

HOUSE BILL No. 4541

March 22, 2005, Introduced by Rep. Byrum 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 added by 2002 PA 725.

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 ~~70,000~~ **1,500** fixed seats for race patrons.

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

8 (iii) Has at least 4 motorsports events each calendar year.

1 (iv) Serves food and beverages at the facility during
2 sanctioned **MOTORSPORTS** events each calendar year through concession
3 outlets, a majority of which are staffed by individuals who
4 represent or are members of 1 or more nonprofit civic or charitable
5 organizations that directly financially benefit from the concession
6 outlets' sales.

7 (v) Engages in tourism promotion.

8 (vi) Has located on the property exhibitions of motorsports
9 history, events, or vehicles.

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

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

15 (d) "Sanctioning body" means the American motorcycle
16 association (AMA); auto racing club of America (ARCA); championship
17 auto racing teams (CART); grand American road racing association
18 (GRAND AM); Indy racing league (IRL); national association for
19 stock car auto racing (NASCAR); nation hot rod association (NHRA);
20 professional sportscar racing (PSR); sports car club of america
21 (SCCA); United States auto club (USAC); **MICHIGAN STATE PROMOTERS**
22 **ASSOCIATION**; or any successor organization or any other nationally
23 or internationally recognized governing body of motorsports that
24 establishes an annual schedule of motorsports events and grants
25 rights to conduct the events, that has established and administers
26 rules and regulations governing all participants involved in the
27 events and all persons conducting the events, and that requires

1 certain liability assurances, including insurance.

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

13 ~~—— (a) The~~ **IF THE** licensed premises are located within the
14 motorsports entertainment complex.

15 ~~—— (b) The retail licensee holds a license for consumption on the~~
16 ~~licensed premises of the motorsports entertainment complex.~~

17 (3) A person holding a license for the sale of alcoholic
18 liquor for consumption on the premises at a motorsports
19 entertainment complex is subject to the civil liability provisions
20 of section 801 if the civil action is brought by or on behalf of an
21 individual who suffers damage or is personally injured by a minor
22 or visibly intoxicated person by reason of the unlawful consumption
23 of alcoholic liquor on the licensed premises by that minor or
24 visibly intoxicated person if the unlawful consumption is proven to
25 be a proximate cause of the damage, injury, or death of the
26 individual, whether the alcoholic liquor was sold or furnished by
27 the licensee or was brought onto the licensed premises under

1 subsection (2).