

# Legislative Analysis



## SUNDAY MORNING LIQUOR SALES PERMIT

Mitchell Bean, Director  
Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

**House Bill 6043 (Substitute H-2)**  
**Sponsor: Rep. Barbara Farrah**  
**Committee: Regulatory Reform**

**Complete to 10-29-08**

### A SUMMARY OF HOUSE BILL 6043 AS REPORTED FROM COMMITTEE

The bill would amend the Liquor Control Code (MCL 436.1525 et al.) to allow a retail liquor licensee to sell on Sunday between the hours of 7 a.m. and 12 noon if the business holds a "Sunday morning permit." Such a permit, to be created by the bill, would carry an application fee of \$250.

This would apply to both on-premises and off-premises licensees. A Sunday morning permit would only allow a retailer to sell or furnish the type of alcoholic liquor authorized by its license (e.g., beer and wine only, or beer, wine, and spirits.)

The permit would be available on application to the Liquor Control Commission. A permit would be an addendum to each specific on-premises or off-premises license, and a licensee holding more than one license at a specific location would have to submit a separate application for each permit and pay the corresponding fee for each permit.

A county, city, village, or township could limit (by resolution) the issuance of a Sunday morning permit to only off-premises licensees or to only on-premises licensees or could prohibit completely the issuance of Sunday morning permits to any kind of licensee.

Subject to licensing qualifications in statute and rule, the LCC would issue a permit to an applicant upon the payment of the fee, except where the bill would prohibit the issuance of such a permit.

Sunday morning permits would not authorize the serving of alcoholic liquor in contravention of (1) Section 1111 of the code, when a county, city, village, or township has prohibited the sale of beer and wine on or off the licensed premises between 2 a.m. and midnight on Sunday; (2) Section 1113, when a county has not authorized the sale of spirits and mixed spirit drinks for consumption on or off licensed premises on Sunday; or (3) a resolution passed by a county, city, village, or township prohibiting the issuance of Sunday morning licenses to off-premises licensees, on-premises licensees, or both.

The bill also would require the LCC to issue a Sunday morning permit to a motorsports entertainment complex. A local unit would not be able to pass a resolution prohibiting the issuance of a license to such a complex. An applicant for this permit would have to pay a fee covering all lawful points of sale in the complex, at an amount not to exceed

\$1,500. The permit would be limited to the type of alcoholic liquor and kind of service (on-premises, off-premises, or both) authorized by the complex's license.

The bill would take effect 60 days after enactment.

**FISCAL IMPACT:**

The fiscal impact of this bill depends on the number of establishments that would purchase a "Sunday morning permit." The bill would increase state revenue by an estimated \$0.5 to \$3.0 million on an annual basis.

**POSITIONS:**

The Michigan Licensed Beverage Association and the Michigan Restaurant Association indicated support for the bill to the House committee. (9-22-08)

The Michigan Municipal League and the Michigan Townships Association would prefer that the bill allowed the awarding or denial of licenses on a case by case basis rather than a blanket basis. (9-22-08)

The Michigan Liquor Control Commission indicated neutrality

The Associated Food and Petroleum Dealers (AFPD) indicated opposition to the bill. (9-22-08)

Legislative Analyst: Chris Couch  
Fiscal Analyst: Rebecca Ross

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.