

# HOUSE BILL NO. 5304

September 21, 2021, Introduced by Rep. Wakeman 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 552.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 552. (1) Except as otherwise provided in this section, an  
2       on-premises licensee shall not allow on the licensed premises a  
3       machine that dispenses alcoholic liquor directly to a customer.

4       (2) Subsection (1) does not apply to a dispensing machine that  
5       is located in a bedroom or suite of a hotel of a class A or class B

1 hotel licensee.

2 (3) Subsection (1) does not apply to a dispensing machine that  
3 is located at an on-premises licensed establishment if all of the  
4 following conditions are met:

5 (a) The dispensing machine is located at a customer's table or  
6 booth.

7 (b) The dispensing machine does not dispense more than 96  
8 ounces of beer, wine, or mixed spirit drink in a single order.

9 (c) The dispensing machine does not dispense spirits.

10 (d) The customer orders the beer, wine, or mixed spirit drink  
11 from a clerk, servant, agent, or employee of the licensee.

12 (e) The licensee does not sell, offer to sell, or advertise  
13 the sale of an unlimited quantity of beer, wine, or mixed spirit  
14 drink from the dispensing machine.

15 (f) The licensee or a clerk, servant, agent, or employee of  
16 the licensee monitors the sale, service, and consumption of beer,  
17 wine, or mixed spirit drink from the dispensing machine to ensure  
18 compliance with this act and the rules promulgated under this act.

19 (4) Subsection (1) does not apply to a dispensing machine that  
20 is located at an on-premises licensed establishment if all of the  
21 following conditions are met:

22 (a) The dispensing machine is not located at a customer's  
23 booth or table.

24 (b) The customer activates the dispensing machine with a  
25 secure key card supplied by the licensee or a clerk, servant,  
26 agent, or employee of the licensee.

27 (c) The secure key card under subdivision (b) is attached to  
28 the customer at all times, either through a necklace or bracelet,  
29 or other means of securing the key card to the customer.

1           (d) The dispensing machine does not dispense more than 16  
2 ounces of beer, 12 ounces of wine, or 12 ounces of mixed spirit  
3 drink before the secure key card under subdivision (b) is  
4 reactivated.

5           (e) The dispensing machine does not dispense spirits.

6           (f) The licensee or a clerk, servant, agent, or employee of  
7 the licensee monitors the sale, service, and consumption of beer,  
8 wine, or mixed spirit drink from the dispensing machine to ensure  
9 compliance with this act and the rules promulgated under this act.

10          (5) As used in this section, "on-premises licensee" means any  
11 of the following:

12           (a) A retailer that holds a license, other than a special  
13 license, to sell alcoholic liquor for consumption on the licensed  
14 premises.

15           (b) A manufacturer with an on-premises tasting room permit  
16 issued under section 536.

17           (c) A manufacturer that holds an off-premises tasting room  
18 license issued under section 536.

19           (d) A manufacturer that holds a joint off-premises tasting  
20 room license issued under section 536.