

HOUSE BILL NO. 4445

March 04, 2021, Introduced by Rep. Lightner and referred to the Committee on Regulatory Reform.

A bill to amend 1998 PA 58, entitled
"Michigan liquor control code of 1998,"
by amending section 518 (MCL 436.1518), as amended by 2010 PA 279.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 518. (1) As used in this section:
- 2 (a) "Motorsports entertainment complex" means a closed-course
- 3 motorsports facility and its ancillary grounds that comply with all
- 4 of the following:
- 5 (i) Has at least 1,500 fixed seats for race patrons.

(ii) Has at least ~~7~~**2** scheduled days of motorsports events each calendar year.

(iii) Serves food and beverages at the facility during sanctioned motorsports events each calendar year through concession outlets, which may be staffed by individuals who represent or are members of 1 or more nonprofit civic or charitable organizations that directly financially benefit from the concession outlets' sales.

(iv) Engages in tourism promotion.

(b) "Motorsports event" means a motorsports race and its ancillary activities that have been sanctioned by a sanctioning body.

(c) "Owner" means a person who owns and operates a motorsports entertainment complex.

(d) "Sanctioning body" means the American ~~motorcycle~~
~~association~~ **Motorcycle Association** (AMA); ~~auto racing club of~~
~~America~~ **Auto Racing Club of America** (ARCA); ~~championship auto~~
~~racing teams~~ (CART); ~~grand American road racing association~~ (GRAND
AM); ~~Indy racing league~~ (IRL); ~~national association for stock car~~
~~auto racing~~ **IndyCar**; **International Motor Sports Association (IMSA)**;
National Association for Stock Car Auto Racing (NASCAR); ~~nation hot~~
~~rod association~~ **National Hot Rod Association** (NHRA); ~~professional~~
~~sportscar racing~~ (PSR); ~~sports car club~~ **Sports Car Club** of America
(SCCA); United States ~~auto club~~ **Auto Club** (USAC); Michigan ~~state~~
~~promoters association~~; **State Promoters Association**; or any
successor organization or any other nationally or internationally
recognized governing body of motorsports that establishes an annual
schedule of motorsports events and grants rights to conduct the
events, that has established and administers rules and regulations

governing all participants involved in the events and all persons conducting the events, and that requires certain liability assurances, including insurance.

(2) Notwithstanding the quota provisions of section 531, the commission may issue motorsports event licenses for the sale of beer and wine or beer, wine, mixed spirit drink, and spirits for consumption on the premises to the owner of a motorsports entertainment complex for use during sanctioned motorsports events only. The sale of beer, wine, mixed spirit drink, and spirits at concession outlets or additional locations within the motorsports entertainment complex during motorsports sanctioned events ~~shall~~ **are** not ~~be~~ considered additional bars for the purpose of determining a license fee ~~pursuant to~~ **under** section 525(1)(o). An applicant for a license under this section that elects to sell beer and wine only shall pay to the commission a license fee of \$250.00. An applicant for a license under this section that elects to sell beer, wine, mixed spirit drink, and spirits shall pay to the commission a license fee of \$600.00.

(3) For a period of time not to exceed 7 consecutive days during which public access is permitted to a motorsports entertainment complex in connection with a motorsports event, members of the general public at least 21 years or older may bring beer and wine not purchased at the licensed motorsports entertainment complex into the motorsports entertainment complex and possess and consume that beer and wine. Possession and consumption of beer and wine under this section are allowed only in portions of the motorsports entertainment complex open to the general public that are also part of the licensed premises of a retail licensee under both of the following circumstances:

1 (a) The licensed premises are located within the motorsports
2 entertainment complex.

3 (b) The retail licensee holds a license for consumption on the
4 licensed premises of the motorsports entertainment complex.

5 (4) A person holding a license for the sale of alcoholic
6 liquor for consumption on the premises at a motorsports
7 entertainment complex is subject to the civil liability provisions
8 of section 801 if the civil action is brought by or on behalf of an
9 individual who suffers damage or is personally injured by a minor
10 or visibly intoxicated person by reason of the unlawful consumption
11 of alcoholic liquor on the licensed premises by that minor or
12 visibly intoxicated person if the unlawful consumption is proven to
13 be a proximate cause of the damage, injury, or death of the
14 individual, whether the alcoholic liquor was sold or furnished by
15 the licensee or was brought onto the licensed premises under
16 subsection (3).