

**SUBSTITUTE FOR  
SENATE BILL NO. 929**

A bill to amend 1998 PA 58, entitled  
"Michigan liquor control code of 1998,"  
by amending sections 533, 541, and 543 (MCL 436.1533, 436.1541, and  
436.1543), section 533 as amended by 1998 PA 416, section 541 as  
amended by 2016 PA 84, and section 543 as amended by 2010 PA 213,  
and by adding section 903b.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 533. (1) ~~A retail vendor licensed under this act to sell~~  
2 ~~for consumption on the premises may apply for a license as a~~  
3 ~~specially designated merchant.~~ **THE COMMISSION SHALL NOT ISSUE A NEW**  
4 **SPECIALLY DESIGNATED MERCHANT LICENSE OR TRANSFER AN EXISTING**  
5 **SPECIALLY DESIGNATED MERCHANT LICENSE UNLESS THE APPLICANT IS AN**  
6 **APPROVED TYPE OF BUSINESS. AN APPLICANT IS NOT AN APPROVED TYPE OF**  
7 **BUSINESS UNLESS THE APPLICANT MEETS 1 OR MORE OF THE FOLLOWING**

## 1 CONDITIONS:

2 (A) THE APPLICANT HOLDS AND MAINTAINS A RETAIL FOOD  
3 ESTABLISHMENT LICENSE ISSUED UNDER SECTION 4125 OF THE FOOD LAW,  
4 2000 PA 92, MCL 289.4125.

5 (B) THE APPLICANT HOLDS AND MAINTAINS AN EXTENDED RETAIL FOOD  
6 ESTABLISHMENT LICENSE ISSUED UNDER SECTION 4125 OF THE FOOD LAW,  
7 2000 PA 92, MCL 289.4125.

8 (C) THE APPLICANT HOLDS OR THE COMMISSION APPROVES THE  
9 ISSUANCE OF A SPECIALLY DESIGNATED DISTRIBUTOR LICENSE TO THE  
10 APPLICANT.

11 (D) THE APPLICANT HOLDS OR THE COMMISSION APPROVES THE  
12 ISSUANCE OF A CLASS C LICENSE TO THE APPLICANT.

13 (E) THE APPLICANT HOLDS OR THE COMMISSION APPROVES THE  
14 ISSUANCE OF A CLASS A HOTEL LICENSE TO THE APPLICANT.

15 (F) THE APPLICANT HOLDS OR THE COMMISSION APPROVES THE  
16 ISSUANCE OF A CLASS B HOTEL LICENSE TO THE APPLICANT.

17 (G) THE APPLICANT HOLDS OR THE COMMISSION APPROVES THE  
18 ISSUANCE OF A CLUB LICENSE TO THE APPLICANT.

19 (H) THE APPLICANT HOLDS OR THE COMMISSION APPROVES THE  
20 ISSUANCE OF A TAVERN LICENSE TO THE APPLICANT.

21 (I) THE APPLICANT HOLDS OR THE COMMISSION APPROVES THE  
22 ISSUANCE OF A CLASS G-1 LICENSE TO THE APPLICANT.

23 (J) THE APPLICANT HOLDS OR THE COMMISSION APPROVES THE  
24 ISSUANCE OF A CLASS G-2 LICENSE TO THE APPLICANT.

25 (2) A specially designated distributor may apply for a license  
26 as a specially designated merchant.

27 (3) In cities, incorporated villages, or townships, the

1 commission shall issue only 1 specially designated distributor  
2 license for each 3,000 of population ~~—~~or fraction of 3,000 **OF**  
3 **POPULATION**. The **COMMISSION MAY WAIVE THE** quota ~~requirement~~ may be  
4 ~~waived at the discretion of the commission~~ **UNDER THIS SUBSECTION** if  
5 there is no existing specially designated distributor ~~licensee~~  
6 within 2 miles of the applicant, measured along the nearest traffic  
7 route.

8 (4) **EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, IN CITIES,**  
9 **INCORPORATED VILLAGES, OR TOWNSHIPS, THE COMMISSION SHALL ISSUE**  
10 **ONLY 1 SPECIALLY DESIGNATED MERCHANT LICENSE FOR EACH 1,000 OF**  
11 **POPULATION. THE QUOTA UNDER THIS SUBSECTION DOES NOT APPLY TO ANY**  
12 **OF THE FOLLOWING:**

13 (A) **AN APPLICANT FOR A SPECIALLY DESIGNATED MERCHANT LICENSE**  
14 **THAT IS AN APPLICANT FOR OR THE HOLDER OF A LICENSE LISTED IN**  
15 **SUBSECTION (1) (D) TO (J).**

16 (B) **AN APPLICANT FOR OR THE HOLDER OF A SPECIALLY DESIGNATED**  
17 **MERCHANT LICENSE WHOSE LICENSED ESTABLISHMENT MEETS 1 OR MORE OF**  
18 **THE FOLLOWING CONDITIONS:**

19 (i) **MEETS BOTH OF THE FOLLOWING CONDITIONS:**

20 (A) **THE LICENSED ESTABLISHMENT IS AT LEAST 20,000 SQUARE FEET.**

21 (B) **THE LICENSED ESTABLISHMENT'S GROSS RECEIPTS DERIVED FROM**  
22 **THE SALE OF FOOD ARE AT LEAST 20% OF THE TOTAL GROSS RECEIPTS.**

23 (ii) **THE LICENSED ESTABLISHMENT IS ALSO A PHARMACY AS THAT**  
24 **TERM IS DEFINED IN SECTION 17707 OF THE PUBLIC HEALTH CODE, 1978 PA**  
25 **368, MCL 333.17707.**

26 (C) **A SECONDARY LOCATION PERMIT ISSUED TO A SPECIALLY**  
27 **DESIGNATED MERCHANT UNDER SECTION 541.**

1 (D) A SPECIALLY DESIGNATED MERCHANT LICENSE ISSUED UNDER  
2 SUBSECTION (6) .

3 (5) THE COMMISSION MAY WAIVE THE QUOTA UNDER SUBSECTION (4) IF  
4 THERE IS NO EXISTING SPECIALLY DESIGNATED MERCHANT WITHIN 2 MILES  
5 OF THE APPLICANT, MEASURED ALONG THE NEAREST TRAFFIC ROUTE.

6 (6) THE COMMISSION SHALL WAIVE THE QUOTA UNDER SUBSECTION (4)  
7 IF BOTH OF THE FOLLOWING APPLY:

8 (A) THE APPLICANT APPLIES FOR THE SPECIALLY DESIGNATED  
9 MERCHANT LICENSE WITHIN 60 DAYS AFTER THE EFFECTIVE DATE OF THE  
10 AMENDATORY ACT THAT ADDED SUBSECTION (4) .

11 (B) THE APPLICANT IS A RETAIL DEALER THAT HOLDS A LICENSE  
12 ISSUED UNDER SECTION 6(1) OF THE MOTOR FUELS QUALITY ACT, 1984 PA  
13 44, MCL 290.646. THE APPLICANT SHALL INCLUDE A COPY OF THE LICENSE  
14 DESCRIBED IN THIS SUBDIVISION WITH THE APPLICANT'S APPLICATION  
15 UNDER THIS SUBSECTION. AS USED IN THIS SUBDIVISION, "RETAIL DEALER"  
16 MEANS THAT TERM AS DEFINED IN SECTION 2 OF THE MOTOR FUELS QUALITY  
17 ACT, 1984 PA 44, MCL 290.642.

18 (7) A SPECIALLY DESIGNATED MERCHANT LICENSE ISSUED UNDER THIS  
19 SECTION MAY BE TRANSFERRED TO AN APPLICANT WHOSE PROPOSED OPERATION  
20 IS LOCATED WITHIN ANY LOCAL GOVERNMENTAL UNIT IN A COUNTY IN WHICH  
21 THE SPECIALLY DESIGNATED MERCHANT LICENSE WAS LOCATED. IF THE LOCAL  
22 GOVERNMENTAL UNIT WITHIN WHICH THE FORMER LICENSEE'S PREMISES WERE  
23 LOCATED SPANS MORE THAN 1 COUNTY, A SPECIALLY DESIGNATED MERCHANT  
24 LICENSE MAY BE TRANSFERRED TO AN APPLICANT WHOSE PROPOSED OPERATION  
25 IS LOCATED WITHIN ANY LOCAL GOVERNMENTAL UNIT IN EITHER COUNTY. IF  
26 A SPECIALLY DESIGNATED MERCHANT LICENSE IS TRANSFERRED TO A LOCAL  
27 GOVERNMENTAL UNIT OTHER THAN THAT LOCAL GOVERNMENTAL UNIT WITHIN

1 WHICH THE SPECIALLY DESIGNATED MERCHANT LICENSE WAS ORIGINALLY  
2 ISSUED, THE COMMISSION SHALL COUNT THAT TRANSFERRED SPECIALLY  
3 DESIGNATED MERCHANT LICENSE AGAINST THE LOCAL GOVERNMENTAL UNIT  
4 ORIGINALLY ISSUING THE SPECIALLY DESIGNATED MERCHANT LICENSE.

5 (8) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (9), THE QUOTA  
6 UNDER SUBSECTION (4) DOES NOT BAR THE RIGHT OF AN EXISTING  
7 SPECIALLY DESIGNATED MERCHANT TO RENEW THE SPECIALLY DESIGNATED  
8 MERCHANT LICENSE OR TRANSFER THE SPECIALLY DESIGNATED MERCHANT  
9 LICENSE. THIS SUBSECTION APPLIES TO A SPECIALLY DESIGNATED MERCHANT  
10 LICENSE ISSUED OR RENEWED BEFORE, ON, OR AFTER THE EFFECTIVE DATE  
11 OF THE AMENDATORY ACT THAT ADDED SUBSECTION (4).

12 (9) A SPECIALLY DESIGNATED MERCHANT LICENSE ISSUED AFTER THE  
13 EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED SUBSECTION (4) TO A  
14 PERSON DESCRIBED IN SUBSECTION (4) (A) OR (B) MAY NOT BE TRANSFERRED  
15 TO ANOTHER LOCATION.

16 (10) AN APPLICANT FOR OR THE HOLDER OF A SPECIALLY DESIGNATED  
17 MERCHANT LICENSE THAT OWNS OR OPERATES A MOTOR VEHICLE FUEL PUMP ON  
18 OR ADJACENT TO THE LICENSED PREMISES IS NOT REQUIRED TO MEET THE  
19 CONDITIONS UNDER SECTION 541 AS THAT SECTION EXISTED BEFORE THE  
20 EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED SUBSECTION (4).

21 (11) FOR PURPOSES OF THIS SECTION, POPULATION IS DETERMINED BY  
22 THE LAST FEDERAL DECENNIAL CENSUS, BY A SPECIAL CENSUS UNDER  
23 SECTION 6 OF THE HOME RULE CITY ACT, 1909 PA 279, MCL 117.6, OR  
24 SECTION 7 OF THE GLENN STEIL STATE REVENUE SHARING ACT OF 1971,  
25 1971 PA 140, MCL 141.907, OR BY THE LATEST CENSUS AND CORRECTIONS  
26 PUBLISHED BY THE UNITED STATES DEPARTMENT OF COMMERCE, BUREAU OF  
27 THE CENSUS, WHICHEVER IS LATER.

1           Sec. 541. (1) Except as provided in subsections (2) to ~~(6)~~,  
2     (5), the commission shall not allow an applicant for or the holder  
3     of a specially designated distributor license ~~or specially~~  
4     ~~designated merchant license from owning or operating~~ **TO OWN OR**  
5     **OPERATE** motor vehicle fuel pumps on or adjacent to the licensed  
6     premises, unless both of the following conditions are met:

7           (a) One or both of the following conditions exist:

8           (i) The applicant or licensee is located in a neighborhood  
9     shopping center.

10          (ii) ~~Subject to subsection (9), the~~ **THE** applicant or licensee  
11     maintains a minimum inventory on the premises, excluding alcoholic  
12     liquor and motor vehicle fuel, of not less than \$250,000.00, at  
13     cost, of those goods and services customarily marketed by approved  
14     types of businesses.

15          (b) The site of payment **OF ALCOHOLIC LIQUOR** and selection of  
16     alcoholic liquor is not less than 5 feet from that point where  
17     motor vehicle fuel is dispensed.

18          (2) The commission shall not prohibit an applicant for or the  
19     holder of a specially designated distributor license ~~or specially~~  
20     ~~designated merchant license from owning or operating~~ motor vehicle  
21     fuel pumps on or adjacent to the licensed premises, if all of the  
22     following conditions are met:

23          (a) The applicant is located in a township with a population  
24     of 7,000 or less that is not contiguous with any other township.  
25     For purposes of this subdivision, a township is not considered  
26     contiguous by water.

27          (b) The applicant or licensee maintains a minimum inventory on

1 the premises, excluding alcoholic liquor and motor vehicle fuel, of  
2 not less than \$12,500.00, at cost, of those goods and services  
3 customarily marketed by approved types of businesses.

4 (c) The applicant has the approval of the township, as  
5 evidenced by a resolution ~~duly~~ adopted by the township and  
6 submitted with the application to the commission.

7 ~~—— (3) The commission shall not prohibit an applicant for or the~~  
8 ~~holder of a specially designated merchant license from owning or~~  
9 ~~operating motor vehicle fuel pumps on or adjacent to the licensed~~  
10 ~~premises if both of the following conditions are met:~~

11 ~~—— (a) The applicant or licensee is located in any of the~~  
12 ~~following:~~

13 ~~—— (i) A city, incorporated village, or township with a~~  
14 ~~population of 3,500 or less and a county with a population of~~  
15 ~~31,000 or more.~~

16 ~~—— (ii) A city, incorporated village, or township with a~~  
17 ~~population of 4,000 or less and a county with a population of less~~  
18 ~~than 31,000.~~

19 ~~—— (iii) A township in which the applicant or licensee is the~~  
20 ~~only person that owns or operates motor fuel pumps within the~~  
21 ~~township on the date of application. The commission shall not~~  
22 ~~revoke a license that was granted under this subparagraph if a~~  
23 ~~second person that owns or operates motor fuel pumps opens within~~  
24 ~~the township after the original application was filed.~~

25 ~~—— (b) The applicant or licensee maintains a minimum inventory on~~  
26 ~~the premises, excluding alcoholic liquor and motor vehicle fuel, of~~  
27 ~~not less than \$10,000.00, at cost, of those goods and services~~

1 ~~customarily marketed by approved types of businesses.~~

2 (3) ~~(4)~~—The commission shall not prohibit an applicant for or  
3 the holder of a specially designated distributor license from  
4 owning or operating motor vehicle fuel pumps on or adjacent to the  
5 licensed premises if both of the following conditions are met:

6 (a) The applicant or licensee is located in either of the  
7 following:

8 (i) A city, incorporated village, or township with a  
9 population of 3,500 or less and a county with a population of  
10 31,000 or more.

11 (ii) A city, incorporated village, or township with a  
12 population of 4,000 or less and a county with a population of less  
13 than 31,000.

14 (b) The applicant or licensee maintains a minimum inventory on  
15 the premises, excluding alcoholic liquor and motor vehicle fuel, of  
16 not less than \$12,500.00, at cost, of those goods and services  
17 customarily marketed by approved types of businesses.

18 (4) ~~(5)~~—A person that was issued a specially designated  
19 merchant license or specially designated distributor license at a  
20 location at which another person owned, operated or maintained  
21 motor vehicle fuel pumps at the same location may have or acquire  
22 an interest in the ownership, operation or maintenance of those  
23 motor vehicle fuel pumps.

24 (5) ~~(6)~~—The commission may transfer ownership of a specially  
25 designated merchant license or specially designated distributor  
26 license to a person that owns or is acquiring an interest in motor  
27 vehicle fuel pumps already in operation at the same location at



1 which the license is issued.

2 (6) THE COMMISSION SHALL NOT PROHIBIT AN APPLICANT FOR OR THE  
3 HOLDER OF A SPECIALLY DESIGNATED MERCHANT LICENSE FROM OWNING OR  
4 OPERATING MOTOR VEHICLE FUEL PUMPS ON OR ADJACENT TO THE LICENSED  
5 PREMISES IF THE SITE OF PAYMENT OF ALCOHOLIC LIQUOR AND SELECTION  
6 OF ALCOHOLIC LIQUOR IS NOT LESS THAN 5 FEET FROM THAT POINT WHERE  
7 MOTOR VEHICLE FUEL IS DISPENSED.

8 (7) If a specially designated merchant's licensed premises are  
9 a primary location, the commission may issue a secondary location  
10 permit to the specially designated merchant, as an extension of the  
11 specially designated merchant's license, for the sale of beer,  
12 wine, or both, at the secondary location. The commission shall  
13 issue a secondary location permit only to a specially designated  
14 merchant to which both of the following apply:

15 (a) The holder of the specially designated merchant license  
16 for the primary location premises or a subsidiary or affiliate of  
17 the license holder owns or leases the secondary location.

18 (b) The holder of the specially designated merchant license  
19 for the primary location or a subsidiary or affiliate of the  
20 license holder owns or operates motor vehicle fuel pumps at the  
21 secondary location. ~~under subsection (1).~~

22 (8) An applicant for a secondary location permit shall submit  
23 an application to the commission in a format provided by the  
24 commission and accompanied by an application and initial permit fee  
25 of \$100.00. The application must include a diagram of the secondary  
26 location with building dimensions and a depiction of the distance  
27 measurement described in subsection ~~(1)(b)~~ **(6)**. The secondary

1 location permit expires on the same date as the specially  
2 designated merchant license and may be renewed in conjunction with  
3 the specially designated merchant license. The secondary location  
4 permit holder may renew the secondary location permit by submitting  
5 a permit renewal fee of \$100.00 and a completed renewal  
6 application.

7 ~~— (9) After a specially designated merchant is issued a~~  
8 ~~secondary location permit under subsection (7) and if the specially~~  
9 ~~designated merchant's licensed premises are a primary location that~~  
10 ~~is not a neighborhood shopping center, for purposes of determining~~  
11 ~~the minimum inventory condition described in subsection (1) (a) (ii),~~  
12 ~~the primary location and the secondary location are considered 1~~  
13 ~~premises.~~

14 (9) ~~(10)~~ After a specially designated merchant is issued a  
15 secondary location permit under subsection (7), if a subsidiary or  
16 affiliate of the specially designated merchant owns or operates the  
17 secondary location and the subsidiary or affiliate shares the same  
18 ultimate controlling party of the specially designated merchant,  
19 the secondary location may receive and sell beer, wine, or both  
20 under the specially designated merchant's license.

21 (10) ~~(11)~~ The holder of a secondary location permit shall  
22 prominently display the secondary location permit at the secondary  
23 location in the point-of-sale area.

24 (11) ~~(12)~~ As used in this section:

25 (a) "Neighborhood shopping center" means 1 commercial  
26 establishment, or a group of commercial establishments organized or  
27 operated as a unit, that is related in location, size, and type of

1 shop to the trade area that the unit serves, and consists of not  
2 less than 50,000 square feet of leasable retail space, and has  
3 access to off-street parking spaces.

4 (b) "Primary location" means licensed premises that ~~meet~~ **MEETS**  
5 **BOTH OF** the **FOLLOWING** conditions: ~~under subsection (1).~~

6 (i) **ONE OR BOTH OF THE FOLLOWING CONDITIONS EXIST:**

7 (A) **THE APPLICANT OR LICENSEE IS LOCATED IN A NEIGHBORHOOD**  
8 **SHOPPING CENTER.**

9 (B) **THE APPLICANT OR LICENSEE MAINTAINS A MINIMUM INVENTORY ON**  
10 **THE PREMISES, EXCLUDING ALCOHOLIC LIQUOR AND MOTOR VEHICLE FUEL, OF**  
11 **NOT LESS THAN \$250,000.00, AT COST, OF THOSE GOODS AND SERVICES**  
12 **CUSTOMARILY MARKETED BY APPROVED TYPES OF BUSINESSES.**

13 (ii) **THE SITE OF PAYMENT OF ALCOHOLIC LIQUOR AND SELECTION OF**  
14 **ALCOHOLIC LIQUOR IS NOT LESS THAN 5 FEET FROM THAT POINT WHERE**  
15 **MOTOR VEHICLE FUEL IS DISPENSED.**

16 (c) "Secondary location" means a business operation of the  
17 holder of a specially designated merchant license for a primary  
18 location, or a subsidiary or affiliate of that license holder, that  
19 takes place on real property, that includes at least 1 building and  
20 1 or more motor vehicle fuel pumps, and that is located on or  
21 adjacent to the primary location. ~~Upon~~ **ON** commission approval of  
22 the secondary location permit, the secondary location is considered  
23 licensed premises and an extension of the licensed primary  
24 location.

25 Sec. 543. (1) Quarterly, ~~upon~~ **ON THE COMMISSION'S**  
26 **recommendation, of the commission,** the state shall pay pursuant to  
27 appropriation in the manner prescribed by law to the city, village,

1 or township in which a full-time police department or full-time  
2 ordinance enforcement department is maintained or, if a police  
3 department or full-time ordinance enforcement department is not  
4 maintained, to the county, to be credited to the sheriff's  
5 department of the county in which the licensed premises are  
6 located, 55% of the amount of the proceeds of the retailers'  
7 license fees and license renewal fees collected in that  
8 jurisdiction, for the specific purpose of enforcing this act and  
9 the rules promulgated under this act. Forty-one and one-half  
10 percent of the amount of the proceeds of retailers' license and  
11 license renewal fees collected ~~shall~~**MUST** be deposited in a special  
12 fund to be annually appropriated to the commission for carrying out  
13 the licensing and enforcement provisions of this act. Any  
14 unencumbered or uncommitted money in the special fund ~~shall~~**MUST**  
15 revert to the general fund of ~~the~~**THIS** state 12 months after the  
16 end of each fiscal year in which the ~~funds were~~**MONEY WAS**  
17 collected. The legislature shall appropriate 3-1/2% of the amount  
18 of the proceeds of retailers' license and license renewal fees  
19 collected to be credited to a special fund in the state treasury  
20 for the purposes of promoting and sustaining programs for the  
21 prevention, rehabilitation, care, and treatment of alcoholics. This  
22 subsection does not apply to retail license fees collected for  
23 railroad or Pullman cars, watercraft, aircraft, or wine auctions or  
24 to the transfer fees provided in section 529.

25 (2) All license and license renewal fees, other than retail  
26 license and license renewal fees **AND WHOLESALE VENDOR LICENSE AND**  
27 **LICENSE RENEWAL FEES**, ~~shall~~**MUST** be credited to the grape and wine

1 industry council created in section 303, to be used as provided in  
2 section 303. Money credited to the grape and wine industry council  
3 ~~shall~~**MUST** not revert to the ~~state~~ general fund at the close of the  
4 fiscal year, but ~~shall~~**MUST** remain in the account to which it was  
5 credited to be used as provided in section 303.

6 (3) All retail license fees collected for railroad or Pullman  
7 cars, watercraft, or aircraft and the transfer fees provided in  
8 section 529 ~~shall~~**MUST** be deposited in the special fund created in  
9 subsection (1) for carrying out the licensing and enforcement  
10 provisions of this act.

11 (4) The license fee enhancement imposed for licenses issued  
12 under section 531(3) and (4) ~~shall~~**MUST** be deposited into a special  
13 fund to be annually appropriated to the commission for enforcement  
14 and other related projects determined appropriate by the  
15 commission. The money representing that amount of the license fees  
16 for identical licenses not issued under section 531(3) and (4)  
17 ~~shall~~**MUST** be allocated and appropriated under subsection (1).

18 (5) The license fee imposed on direct shipper licenses and any  
19 violation fines imposed by the commission ~~shall~~**MUST** be deposited  
20 into the direct shipper enforcement revolving fund. The direct  
21 shipper enforcement revolving fund is created within the state  
22 treasury. The state treasurer shall direct the investment of the  
23 fund. The state treasurer shall credit to the fund interest and  
24 earnings from fund investments. Money in the fund at the close of  
25 the fiscal year ~~shall~~**MUST** remain in the fund and ~~shall~~**MUST** not  
26 lapse to the general fund. The commission shall expend money from  
27 the fund, ~~upon~~**ON** appropriation, only for enforcement of the

1 provisions of section 203 and related projects.

2 (6) One hundred percent of the wine auction license fee  
3 imposed in section 525(1)(aa) shall ~~shall~~ **MUST** be deposited into the  
4 general fund.

5 ~~——(7) As used in this section, "license fee enhancement" means~~  
6 ~~the money representing the difference between the license fee~~  
7 ~~imposed for a license under section 525(1) and the additional~~  
8 ~~amount imposed for resort and resort economic development licenses~~  
9 ~~under section 525(2).~~

10 (7) ~~(8)~~ Notwithstanding any other provision of this section,  
11 the additional \$160.00 license fee imposed ~~upon any~~ **ON A** licensee  
12 selling alcoholic liquor between the hours of 7 a.m. on Sunday and  
13 12 noon on Sunday is allocated to the general fund.

14 (8) **WHOLESALE VENDOR LICENSE FEES AND LICENSE RENEWAL FEES**  
15 **MUST BE DEPOSITED INTO THE LIQUOR CONTROL ENFORCEMENT AND LICENSE**  
16 **INVESTIGATION REVOLVING FUND CREATED UNDER SUBSECTION (9).**

17 (9) **THE LIQUOR CONTROL ENFORCEMENT AND LICENSE INVESTIGATION**  
18 **REVOLVING FUND IS CREATED WITHIN THE STATE TREASURY. THE STATE**  
19 **TREASURER SHALL DIRECT THE INVESTMENT OF THE FUND. THE STATE**  
20 **TREASURER SHALL CREDIT TO THE FUND INTEREST AND EARNINGS FROM FUND**  
21 **INVESTMENTS. MONEY IN THE FUND AT THE CLOSE OF THE FISCAL YEAR MUST**  
22 **REMAIN IN THE FUND AND MUST NOT LAPSE TO THE GENERAL FUND. THE**  
23 **COMMISSION SHALL EXPEND MONEY FROM THE FUND, ON APPROPRIATION, ONLY**  
24 **FOR ENFORCEMENT OF THIS ACT AND THE RULES PROMULGATED UNDER THIS**  
25 **ACT AND FOR LICENSE INVESTIGATIONS. THE COMMISSION SHALL NOT USE**  
26 **MORE THAN 35% OF THE MONEY APPROPRIATED TO THE FUND UNDER THIS**  
27 **SUBSECTION TO CARRY OUT THE LICENSING PROVISIONS OF THIS ACT.**

1           (10) AS USED IN THIS SECTION, "LICENSE FEE ENHANCEMENT" MEANS  
2 THE MONEY REPRESENTING THE DIFFERENCE BETWEEN THE LICENSE FEE  
3 IMPOSED FOR A LICENSE UNDER SECTION 525(1) AND THE ADDITIONAL  
4 AMOUNT IMPOSED FOR RESORT AND RESORT ECONOMIC DEVELOPMENT LICENSES  
5 UNDER SECTION 525(2).

6           SEC. 903B. A RETAILER VIOLATES THIS ACT IF THE RETAILER OR THE  
7 RETAILER'S CLERK, SERVANT, AGENT, OR EMPLOYEE MAKES A PAYMENT TO A  
8 WHOLESALER, THE COMMISSION, OR THIS STATE BY ANY MEANS THAT HAS  
9 BEEN DISHONORED BY A FINANCIAL INSTITUTION FOR LACK OF SUFFICIENT  
10 FUNDS.

11           Enacting section 1. This amendatory act takes effect 90 days  
12 after the date it is enacted into law.