

# HOUSE BILL No. 4972

June 21, 2007, Introduced by Reps. Bieda, Condino and Warren and referred to the Committee on Tax Policy.

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 916a.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       **SEC. 916A. (1) AS USED IN THIS SECTION:**

2       **(A) "SMOKING" MEANS THAT TERM AS DEFINED IN SECTION 12905 OF**  
3       **THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.12905.**

4       **(B) "SMOKING PERMIT" MEANS A PERMIT ISSUED TO A HOLDER OF AN**  
5       **ON-PREMISES LICENSE THAT ALLOWS SMOKING ON THE LICENSED PREMISES.**

6       **(2) NOTWITHSTANDING ANY STATE LAW OR LOCAL ORDINANCE TO THE**  
7       **CONTRARY, A LICENSEE THAT IS ISSUED A SMOKING PERMIT MAY ALLOW**  
8       **SMOKING AND MAY ADVERTISE THE AVAILABILITY OF SMOKING ON THE**  
9       **LICENSED PREMISES IN ADDITION TO ANY OTHER ACTIVITIES ALLOWED ON**  
10       **THE LICENSED PREMISES BY THIS ACT OR RULE ADOPTED UNDER THIS ACT.**

1           (3) THE COMMISSION SHALL ISSUE A SMOKING PERMIT TO THE HOLDER  
2 OF AN ON-PREMISES LICENSE WHO APPLIES TO THE COMMISSION AND PAYS  
3 THE PERMIT FEE OF \$600.00. THE RENEWAL OF THE PERMIT SHALL BE  
4 ACCOMPANIED BY A RENEWAL APPLICATION AND THE PERMIT FEE OF \$500.00.

5           (4) THE MONEY COLLECTED FOR THE INITIAL ISSUANCE AND RENEWAL  
6 OF PERMITS UNDER THIS SECTION SHALL BE DEPOSITED INTO THE GENERAL  
7 FUND.

8           Enacting section 1. This amendatory act takes effect October  
9 1, 2007.

10          Enacting section 2. This amendatory act does not take effect  
11 unless Senate Bill No. \_\_\_\_\_ or House Bill No. 4971 (request no.  
12 03400'07) of the 94th Legislature is enacted into law.