

Legislative Analysis



BRING YOUR OWN WINE TO ON-PREMISES LICENSEE

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House Bill 5046

Sponsor: Rep. Jim Stamas

Committee: Regulatory Reform

Complete to 11-11-13

A SUMMARY OF HOUSE BILL 5046 AS INTRODUCED 10-2-13

Section 901 of the Liquor Control Code generally prohibits retail licensees from allowing individuals to consume alcohol on licensed premises that is not purchased by the licensee.

House Bill 5046 would authorize an on-premises licensee to allow individuals to bring wine that was not purchased from the licensee and consume it on the licensed premises as long as the wine was (1) brought into the licensed premises in its original sealed container by a consumer who is not prohibited from possessing wine, and (2) the wine was produced by a wine maker, a small wine maker, or an out-of state entity that is substantially equivalent to one of those. (An "on-premises licensee" means a person who is licensed by the Liquor Control Commission to sell alcoholic liquor at retail for consumption on the licensed premises.)

The licensee could not allow a consumer to leave with a partially consumed bottle of wine brought onto the premises by the consumer unless the licensee (or an agent, clerk, or employee of the licensee) caps the bottle or reinserts the cork so that the top of the cork is level with the lip of the bottle.

The on-premises licensee would be required to charge a corkage fee of at least \$25 for each bottle of wine that is brought by the consumer and opened on the premises.

The bill would not exempt the on-premises licensee or the consumer from any other applicable requirements, responsibilities, or sanctions imposed under the Liquor Control Code.

MCL 436.2021

FISCAL IMPACT:

House Bill 5046 would not have a significant fiscal impact on the state or on local units of government.

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