

Legislative Analysis



SUNDAY LIQUOR SALES FIX

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Senate Bill 100 (Substitute S-3)

Sponsor: Sen. Rick Jones

House Committee: Regulatory Reform

Senate Committee: Regulatory Reform

Complete to 3-1-11

A SUMMARY OF SENATE BILL 100 AS PASSED BY THE SENATE 2-16-11

The bill would allow local governments to opt out of Sunday morning liquor sales.

BACKGROUND INFORMATION:

Public Act 213 of 2010 amended the Michigan Liquor Control Code to allow on- and off-premises liquor licensees to obtain an additional license, for \$160 per year, to sell liquor between the hours of 7 a.m. and 12 noon on Sundays. Previously, liquor sales on Sunday were restricted to the hours between 12 noon on Sunday and 2 a.m. on Monday. As written, however, PA 213 did not allow a local governmental unit to opt out of the new Sunday morning sales – the only choice was to either prohibit all liquor sales on Sunday or allow all liquor sales on Sunday, including the morning hours. Since enactment of PA 213, the Liquor Control Commission has permitted local governments to opt out of the Sunday morning sales. Senate Bill 100 was introduced to fix the oversight and return local control to governmental units.

CONTENT:

The bill would amend the Michigan Liquor Control Code to allow local units of governments (or the electors) to prohibit the sale of alcohol between the hours of 7 a.m. and 12 noon on Sunday or prohibit Sunday sales altogether. Any prohibitions on the sale of alcohol between the hours of 7 a.m. and 12 noon on Sunday or between the hours of 7 a.m. on Sunday and 2 a.m. on Monday adopted by a county, city, village, or township before the bill's effective date would remain in effect.

The general prohibition on selling, giving away, or furnishing alcohol by a licensee between the hours of 2 a.m. and 7 a.m. would remain intact. The prohibition on licensees selling at retail or a person knowingly and willfully buying alcohol between the hours of 11:59 p.m. on December 24 and 12 noon on December 25 (Christmas morning) would also remain unchanged. The bill would delete a reference to the hours of sales of alcohol if December 26 fell on a Sunday.

MCL 436.2111, 436.2113, and 436.2114

FISCAL IMPACT:

The bill would have no fiscal impact on the state or local units of government. According to the Liquor Control Commission, they have issued 4,020 Sunday morning sales permits. These permits expire at the end of April, and must be renewed. It is anticipated that the number of Sunday sales permits will increase with the start of the new license cycle in May, when seasonal businesses will likely apply for a Sunday morning sales permit for the first time.

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