

# HOUSE BILL No. 5963

October 17, 2012, Introduced by Reps. Agema, Franz, McMillin, Hooker, Jenkins, Kurtz, MacMaster, Glardon, Genetski, Price, Huuki and Horn and referred to the Committee on Regulatory Reform.

A bill to amend 1998 PA 58, entitled  
"Michigan liquor control code of 1998,"  
(MCL 436.1101 to 436.2303) by adding section 903a.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1        SEC. 903A. (1) THE COMMISSION OR A COMMISSIONER OR DULY  
2        AUTHORIZED AGENT OF THE COMMISSION DESIGNATED BY THE CHAIRPERSON OF  
3        THE COMMISSION SHALL, UPON DUE NOTICE AND PROPER HEARING, REVOKE  
4        ANY LICENSE OF A LICENSEE THAT HAS BEEN FOUND GUILTY IN AN  
5        ADMINISTRATIVE DISQUALIFICATION HEARING OR CONVICTED FOR AN  
6        UNAUTHORIZED TRANSACTION FOR FOOD ASSISTANCE PROGRAM BENEFITS OR  
7        FAMILY INDEPENDENCE PROGRAM BENEFITS ADMINISTERED UNDER THE SOCIAL  
8        WELFARE ACT, 1939 PA 280, MCL 400.1 TO 400.119B, IF THAT  
9        UNAUTHORIZED TRANSACTION IS RELATED TO THAT LICENSEE'S LIQUOR

1 LICENSE.

2 (2) THE COMMISSION SHALL PROVIDE A PROCEDURE BY WHICH A  
3 LICENSEE WHO IS AGGRIEVED BY ANY REVOCATION OF A LICENSE ORDERED BY  
4 THE COMMISSION, A COMMISSIONER, OR A DULY AUTHORIZED AGENT OF THE  
5 COMMISSION MAY REQUEST A HEARING FOR THE PURPOSE OF PRESENTING ANY  
6 FACTS OR REASONS TO THE COMMISSION AS TO WHY THE REVOCATION SHOULD  
7 BE MODIFIED OR RESCINDED. ANY SUCH REQUEST SHALL BE IN WRITING AND  
8 ACCOMPANIED BY A FEE OF \$25.00. THE COMMISSION, AFTER REVIEWING THE  
9 RECORD MADE BEFORE A COMMISSIONER OR A DULY AUTHORIZED AGENT OF THE  
10 COMMISSION, MAY ALLOW OR REFUSE TO ALLOW THE HEARING IN ACCORDANCE  
11 WITH THE COMMISSION'S RULES. THE RIGHT TO A HEARING PROVIDED IN  
12 THIS SUBSECTION, HOWEVER, SHALL NOT BE INTERPRETED BY ANY COURT AS  
13 CURTAILING, REMOVING, OR ANNULING THE RIGHT OF THE COMMISSION TO  
14 REVOKE LICENSES AS PROVIDED FOR IN THIS ACT. A LICENSEE DOES NOT  
15 HAVE A RIGHT OF APPEAL FROM THE FINAL DETERMINATION OF THE  
16 COMMISSION, EXCEPT BY LEAVE OF THE CIRCUIT COURT. NOTICE OF THE  
17 ORDER OF REVOCATION OF A LICENSE SHALL BE GIVEN IN THE MANNER  
18 PRESCRIBED BY THE COMMISSION.