



SENATE BILL No. 1064

March 15, 1994, Introduced by Senators DILLINGHAM,
WELBORN, GOUGEON FAUST, GEAKE, DINGELL, CARL, EMMONS,
HART MILLER POLLACK and SMITH and referred to the
Committee on Judiciary

A bill to amend section 33b of Act No 8 of the Public Acts
of the Extra Session of 1933, entitled as amended
"The Michigan liquor control act,"
as amended by Act No 176 of the Public Acts of 1986, being sec-
tion 436 33b of the Michigan Compiled Laws and to repeal certain
parts of the act

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Section 33b of Act No 8 of the Public Acts of
2 the Extra Session of 1933 as amended by Act No 176 of the
3 Public Acts of 1986 being section 436 33b of the Michigan
4 Compiled Laws, is amended to read as follows

5 Sec 33b (1) A person less than 21 years of age shall not
6 purchase alcoholic liquor, consume alcoholic liquor in a licensed
7 premises, or possess alcoholic liquor, except as provided in THIS
8 SECTION AND section 33a(1) ~~of this act~~ A person less than 21

1 years of age who violates this subsection is ~~liable for the~~
2 ~~following civil fines and shall not be~~ GUILTY OF A MISDEMEANOR
3 AND subject to the penalties prescribed in section 50 ~~—~~

4 ~~(i) For the first violation a fine of not more than~~
5 ~~\$25 00—~~

6 ~~(ii) For a second violation a fine of not more than \$50 00,~~
7 ~~or participation in substance abuse prevention services as~~
8 ~~defined in section 6107 of the public health code, Act No 368 of~~
9 ~~the Public Acts of 1978, being section 333 6107 of the Michigan~~
10 ~~Compiled Laws and designated by the administrator of substance~~
11 ~~abuse services, or both—~~

12 ~~(iii) For a third or subsequent violation a fine of not more~~
13 ~~than \$100 00 or participation in substance abuse prevention~~
14 ~~services as defined in section 6107 of the public health code,~~
15 ~~Act No 368 of the Public Acts of 1978 and designated by the~~
16 ~~administrator of substance abuse services or both—~~

17 ~~(2) Fifty percent of the fines collected under subsection~~
18 ~~(1) shall be deposited with the state treasurer for deposit in~~
19 ~~the general fund to the credit of the department of public health~~
20 ~~for substance abuse treatment and rehabilitation services—~~

21 (2) ~~—(3)—~~ A person who furnishes fraudulent identification
22 to a person less than 21 years of age, or a person less than 21
23 years of age who uses fraudulent identification to purchase alco-
24 holic liquor, is guilty of a misdemeanor The court shall order
25 the secretary of state to suspend, PURSUANT TO SECTION 319(B) OF
26 THE MICHIGAN VEHICLE CODE, ACT NO 300 OF THE PUBLIC ACTS OF
27 1949, BEING SECTION 257 319 OF THE MICHIGAN COMPILED LAWS, for a

1 period of 90 days, the operator or chauffeur license of a person
2 who is convicted of using fraudulent identification in violation
3 of this subsection and the operator or chauffeur license of that
4 person shall be surrendered to the court. The court shall imme-
5 diately forward the surrendered license and a certificate of con-
6 viction to the secretary of state. A suspension ordered under
7 this subsection shall be in addition to any other suspension of
8 the person's operator or chauffeur license.

9 (3) ~~-(4)-~~ This section ~~shall~~ DOES not ~~be construed to~~
10 prohibit a person less than 21 years of age from possessing alco-
11 holic liquor during regular working hours and in the course of
12 his or her employment if employed by a person licensed by this
13 act, by the ~~liquor control~~ commission, or by an agent of the
14 ~~liquor control~~ commission, if the alcoholic liquor is not pos-
15 sessed for his or her personal consumption.

16 (4) ~~-(5)-~~ This section ~~shall~~ DOES not ~~be construed to~~
17 limit the civil or criminal liability of the vendor or the
18 vendor's clerk, servant, agent, or employee for a violation of
19 this act.

20 (5) ~~-(6)-~~ The consumption of alcoholic liquor by a person
21 ~~under~~ LESS THAN 21 years of age who is enrolled in a course
22 offered by an accredited post secondary educational institution
23 in an academic building of the institution under the supervision
24 of a faculty member ~~shall~~ IS not ~~be~~ prohibited by this act if
25 the purpose OF THE CONSUMPTION is solely educational and a neces-
26 sary ingredient of the course.

1 Section 2 Section 33c of Act No 8 of the Public Acts of
2 the Extra Session of 1983 being section 436 33c of the Michigan
3 Compiled Laws is repealed