



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 5067 (as passed by the House)
Sponsor: Representative Rick Jones
House Committee: Regulatory Reform
Senate Committee: Economic Development, Small Business and Regulatory Reform

Date Completed: 11-9-05

CONTENT

The bill would amend the Michigan Liquor Control Code to prohibit a person from using or offering for use, possessing, selling, or offering for sale an alcohol vapor device. A person who did so would be guilty of a misdemeanor punishable in the manner provided for in the Code.

Under the bill, "alcohol vapor device" would mean any device that provides for the use of air or oxygen bubbled through alcoholic liquor to produce a vapor or mist that allows the user to inhale the alcoholic vapor through the mouth or nose.

The Liquor Control Commission could jointly promulgate rules with the Department of Community Health to allow for the sale or use of an alcohol vapor device for research purposes.

MCL 436.1105 et al.

Legislative Analyst: J.P. Finet

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government. There are no data to indicate how many offenders would be convicted of using, possessing, selling, or offering for sale or use an alcohol vapor device. An offender convicted of the misdemeanor who is a licensee under the Michigan Liquor Control Code would be fined up to \$500 and/or imprisoned for not more than six months. An offender convicted of the misdemeanor who is not a licensee would be fined up to \$500 and/or imprisoned for not more than 90 days. Local governments would incur the costs of incarceration in local facilities, which vary by county. Public libraries would benefit from any additional penal fine revenue raised.

The bill would have no fiscal impact on the Liquor Control Commission.

Fiscal Analyst: Lindsay Hollander
Elizabeth Pratt

S0506\s5067sa

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.