game, 750.310b
*Redevelopment project area, commercial
investment*, 436.1521a
Referendum,
Manufacture or sale of alcoholic liquor in
counties, 436.2107
Sale for consumption on premises,
436.2101, 436.2103, 436.2105
Sale of alcoholic beverages, 436.2109
Sale of beer and wine on Sunday, 436.2111
Sale of spirits on Sunday, 436.2113
Refilling bottles, 436.2005
Refunds,
Beer tax, 436.1219, 436.1409
Broken or defective spirit containers,
R436.1519
Damaged goods,
Beer, R436.1633
Spirits, R436.1821
Price reduction by manufacturer of spirits,
436.1609
Spirits, R436.1821
Release,
Defined, R436.1001
Spirits, R436.1815
*Removal of alcoholic liquor from on-
premise establishment*, 436.2021,
R436.1419
Renewal of license, 436.1501, R436.1107
Renewal fees, use, 436.1543
Rental halls, 436.1913, R436.1023
Reports,
Brewers, Outstate seller of beer,
R436.1631
Manufacturers, wholesalers, outstate
sellers, R436.1641, R436.1725

Reports (Continued)

Resort area licenses, 436.1531

Revolving fund, 436.1221

Winery grapes, 436.1301

Representative stock of spirits sold by SDD required, R436.1507

Reservations,

Indian, 436.1607

Military, 436.2001

Residence,

Defined, 436.1111

Qualifications, 436.1601

Resort economic development license, R436.1123

Resort licenses, 436.1501, 436.1531, R436.1123

Limitation, 436.1531, R436.1125

Minimum qualifications, R436.1123

Proximity to church or school, 436.1503

SDD and half-mile exception, 436.1531

Restaurants,

Consumption on premises, 436.2101, et seq.

Food operation, R436.1433

Full service, R436.1123

Specific purpose permit, R436.1437

Unlicensed premises, consumption of alcoholic liquor prohibited, 436.1913

Restroom requirements, R436.1425

Retail advertising space, R436.1315

Retail distributors, license, 436.1229

Retail license, R436.1115 – R436.1119

Retail prices, 436.1233, R436.1055

Retailer,

Cooperative advertising, R436.1319

Defined, 436.1111

Fees returned to local governmental unit, 436.1543

Liability insurance, 436.1803

Termination or cancellation of insurance, 436.1803, 436.1807, 436.1813

Return of alcoholic liquor product, R436.1531

By delivery person, 436.1203

Spirits excluded, R436.1519

Return of spirits, 436.1907, R436.1821

Return of wine, R436.1531, R436.1633, R436.1735

Revenue,

Credit to general fund, 436.1221

Disposition, 436.2201

License fee enhancement, 436.1543

License fees, disposition, 436.1543

Revocation of license, 436.1903, 436.1907

At request of local government, 436.1501

Revocation of permit, 436.1501, R436.1061

Revolving fund, 436.1221

Right of action, 436.1801

Rules,

Advertising, R436.1303-R436.1339

Beer, R436.1601-R436.1659

Church or school hearings, R436.1951-R436.1963

Declaratory rulings, R436.1971-R436.1975

General, R436.1001-R436.1063

Hearing and appeal practice, R436.1901-R436.1935

Licensing qualifications, R436.1103-R436.1151

Off-Premise, R436.1501-R436.1531

On-Premise, R436.1401-R436.1438

Promulgate, 436.2303

Size classification, R445.3

Special licenses, R436.571-R436.581

Special permits for hospitals and institutions, R436.1251

Spirits, R436.1801-R436.1823

Vendor representative and salesman, R436.1851-R436.1869

Wine, R436.1701-R436.1749

S

Sacramental wines,

Consume by minor, 436.1703

Defined, 436.1111

Non-taxable, 436.1301

Report of sales, R436.1724

Sale by outstate seller of wine, 436.1109

Sale by wholesaler, 436.1113

Sale directly to church by wholesaler or outstate seller, 436.1301, 436.1607

Sale,

Alcohol, retail, type of license, 436.1203

And delivery, R436.1515

Authorized alcoholic liquor only, 436.1901

Bar device, in-room, R436.1045

Below cost, prohibited, 436.2025, R436.1055

Brand names, R436.1431

By bottle in on-premises estab. to patron: Intox. patron, 436.1707

No return/refund to licensee, 436.1203, R436.1033

No removal from premises, 436.2021

No return of non-consumed alcohol, 436.1203

By collector, 436.1921

By Commission or licensee, 436.1203

By person under 18 years, 436.1707

By various classes, 436.1537

Cash, 436.2013, 436.2025, R436.1055

Ceramic commemorative bottle containing alcoholic liquor, 436.1921

Clubs, to members only, 436.1532, 436.1537, R436.1525

Credit, 436.2013, 436.2025, R436.1055

Defined, 436.1111

Delivery, R436.1515, R436.1527

Discounts to licensees, 436.1233

Election day, 436.2113

Electronic, 436.1203

Sale (Continued)

Exclusive territory for, 436.1307, 436.1401
Food, 436.2021
For consumption on premises, 436.2101, 436.2103
Property adjacent to licensed premises, R436.1523
Hospitals, charitable institutions, military establishments, 436.1233
Hotel rooms, 436.2019, R436.1045
In original packaging, spirits, 436.1111
Internet, 436.1203
Intoxicated persons, 436.1707, 436.1801, 436.2025
Limited to alcoholic liquor purchased from Commission or licensee of commission, 436.1901
Members only by club, to, 436.1532, 436.1537, R436.1525
Minimum retail price, 436.1229
Minor, to, 436.1701, 436.1703, 436.1707, 436.1801, 436.1903, 436.1905, R436.1527, Michigan Constitution, Article IV
Off licensed premises, R436.1011
Prohibited sales, 436.1901, 436.2113, R436.1017
While license suspended, R436.1031
Removal from premises, 436.2021, R436.1419, R436.1521
Restrictions, sale or delivery, Brewers and wholesaler, R436.1635
Retailers, 436.1537
Second party for minor, to, 436.1906
Spirits, consumption on premises, 436.2101, 436.2103, 436.2105, R436.1511, R436.1513
Sunday, 436.2111, 436.2113, 436.2114, 436.2115, R436.1403, R436.1503
Three times w/in 24-month period, 436.1903
Truck driver salesman, R436.1021
Two drinks for one price, 436.2014
Uniform price, off premises, R436.1529
Unlicensed premises, 436.1913
Unlimited quantity, 436.2014, R436.1438
Without liquor license, 436.1203, 436.1901, 436.1909

Salesperson,
College promotion, R436.1861
Defined, R436.1001
Expense records, R436.1865
Identification card, R436.1855
Licenses required, R436.1853
Licensing of, R436.1853
Prohibited acts, R436.1859
Promotions by, R436.1861
Samples, R436.1001, R436.1863

Sales territory,
Beer, 436.1401
Temporary service interruption, 436.1305,

R436.1401
Wine, 436.1307
Sample, R436.1863
Sample of alcoholic liquor,
Consumption limited, R436.1511
Defined, R436.1001
Description and limitation, R436.1863
Purchased by salesman, R436.1865
Removal, R436.1421, R436.1513
Sale or giving away prohibited, R436.1421
Samplings and tastings, 436.2025, 436.2027
Commercial purposes, home party, 436.2027; 436.1537

Sanitation,
Draft beer equipment, R436.1427
Restrooms, R436.1425
Sterilization of glassware, 436.2017
Utensil cleaning, R436.1427

School,
Alcoholic liquor in proximity, 436.1904
Defined, 436.1111
Hearing rules, R436.1951-R436.1963
Measurement, 436.1503
Proximity to licensee, 436.1503
Transfer location farther from, 436.1503
Waiver, 436.1503

School Aid Fund, 436.2203
Scope of Act, 436.1201
SDD (see Specially Designated Distributor)
SDM (see Specially Designated Merchant)
Seals, 436.1217
Searches and seizures, 436.1217
Alcoholic liquor, 436.1907, R436.1027
Evidence, 436.1217
Judgment against licensee, 436.2009
License, revocation, 436.1907
Warrants, 436.1235

Seating capacity, sign and measurements, R436.1405
Resort Class C, 436.1531, R436.1123
Second-party, sale to for minor, 436.1701, 436.1906
Security agreement, exclude alcoholic liquor, R436.1119
Self-incorporate, 436.1529
Seized alcoholic liquor,
Commission payment for, 436.1235
Delivery, 436.2009
Sellers of alcohol, R436.1809
Server training program, 436.1501, 436.1906, R436.1060, R436.1533
Supervisory personnel, per shift, 436.1501, R436.1060
Service of process, 436.1805
Serving brand names as ordered, R436.1431
Sexual activities prohibited, R436.1411
Shipping alcoholic liquor into state, 436.1203, R436.1057
Shipping, direct, package requirements, 436.1203

Short title of Act, 436.1101
Showing of good-cause, R436.1041
Signatures, 436.1501, R436.1111
Signs,
 Advertising, R436.1313
 Dispenser, R436.1331
 Sale to minor prohibited, 436.1701
 Seating capacity, R436.1405
Size classification, R445.3
Small winemaker, defined, 436.1111
Social media, R436.1610
Soliciting,
 Drinks, by customers, R436.1417
 Drinks, by employees, R436.1417
 For prostitution, R436.1011
Rebates for broken spirit containers,
 R436.1423, R436.1519
Special census, 436.1531
Special license,
 Auction, 436.1527
 Bond, 436.1801
 Defined, 436.1111, 436.1537, R436.572
 Dispensing equipment, R436.1045
 Fees, 436.1525, R436.573
 Non-profit organization, 436.1527,
 R436.574
 Number permitted, R436.581
 Qualifications, R436.574
 Rules governing, R436.571-R436.581
 State owned land, 436.1519
 Vendor, 436.1537
Special Orders, 436.1231
Special permit, hospitals and institutions,
 R436.1251
Special purpose licenses, 436.1531
Specially designated distributor (SDD),
 Additional license, 436.1531
 Advertising on premises, R436.1321
 Application, limitation, R436.1142
 Approved type business, R436.1135
 Change nature of business, R436.1517
 Bond, 436.1803
 Church/School, 436.1503
 Consumption on premises, R436.1511
 Defined, 436.1111, 436.1229
 Delivery to customer, R436.1515
 Discounts to, 436.1233
 Drive-up window, R436.1135
 Electronic means, orders, 436.1203
 Eligibility for license, 436.1533, 436.1607
 Exclusions, 436.1607
 Fees, 436.1525
 Fuel pumps, motor, 436.1541
 Half-mile rule, R436.1133
 Exceptions, 436.1531
 Hardship transfer, 436.1501, R436.1149
 Hours and days of operation, R436.1503
 Initial minimum purchase, R436.1139
 Licensing of, 436.1229, 436.1541,
 R436.1133, R436.1135
 Limitation on applications, R436.1142
 Limitations on issuance and transfer,
 436.1541, R436.1135
 Minimum,
 Purchase of spirits, initial, R436.1139,
 R436.1507
 Shelf price, 436.1229, 436.1233,
 R436.1529
 On-premises, in conjunction to, 436.1533
 Open containers on premises, R436.1511
 Photographs, R436.1137
 Population requirement, R436.1141
 Prohibited issuance or transfer, 436.1501,
 R436.1133
 Quota, R436.1141
 Quota, waiver, R436.1135
 Refund for broken or defective containers,
 R436.1519
 Representative stock of spirits required,
 R436.1507
 Resort, 436.1531
 Sample bottles and cans, R436.1511,
 R436.1513
 Samplings and tastings, 436.2025,
 436.2027, R436.1511
 Transfer of,
 Governmental unit, R436.1135
 Location, 436.1503, R436.1023,
 R436.1143
 Vendor, 436.1537
 Waiver of half-mile rule, R436.1133
 Waiver of population quota, R436.1135,
 R436.1141
 Waiver of transfer prohibition, R436.1141,
 R436.1501
Specially designated merchant (SDM),
 Additional license, 436.1531
 Approved type business, R436.1129
 Change nature of business, R436.1517
 Bond, 436.1803
 Conjunction with on-premises licensee, in,
 436.1533
 Consumption on premises, R436.1511
 Defined, 436.1111
 Delivery to customer, R436.1515
 By salesperson and vendor rep,
 R436.1515, R436.1859
 On Sunday, R436.1635
 Outdoor Service, R436.1011, R436.1521
 To customer of campus, R436.1011
 To minor prohibited, R436.1527
 To retail customer by wholesaler, mfgr of
 beer/wine, OSSB, OSSW; R436.1515
 To retail customer by off-premises
 licensee, 436.1203, 436.1707,
 R436.1011, R436.1527, 257.624b,
 To wholesaler, R436.1617, R436.1719
 Transporting by employee under 21,
 Motor Veh. Code 257.624b
 Drive-up window, R436.1129
 Eligibility for license, 436.1533, 436.1607

Eligibility for license (Continued)

Exclusions, 436.1607
Fees, 436.1525
Fuel pumps, motor, 436.1541
Hours and days of operation, R436.1503
Licensing of, 436.1533, 436.1541,
R436.1129
Licensing (Continued)
Limitations on issuance or transfer,
436.1541, R436.1129
On-premises, in conjunction to, 436.1533
Open containers on premises, R436.1511
Prohibited sale on Sunday, 436.2111
Returns by customer, R436.1531
Sale to,
Non-members by club prohibited,
R436.1525
Specially designated merchant
Special licensee, R436.582
Sample bottles and cans, R436.1511,
R436.1513
Vendor, 436.1537
Waivers of limitations on issuance and
transfer, R436.1129
Specific purpose permit, R436.1403,
R436.1437
Specific Tax (see "Excise tax")
Spirits,
Additional tax, 436.2201, 436.2203,
436.2205, 436.2207
Advertising, R436.1307, R436.1321
Agricultural product, R436.1808
Bill of lading, R436.1815
Common carrier, R436.1815
Consume on premises, 436.2101,
436.2103, 436.2105
Damaged goods, R436.1531, R436.1821
Defined, 436.1111
Disposition, 436.2115
Equipment, R436.1805
Federal Alcohol Administration Act,
R436.1809, R436.1811
Import for personal use, 436.1203
Industrial manufacturers, R436.1811
Labeling, R436.1829
Limited alcohol buyers, R436.1813
Markup, 436.1233
Price set by Commission, 436.1229,
436.1233
Product compliance with law, R436.1807
Purchase and importation by
Commission, 436.1203
Purchase by hospitals and institutions,
R436.1251
Purchase less than \$10,000 from
commission per year, R436.1133
Purchase of by licensees from ADA,
436.1205
Rebates and refunds, R436.1821
Release, R436.1815
Returns by customer, R436.1531

Sale on Christmas, legal holiday, election
day, 436.2113
Sale on Sundays, 436.2113, 436.2115
Samplings and tastings, 436.2025,
436.2027, R436.1511
Sell in original packaging, 436.1111
Special Order, 436.1231
Transport of, R436.1815
Transporting companies, R436.1815
Vendor representatives, R436.1815-
R436.1869
Warehouse receipts, R436.1817
Sports/entertainment venue, R436.1123
Stamps, forging, altering, counterfeiting,
436.1919
State Fair grounds, license, 436.1519
State military reservations, 436.2001
State-aid school fund, 436.2203
State-owned lands, license, 436.1519
Sterilization of glassware, 436.2017
Stock and stockholders,
Age of stockholders, R436.1105
Corporate vendor, qualifications,
436.1601
Interlocking stock ownership, 436.1603
Requirements for licensing, R436.1109-
R436.1115
Transfer of stock shares, 436.1529,
R436.1113, R436.1115
Transfer of stock shares, violation
pending, R436.1049
Storage of alcoholic liquor, R436.1025
Subpoena, 436.1217, R436.1929
Substance abuse, 436.1703
Sunday sale,
Additional license fee, 436.2115
Beer and wine prohibited, 436.2111
Off-premises hours, 436.2114, R436.1503
On-premises hours, 436.2114, R436.1403
Permit, 436.2114, 436.2115, R436.1503
Resolution, 436.2113
Spirit sales and consumption, 436.2113
Suspension of license, 436.1903,
R436.1031, R436.2017
Suspension or revocation,
Authorized Distr. Agent, 436.1205
Grounds, R436.1061
Mandatory, 436.1903
Operator's or chauffeur's license, 436.1703
Permit or privilege granted by
Commission, R436.1017, R436.1061

T

Tastings and samples, 436.1537, 436.2025,
436.2027, R436.1511
*Tattoos prohibited, under influence of
alcoholic liquor*, 722.4, 333.13102
Tavern,
Bond, 436.1803
Brewpub, 436.1405
Concessionaire, 436.150

Tavern (Continued)
 Defined, 436.1113
 Fees, 436.1525
 Golf courses, 436.1515
 Limitations, 436.1521
 Local approval, 436.1501
 Objection to renewal and revocation, 436.1501
 State fair grounds, 436.1501
 University, 436.1531
 Vendor, 436.1537
Tax, 436.1301,
 Assessments, 436.1911
 Credit, 436.1611
 Debts (liability of applicant), 436.1501
 Sale, 436.1911
Taxation,
 Beer, 436.1409, R436.1621
 Credit, 436.1219
 Exemption, 436.1409
 Failure to pay, 436.1911
 Inventory, 436.2201
 Retail selling of spirits, 436.2201, 436.2203, 436.2205
 Spirits, 436.2201, 436.2203, 436.2205, 436.2207
 Wine, 436.1301, R436.1714, R436.1716, R436.1717, R436.1725
Television transmission, public broadcast from federally licensed, R436.1409, R436.1411
Temporary bin display, R436.1001, R436.1329
Temporary dance permit, R436.1407
Temporary entertainment permit, R436.1407
Temporary outdoor service permit, R436.1419
Temporary service interruption,
 By beer wholesaler, 436.1401
 By wine wholesaler, 436.1305
Temporary specific purpose permits, R436.1437
Ten-percent,
 Minimum down payment for on-premises license, R436.1121
 Or more of corporate stock ownership, 436.1529, R436.1113, R436.1115
 Or more of membership interest, 436.1529, R436.1113, R436.1115
Three-year prohibition on transfer, 436.1501
Topless activity permit, 436.1916
Tort action, liability insurance, 436.1803
Tourism and convention facility promotion tax, 436.2207
Tourist accommodations, resort areas, 436.1531, R436.1123
Tournaments, R436.1435
Township, local option, 436.2101, et seq.
Traffic in alcoholic liquor by licensee only, 436.1901
Trains,
 Classes of vendors, 436.1537
 License fee, 436.1525
 Pullman cars, 436.1543
 Qualifications, R436.1147
Transaction by electronic means (requirements), 436.1203
Transfer of license or interest, 436.1529
 During pending violation, R436.1049
 Retail license, R436.1115
 Wholesale license, R436.1113
Transfer of interest, 436.1529, R436.1041
Transfer of license, 436.1501 et seq., 436.1515, 436.1529, R436.1023
 Applicant qualifications, R436.1105
 Corporation, 436.1529
 Grounds for denial, R436.1105
 Licensing qualifications, R436.1103-R436.1151
 Pending violation, R436.1049
Transfer of location, 436.1531, R436.1023, R436.1135
Transfer of ownership with Commission approval, 436.1529
Transfer of ownership of SDD License via inter/intra county transfer, 436.1531
Transportation of alcoholic liquor,
 Beer shipped to wholesaler, R436.1617
 Common carrier, R436.1857
 In motor vehicle by minor, 436.1701, 257.624a, 257.624b Motor Vehicle Code
 In passenger compartment of vehicle, 436.2009
 Into state, 436.1203, R436.1057
 Of spirits by railroads and common carriers, etc., R436.1815
 Of wine by railroads and common carriers, R436.1722
 Open container of alcoholic liquor in motor vehicle, 257.624a
Truck driver salesman, R436.1021
Trustee, appointment to operate licensee's establishment, 436.1501
"Twenty-four hour" license (special license), 436.1111, 436.1525, 436.1527, 436.571-436.581
Two-for-one sale of alcoholic liquor, 436.2014, R436.1438
Two-year stop on issuance of license, revocation, 436.1907
U
Undercover operation, 436.1701, 436.1703, 436.1905
Uniform prices, spirits, retail, 436.1233
University, 436.1513, 436.1531
Unlicensed person, 436.1909
Unlicensed places,
 Prohibited, consideration, 436.1913

Unlicensed places (Continued)

Sale to, by licensee, R436.1017
Unlimited number of drinks for one price,
436.2014, R436.1438
Upper Peninsula State Fairgrounds,
436.1501
*Use and benefit of license by person not
licensed*, 436.1529, R436.1041
Utensil cleaning, R436.1427

V

Value added packaging, 436.2029
Vapor device, alcohol, 436.1105, 436.1914
Vehicle,
Defined, 436.1113
See "Transportation"
Vending machines, R436.1045
Vendor (and of spirits),
Aid and assistance, 436.1609, R436.1035
Authorized to conduct business in
Michigan, 436.1535, 436.1601
Classes of, 436.1537
Corporate, 436.1601
Defined, 436.1113, R436.1001
Interest in business of, 436.1603
Liability of, 436.1917
Payments from Commission, to, 436.1205
Qualifications, 436.1601, R436.1103-
R436.1151
Residence requirements, 436.1601
Responsible, 436.1906
Sale, serve or furnish alcoholic liquor to
intoxicated person, 436.1707
Samplings and tastings, 436.2025,
436.2027
Vendor representative (see also "Sales
person"), defined, R436.1001
Advising licensee on Liquor Code or
Regulations prohibited, R436.1859
Common carrier employee, R436.1857
Identification card, R436.1855
Licenses, R436.1853
Veterans, licenses, 436.1531
Vinegar, 436.1207
Violation of Act,
Discrimination between slight and
serious, 436.1909
Failure to pay tax, 436.1911
Fines, 436.1903
Hearings for, R436.1901-R436.1935
Mandatory suspension or revocation,
436.1903
Penalties, 436.1909
Principal's or master's liability, 436.1917
Suspension or revocation of license for,
436.1903
Violation, report, R436.1905
Violation resolution,
Beer Industry, 436.1403
Wine Industry, 436.1305

W

Waivers,
Appearance of licensee at hearing,
R436.1913
Church or school, 500' rule, 436.1503,
R436.1963
Down-payment requirement for on-
premises applicant, R436.1121
Half-mile rule, SDD, R436.1133
Hardship transfer, 436.1501, R436.1149
Hearing, R436.1907, R436.1909,
R436.1910
Liquor liability/financial responsibility,
436.1803
Motor vehicle fuel pumps, 436.1541
Non-approved business, SDD, R436.1135
Non-approved business, SDM, R436.1129
Population quota, SDD, R436.1135,
R436.1141, R436.1501
Proof of financial responsibility, 436.1803
Server training requirements, 436.1501
Warehouse,
Defined, 436.1113
License fees, 436.1525
Receipts, 436.1923, R436.1817
Warehouseman,
Aid to or interest in vendor's business,
436.1609, 436.1603
Defined, 436.1113
Reports and records, R436.1641
Sales and transportation by, R436.1615
Warrants,
Search, 436.1235
Tax sale, 436.1911
Washing of drinking containers, R436.1427
Watercraft,
Class of vendor, 436.1537
License fees, 436.1525, 436.1543
Minimum qualifications, R436.1145
Wholesalers,
Advertising, R436.1303-R436.1339
Agreements with suppliers, 436.1305,
436.1401
Aid to vendor, 436.1609
Beer rules, R436.1609-R436.1659
Beer tax, 436.1409
Brand promotion, R436.1317
Defined, 436.1113
Delivery to consumers prohibited,
436.1607
Dispensing equipment, furnishing to retail
licensee, R436.1045
Exclusive sales territory, 436.1401
Financial interest in vendor's business,
436.1603
Inspections, R436.1728
Interest in business of other vendor,
436.1603
License fees, 436.1525

Wholesalers (Continued)

Minimum qualifications, 436.1525
Price schedules and reductions,
R436.1625, R436.1726
Qualifications, 436.1601
Quantity discounts, R436.1625, R436.1726
Refunds of excise tax, beer, 436.1219
Reports and records, R436.1641,
R436.1725
Residency requirements, 436.1601
Restocking fee, R436.1633
Return of wine, R436.1735
Right to sell, 436.1305
Sale of sacramental wine, 436.1301,
436.1607
Sale to employees, 436.1607
Sales territory, wine, 436.1307
Wine rules, R436.1701-R436.1749

Wine,

Advertising, R436.1305
Analysis, R436.1728
Barrel deposit, R436.1723a
Bottled wine, invoice, R436.1720
Bottling, R436.1716
Building and health laws, manufacturing,
R436.1702
Bulk wine, R436.1705, R436.1721
Case, 436.1205
Confiscation, R436.1728
Direct shipping, 436.1203
Limitations to quantity shipped,
436.1203
Package requirements, 436.1203
Equipment of manufacturer, R436.1703

Exception from requirement of sale or
delivery by Commission, 436.1301
Failure to pay tax, 436.1911
Federal standards for identity, R436.1707
Fee, 436.1525
Fruit and agricultural products, 436.1301,
R436.1712
Grape and Wine Industry Council,
436.1303
Homemade, 436.1207
Import for personal use, 436.1203,
R436.1720
Inspection of books and records,
436.1217, R436.1727, R436.1728
Inspection of bills of lading, invoices,
R436.1722
Inspection of premises, R436.1711,
R436.1728
Invoices for bottled wine, R436.1720
Labels, R436.1719
Losses, R436.1717
Maker fee, 436.1525
Manufacturer regulations, R436.1708
Master distributor, 436.1305

Monthly reports, R436.1725
Out-state sellers, R436.1705
Personal use, delivery into state,
436.1203, R436.1720
Price schedule, R436.1726
Quarterly report, R436.1726, R436.1728
Quantity discounts prohibited, R436.1726
Reception room, manufacturer, R436.1731
Records, R436.1727, R436.1728,
R436.1735
Re-corking and removal from on-premises
establishment by consumer, 436.2021
Release, defined, R436.1001
Reports, 436.1301, R436.1725, R436.1735
Returns, R436.1633, R436.1735
Sacramental, 436.1301, R436.1724
Sale, bottled wine, requirements,
R436.1719
Sales, restrained by commission,
R436.1717
Sales territory, 436.1305, 436.1307
Samples, R436.1421, R436.1511,
R436.1513, R436.1728, R436.1863
Samplings and tastings, 436.2025,
436.2027
Supplier and wholesaler agreements,
436.1305
Tastings, commercial purpose at private
residence, 436.2027
Auction, wine 436.2031
Tastings, wine, 436.1537, 436.2027
Tax credit, 436.1219
Tax rate, 436.1301
Tax when made from Michigan grapes or
fruit, 436.1301, R436.1714
Tied-in sale, R436.1735
Transportation, R436.1722
Wine industry, 436.1305, 436.1303
Wine-maker, 436.1537
Defined, 436.1113
Fee, 436.1525
Samplings and tastings, 436.1537,
436.2025, 436.2027
Small, 436.1111
Wine-tastings, 436.1203, 436.1913,
436.2025, 436.2027, 436.1537
Witnesses, 436.1217, R436.1929
Work permit, minors, 409.105, 409.106

X, Y, Z

Youth Employment Standards Act, 409.101,
et seq.
Definitions, 409.102
Deviations, 409.120
Exemptions, 409.116-409.123
Minimum age, 409.103, 409.110, 409.111,
409.116
Penalties, 409.122
Prohibited employment, 409.115, 409.112-
409.115

Youth Employment Standards Act (Continued)

Work permit, 409.104, 409.109

Zones, renewal of licenses, 436.1501

Zoning ordinances, R436.1003