



HOUSE BILL No. 4005

January 11, 1995, Introduced by Rep. Anthony and referred to the Committee on Regulatory Affairs.

A bill to amend sections 2aa and 31b of Act No. 8 of the Public Acts of the Extra Session of 1933, entitled as amended "The Michigan liquor control act," as added by Act No. 300 of the Public Acts of 1992, being sections 436.2aa and 436.31b of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 2aa and 31b of Act No. 8 of the Public
2 Acts of the Extra Session of 1933, as added by Act No. 300 of the
3 Public Acts of 1992, being sections 436.2aa and 436.31b of the
4 Michigan Compiled Laws, are amended to read as follows:

5 Sec. 2aa. "Brewpub" means a license issued in conjunction
6 with a class "C", tavern, class "A" hotel, or class "B" hotel
7 license which authorizes the person licensed with the class "C",
8 tavern, class "A" hotel, or class "B" hotel to manufacture and
9 sell at that licensed premises not more than ~~2,000~~ 4,000

1 barrels of beer per year. ~~for consumption on that premises~~
2 ~~only.~~

3 Sec. 31b. (1) Subject to section 31c, the commission shall
4 issue a brewpub license to a person who is licensed as a food
5 service establishment under part 129 of the public health code,
6 Act No. 368 of the Public Acts of 1978, being sections 333.12901
7 to 333.12922 of the Michigan Compiled Laws, and at the time of
8 application for the brewpub license is licensed and continues to
9 be licensed as 1 or more of the following:

10 (a) Class "C".

11 (b) Tavern.

12 (c) Class "A" hotel.

13 (d) Class "B" hotel.

14 ~~(2) A person shall not, directly or indirectly, have an~~
15 ~~interest in more than 1 brewpub.~~

16 (2) ~~(3)~~ A brewpub shall possess the necessary equipment
17 for a satisfactory operation which shall be maintained in good
18 working order and in a sanitary condition.

19 (3) ~~(4)~~ Agricultural products processed by a manufacturer
20 shall comply with laws and rules of the department of
21 agriculture.

22 (4) ~~(5)~~ A brewpub shall not sell beer in this state unless
23 it provides for each brand or type of beer sold a label that
24 truthfully describes the content of each container and provides
25 proof that a valid "application for and certification/exemption
26 of label/bottle approval" has been obtained and is unrevoked
27 under the federal malt beverage labeling requirements as

1 published in title 27, part 7, subpart C, C.F.R. 1935 which are
2 ~~hereby~~ adopted by reference.

3 (5) ~~(6)~~ Beer shall be manufactured pursuant to federal
4 malt beverage regulations published in title 27, part 25,
5 C.F.R. 1935 which are ~~hereby~~ adopted by reference.

6 (6) ~~(7)~~ Each brewpub shall submit to the commission, on
7 forms acceptable to the commission and postmarked not later than
8 January 15, April 15, July 15, and October 15 of each year, a
9 beer tax report of all beer sold under their brewpub license
0 during the preceding quarter and shall also submit, with the beer
1 tax report, the payment of the required beer excise tax due pur-
2 suant to section 40.

3 (7) ~~(8)~~ A brewpub shall be the holder of a "brewers
4 notice" as issued by the United States department of treasury,
5 bureau of alcohol, tobacco and firearms in accordance with
6 title 27, part 25, subpart G, C.F.R. 1935.