

HOUSE BILL No. 5059

June 9, 2009, Introduced by Reps. Donigan, Tlaib, Young, Durhal and Meadows 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 1116.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 1116. (1) UPON THE FILING WITH THE CLERK OF A PETITION
2 SIGNED BY NOT LESS THAN 20% OF THE REGISTERED AND QUALIFIED
3 ELECTORS OF ANY CITY, TOWNSHIP, OR COUNTY OF THE ENTIRE VOTE CAST
4 FOR THE OFFICE OF SECRETARY OF STATE IN THAT UNIT OF GOVERNMENT AT
5 THE LAST GENERAL ELECTION REQUESTING THE SUBMISSION TO THE ELECTORS
6 OF THAT CITY, TOWNSHIP, OR COUNTY OF THE QUESTION OF AN EXCISE TAX
7 IN THE AMOUNT NOT TO EXCEED 50 CENTS PER DRINK FOR THE SALE OF
8 ALCOHOLIC LIQUOR BY ON-PREMISES LICENSEES WITHIN THAT CITY,
9 TOWNSHIP, OR COUNTY, THE CLERK SHALL SUBMIT THE QUESTION AT THE

1 NEXT REGULAR STATE ELECTION HELD IN THAT CITY, TOWNSHIP, OR COUNTY.
2 A PETITION FILED UNDER THIS SUBSECTION SHALL BE FILED AT LEAST 60
3 DAYS BEFORE THE ELECTION. A BALLOT QUESTION UNDER THIS SUBSECTION
4 SHALL NOT BE SUBMITTED TO THE ELECTORS MORE OFTEN THAN ONCE IN ANY
5 4-YEAR PERIOD.

6 (2) ALL VOTES ON THE QUESTION SHALL BE TAKEN, COUNTED, AND
7 CANVASSED IN THE SAME MANNER AS VOTES CAST FOR CITY OFFICES ARE
8 TAKEN, COUNTED, AND CANVASSED. THE VOTE ON THAT QUESTION SHALL BE
9 BY BALLOT, WHICH BALLOTS SHALL BE FURNISHED BY THE BOARD OF
10 ELECTION COMMISSIONERS OF THE CITY, TOWNSHIP, OR COUNTY AND SHALL
11 BE SUBSTANTIALLY IN THE FOLLOWING FORM:

12 "SHALL A PER-DRINK EXCISE TAX IN THE AMOUNT OF \$___ FOR THE
13 SALE OF ALCOHOLIC LIQUOR BY ON-PREMISES LICENSEES BE ALLOWED IN THE
14 CITY, TOWNSHIP, OR COUNTY OF _____ ?

15 YES _____

16 NO _____."

17 (3) THE EFFECTIVE DATE OF THE IMPOSITION OF THE EXCISE TAX NOT
18 TO EXCEED 50 CENTS PER DRINK FOR THE SALE OF ALCOHOLIC LIQUOR BY
19 ON-PREMISES LICENSEES WITHIN THAT CITY, TOWNSHIP, OR COUNTY SHALL
20 BE 30 DAYS AFTER THE BOARD OF CANVASSERS HAS DETERMINED THAT A
21 MAJORITY OF THOSE VOTING ON THAT QUESTION HAVE VOTED IN FAVOR OF
22 THE IMPOSITION OF THE EXCISE TAX. THE CLERK SHALL GIVE NOTICE OF
23 THE EFFECTIVE DATE OF THE IMPOSITION OF THE EXCISE TAX BY
24 PUBLISHING THE DATE AT LEAST ONCE IN A NEWSPAPER PUBLISHED IN THAT
25 CITY, TOWNSHIP, OR COUNTY.