



# HOUSE BILL No. 4908

September 29, 1999, Introduced by Rep. Stallworth 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 545.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 545. (1) THE COMMISSION SHALL PROMULGATE A RULE PURSU-  
2 ANT TO THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306,  
3 MCL 24.201 TO 24.328, TO ESTABLISH A PROGRAM FOR THE ISSUANCE OF  
4 A PERMIT TO A LICENSEE OFFERING SPACE ON THE LICENSED PREMISES  
5 FOR THE ADVERTISING AND PROMOTING OF ALCOHOLIC LIQUOR. THE PRO-  
6 GRAM SHALL INCLUDE THE ESTABLISHMENT OF THE FOLLOWING:  
7 (A) A SCHEDULE FOR THE ALLOCATION OF SPACE.  
8 (B) A PERIODIC LEASING SCHEDULE.  
9 (C) PERMITTING FEES BASED UPON THE ALLOCATION SCHEDULE,  
10 SUBJECT TO SUBSECTION (2).

1       (2) IN THE CASE OF ADVERTISING AND PROMOTION SPACE OFFERED  
2 BY THE LICENSEE LOCATED ON A BILLBOARD OR OTHER SIGN ATTACHED TO  
3 THE EXTERIOR OF THE LICENSED PREMISES, THE FEE SHALL BE NOT LESS  
4 THAN 10% OF THE PERIODIC GROSS LEASE RATE.

5       (3) PERMITTING FEES AND ADMINISTRATIVE FINES SHALL BE DEPOS-  
6 ITED INTO THE GENERAL FUND AND APPROPRIATED TO THE COMMISSION IN  
7 AN AMOUNT SUFFICIENT TO COVER, BUT NOT TO EXCEED, THE COSTS OF  
8 ADMINISTRATION AND ENFORCEMENT OF THE PROGRAM CREATED UNDER SUB-  
9 SECTION (1). FUNDS IN EXCESS OF THE AMOUNT NEEDED TO ADMINISTER  
10 AND ENFORCE THE PROGRAM CREATED UNDER SUBSECTION (1) SHALL BE  
11 APPROPRIATED TO THE OFFICE OF DRUG CONTROL POLICY IN THE DEPART-  
12 MENT OF COMMUNITY HEALTH.

13       (4) NOTWITHSTANDING SECTION 903, A VIOLATION OF THE PROGRAM  
14 ESTABLISHED UNDER THIS SECTION IS SUBJECT TO AN ADMINISTRATIVE  
15 FINE OF NOT LESS THAN \$500.00 FOR EACH MONTH AN ADVERTISING OR  
16 PROMOTION LOCATION IS IN USE BUT NOT PERMITTED.