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House Bill 4061 (Substitute H-2 as reported by the Committee of the Whole)

Sponsor: Representative Douglas Geiss

House Committee: Regulatory Reform

Senate Committee: Regulatory Reform

CONTENT

The bill would amend the Michigan Liquor Control Code to allow the sampling of home-brewed beer, wine, or cider at a micro brewer, brewpub, or on-premises licensee, under certain circumstances.

The Code generally prohibits a person from conducting samplings or tastings of any alcoholic liquor for commercial purposes except at premises licensed for the sale and consumption of alcohol on the premises. A retailer may not charge for the samples and the samples may not exceed specific sizes.

Under the bill, these provisions would not prohibit a micro brewer, brewpub, or on-premises licensee from allowing the sampling and consumption on the licensed premises of beer, wine, mead, honey-based beer, or cider produced by one or more home brewers at a meeting of home brewers or a club composed primarily of home brewers, under the following circumstances:

- The sampling or consumption was for the purpose of exhibitions or competitions involving home brewers.
- The beer, honey-based beer, or cider was served in portions that did not exceed three ounces, or the wine or mead was served in portions that did not exceed two ounces.
- The beer, wine, mead, honey-based beer, or cider produced by a home brewer was consumed only by the home brewer, his or her family, a club member, a judge, or a guest speaker, and was not sold to the general public.
- The participants in the sampling or consumption otherwise complied with applicable State and Federal law and applicable regulatory provisions.
- The participants were not charged for the sampling or consumption.

The micro brewer, brewpub, or on-premises licensee would have to enter into a written agreement with the home brewers or club stating the date, time, and location of the event, and stating either that the licensee agreed to assume liability for the event or proof that the home brewers or club had obtained a bond or liability insurance.

MCL 436.2027

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 10-25-11

Fiscal Analyst: Josh Sefton

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Bill Analysis @ www.senate.michigan.gov/sfa

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