

HOUSE BILL No. 5257

January 27, 2016, Introduced by Reps. Kesto, Franz, Iden, McCready, Schor, Garcia, Hughes, Cox, Lucido, Tedder, Crawford, Yonker, Brett Roberts, Kelly, Clemente, Dianda, Sheppard, Runestad, Webber, Chirkun, Lauwers, Kosowski, Singh and Jacobsen 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 610.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 610. (1) NOTWITHSTANDING SECTION 609, A WHOLESALER,
2 MANUFACTURER, OUTSTATE SELLER OF BEER, OUTSTATE SELLER OF WINE,
3 OUTSTATE SELLER OF MIXED SPIRIT DRINK, VENDOR OF SPIRITS, BROKER,
4 OR RETAILER MAY USE UNPAID SOCIAL MEDIA TO ADVERTISE ANY OF THE
5 FOLLOWING:

- 6 (A) AN ON-PREMISES BRAND PROMOTION.
- 7 (B) BEER, WINE, OR SPIRITS TASTINGS UNDER SECTION 537.
- 8 (C) A PRODUCT LOCATOR.
- 9 (2) AS USED IN THIS SECTION:
- 10 (A) "BROKER" MEANS THAT TERM AS DEFINED IN SECTION 609.
- 11 (B) "ON-PREMISES BRAND PROMOTION" MEANS A PROMOTION IN THE

1 MANNER PROVIDED BY THE ORDER OF THE COMMISSION ISSUED ON OCTOBER
2 27, 1999. THAT ORDER'S PROHIBITION AGAINST ADVERTISING AN ON-
3 PREMISES PROMOTION BY A PARTY OFF THE LICENSED PREMISES DOES NOT
4 APPLY TO THIS SECTION.

5 (C) "PRODUCT LOCATOR" MEANS A PROGRAM THAT ALLOWS AN
6 INDIVIDUAL TO SEARCH THE AVAILABILITY OF A SPECIFIC PRODUCT AT
7 LICENSED RETAILERS IN A CERTAIN GEOGRAPHIC AREA.

8 (D) "SOCIAL MEDIA" MEANS A SERVICE, PLATFORM, OR WEBSITE WHERE
9 USERS COMMUNICATE WITH ONE ANOTHER AND SHARE MEDIA, SUCH AS
10 PICTURES, VIDEOS, MUSIC, AND BLOGS, WITH OTHER USERS FREE OF
11 CHARGE. SOCIAL MEDIA INCLUDES THE WEBSITE OF A WHOLESALER,
12 MANUFACTURER, OUTSTATE SELLER OF BEER, OUTSTATE SELLER OF WINE,
13 OUTSTATE SELLER OF MIXED SPIRIT DRINK, VENDOR OF SPIRITS, BROKER,
14 OR RETAILER.

15 Enacting section 1. This amendatory act takes effect 90 days
16 after the date it is enacted into law.