SUBSTITUTE FOR

HOUSE BILL NO. 5084

A bill to amend 1998 PA 58, entitled

"Michigan liquor control code of 1998,"

by amending section 229 (MCL 436.1229), as amended by 2011 PA 166.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 229. **(1) THE COMMISSION MAY ISSUE A HOTEL BEER AND WINE LICENSE TO A HOTEL, IN PLACES THAT THE COMMISSION DESIGNATES, TO SELL BEER AND WINE AT RETAIL FOR CONSUMPTION OFF THE PREMISES. THE APPLICANT FOR A HOTEL BEER AND WINE LICENSE SHALL, AT THE TIME OF FILING THE APPLICATION, PAY AN ANNUAL FEE EQUAL TO THE FEE FOR A SPECIALLY DESIGNATED MERCHANT UNDER SECTION 525(1)(J). A FEE CHARGED UNDER THIS SECTION IS SUBJECT TO ALLOCATION UNDER SECTION 543.**

(2) ~~(1)~~ The commission may license a hotel or merchant, in places that the commission ~~may designate~~ **DESIGNATES**, to sell spirits for consumption off the premises, notwithstanding section

233(1). Except as otherwise provided in this section, if alcoholic liquor is sold by a specially designated distributor under a license issued under this section, it shall not be sold at less than the minimum retail selling price fixed by the commission and under rules promulgated by the commission.

(3) ~~(2)~~ The commission may, by rule or order, allow a specially designated distributor to sell alcoholic liquor at less than the minimum retail selling price in order to dispose of inventory at a price and under conditions and procedures established through that rule or order.

(4) ~~(3)~~ As used in this section and in sections 1201, 1203, and 1207, "retail selling price" means the price the commission pays for spirits plus the gross profit established in section 233.

(5) ~~(4)~~ As used in this section, "minimum retail selling price" means retail selling price plus the specific taxes imposed in sections 1201, 1203, and 1207.