

# Administrative Rule Analysis



## LIQUOR CONTROL COMMISSION – GENERAL RULES

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**Rule Set No.: 2013-097 LR**

**Submitted to JCAR on: 05/23/2016**

**Department: Licensing and Regulatory Affairs**

**Agency: Liquor Control Commission**

**Enabling Statute: Michigan Liquor Control Code, 1998 PA 58, MCL 436.1101 et seq.**

**Analysis Complete to: 06/20/2016**

## BACKGROUND AND SUMMARY OF PROPOSED RULES

Article IV, Section 40 of the Michigan Constitution empowers the Legislature to establish the Liquor Control Commission (LCC) to exercise complete control over the trafficking of alcoholic beverages within the state, subject to statutory limitations. The LCC is authorized, pursuant to Section 201 of the Michigan Liquor Control Code of 1998, 1998 PA 58, MCL 436.1201, to enforce numerous regulations concerning the manufacture, importation, possession, transportation, and sale of alcoholic beverages. These regulations are promulgated as administrative rules governing the proper and prohibited conduct of individuals and entities licensed under the Code pursuant to Section 215 of the Code, 1998 PA 58, MCL 436.1215.

2013-097 LR would add, amend, and rescind rules to clarify and/or enhance numerous business and operational regulations enforced by the LCC and pertaining to individuals and entities variously licensed under the Michigan Liquor Control Code of 1998, 1998 PA 58, MCL 436.1101 et seq. These rules were most recently updated during 2003.

Some of the more substantive revisions are as follows: enlarge the size of a sample bottle of liquor provided by vendors to licensees from one liter to 1.75 liters (i.e., a “handle), include the threatening of law enforcement or LCC officers as prohibited conduct by a licensee, enable the LCC to impound liquor of a licensee via written order, allow vending machines serving beer and wine to be located at on-premise licensed establishments, require licensees having made multiple dishonored payments make payments by cash.

## FISCAL IMPACT OF PROPOSED RULES

The rules added, amended, and rescinded by 2013-097 LR would not have a significant fiscal impact on the state or local units of government; however, the clarifications and enhancements made under the revisions could result in nominal cost or time savings incurred by the LCC, engendered via administrative efficiencies.

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