

Legislative Analysis



ALLOW MINORS TO WORK FOR CERTAIN LIQUOR LICENSEES

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

House Bill 5695 as introduced
Sponsor: Rep. Pauline Wendzel

Analysis available at
<http://www.legislature.mi.gov>

House Bill 5696 as introduced
Sponsor: Rep. Stephanie A. Young

House Bill 5726 as introduced
Sponsor: Rep. Pat Outman

Committee: Regulatory Reform
Complete to 2-28-22

SUMMARY:

House Bills 5695 and 5696 would amend the Michigan Liquor Control Code to allow a minor employee who is at least 16 years old to build a display of certain brands of alcohol, mark the price on those brands, rotate them, and place them on shelves under certain conditions. House Bill 5726 would amend the Youth Employment Standards Act to allow a minor to be issued a work permit for employment with an establishment where alcoholic beverages are distributed.

House Bill 5695

Currently, a liquor licensee is prohibited from allowing a person who is less than 18 years old to sell or serve alcohol. The bill would provide that this prohibition does not prohibit a *wholesaler's employee* who is 16 years of age or older from doing any of the following regarding brands that are represented or sold by the wholesaler for an off-premises retailer:

- Building a display for those brands.
- Marking the price on those brands.
- Rotating those brands.
- Placing those brands on shelves.

MCL 436.1707

House Bill 5696

Currently, an individual who is a designated employee of certain classes of liquor licensees is prohibited from selling, delivering, promoting, or otherwise assisting in the sale of alcohol in any manner to a retailer in Michigan unless the individual is licensed as a salesperson. However, licensure as a salesperson is not required for an individual who is at least 18 years of age and who, with regard to brands that are represented or sold *by the individual's employer* for an off-premises retailer, only builds a display of those brands, marks the price on those brands, rotates those brands, or places those brands on shelves.

The bill would apply this exemption to an individual who is at least 16 years of age and who only performs the tasks described above. The bill would apply to employees of licensees that include manufacturers of beer, wine, or mixed spirit drink; outstate sellers of beer, wine, or mixed spirit drink; wholesalers; vendors or manufacturers of spirits; and brokers who represent one or more of these licensees.

MCL 436.1502

House Bill 5726

Currently, a work permit cannot be issued that would allow a minor 16 years of age or older to be employed in, about, or in connection with that part of an establishment where alcoholic beverages are distilled, rectified, compounded, brewed, manufactured, bottled, consumed, *distributed*, sold at retail, or sold for consumption on the premises—unless the sale of food or other goods constitutes at least 50% of the total gross receipts.

The bill would delete the italicized word above to allow a minor who is at least 16 years old to be issued a work permit for employment in, about, or in connection with that part of an establishment where alcoholic beverages are *distributed*, even if the sale of food or other goods constitutes less than 50% of the total gross receipts.

MCL 409.115

FISCAL IMPACT:

The bills would not have a fiscal impact on any unit of state or local government.

Legislative Analyst: Susan Stutzky
Fiscal Analyst: Marcus Coffin

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