

## ELIMINATE “COCKTAILS TO GO” SUNSET

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<http://www.house.mi.gov/hfa>

**Senate Bill 141 as reported from House committee**

**Sponsor: Sen. Mallory McMorrow**

**House Committee: Regulatory Reform**

**Senate Committee: Regulatory Affairs**

**Complete to 6-13-23**

Analysis available at  
<http://www.legislature.mi.gov>

*(Enacted as Public Act 95 of 2023)*

### SUMMARY:

Senate Bill 141 would amend the Michigan Liquor Control Code to eliminate the sunset (expiration date) on a provision allowing certain retailers to sell fill and sell a container with alcoholic liquor for consumption off the licensed premises and deliver the container to a consumer in Michigan under certain conditions, commonly referred to as “cocktails to go.”

Currently, the provision allowing the sale of “cocktails to go” is slated to sunset after January 1, 2026. The bill would eliminate the sunset date and allow the sale of “cocktails to go” in perpetuity.

MCL 436.1537a

### BACKGROUND AND BRIEF DISCUSSION:

The sale of “cocktails to go” was first allowed in Michigan during the COVID-19 pandemic as a way to support businesses during times when dining rooms were closed or limited. The original sunset was later extended from 2024 to 2026. Supporters of the proposal argue that “cocktails to go” has become a core and valuable part of business for Michigan restaurants and should thus be allowed to continue. They also point to the 32 other states that have extended their sunsets for, or permanently allowed, the sale of “cocktails to go.”

Opponents of the proposal argue that increasing the accessibility of alcohol will lead to an increase in alcohol-related issues. They point to the period after 2020 when “cocktails to go” and other COVID-19 era policies that increased alcohol availability led to a rise in alcohol-related issues, including alcohol dependency disorder and driving under the influence.

The bill is identical to House Bill 4201 as passed by the House of Representatives.

### FISCAL IMPACT:

Senate Bill 141 would not have a fiscal impact on the state or local government units, as qualified licensees affected by the bill are already required to possess a license issued under the Michigan Liquor Control Code.

### POSITIONS:

The following entities indicated support for the bill:

- Department of Licensing and Regulatory Affairs (5-23-23)
- Michigan Restaurant & Lodging Association (5-23-23)
- Michigan Licensed Beverage Association (5-23-23)

- Michigan Chamber of Commerce (6-13-23)
- Michigan Spirits Association (5-23-23)
- Distilled Spirits Council of the United States (5-23-23)

Michigan Alcohol Policy Promoting Health and Safety indicated opposition to the bill.  
(5-23-23)

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.