

HOUSE BILL NO. 5061

September 26, 2025, Introduced by Reps. Pavlov, Alexander, Bohnak, DeBoer, Jenkins-Arno, Thompson, Woolford and Mentzer and referred to Committee on Regulatory Reform.

A bill to amend 1998 PA 58, entitled
"Michigan liquor control code of 1998,"
by amending section 906 (MCL 436.1906), as amended by 2008 PA 218.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 906. (1) As used in this section:
2 (a) "Administrator" means a qualifying company, postsecondary
3 educational institution, or trade association authorized by the
4 commission to offer server training programs and instructor
5 certification classes in compliance with this section and to
6 certify to the commission that those persons meet the requirements

1 of this section.

2 (b) "Instructor" means an individual certified by an
3 administrator and approved by the commission to teach server
4 training programs. An instructor may be a licensee or an employee
5 of a licensee.

6 (c) "Prohibited sale" means the sale of alcoholic liquor by an
7 employee of a licensee to a visibly intoxicated ~~person~~**individual**
8 or to a minor, or both.

9 (d) "Responsible vendor" means a designation by the commission
10 of a retail licensee meeting the standards of this section.

11 (e) "Server training program" means an educational program
12 ~~whose~~**the** curriculum **of which** has been approved by the commission
13 under the standards described in this section and is offered by an
14 administrator or instructor to a retail licensee, or a licensee
15 operating a tasting room or providing samples of alcoholic liquor,
16 for its employees.

17 (2) The commission shall approve the establishing of a server
18 training program designed for all new ~~on-premises~~**on-premises**
19 licensees or transferees of more than a 50% interest in an ~~on~~
20 ~~premises~~**on-premises** license on or after the commencement of the
21 mandatory server training program, and for any existing retail
22 licensees the commission determines to be in need of training due
23 to the frequency or types of violations of this act involving the
24 serving of alcoholic liquor. This subsection does not apply to
25 special licenses except that the commission may require server
26 training for certain special licensees based ~~upon~~**on** the size and
27 nature of the licensed event. The commission may adopt the existing
28 standards and programmatic framework of private entities and may
29 delegate nondiscretionary administrative functions to outside

1 private entities.

2 (3) The commission shall establish a program in which the
3 commission designates certain retail licensees, except special
4 licenses, as responsible vendors. The commission may adopt the
5 existing standards and programmatic framework of private entities
6 and may delegate nondiscretionary administrative functions to
7 outside private entities.

8 (4) The commission shall designate as a responsible vendor a
9 retail licensee who makes available to all full-time and part-time
10 retail employees, within 60 days after being hired, a server
11 training program and who is also free of convictions or
12 administrative determinations involving prohibited sales for not
13 less than 12 months before applying for the designation. The
14 designation continues until suspended by the commission.

15 (5) A person may apply to the commission for qualification as
16 an administrator for the offering of server training programs and
17 instructor certification classes.

18 (6) The commission shall approve a curriculum for a server
19 training program presented by a certified instructor in a manner
20 considered by the commission to be adequate that includes, but is
21 not limited to, all of the following topics:

22 (a) The identification of progressive stages of intoxication
23 and the visible signs associated with each stage.

24 (b) The identification of the time delay between consumption
25 and visibility of signs of progressive intoxication.

26 (c) Basic alcohol content among different types of measured
27 drinks containing alcoholic liquor.

28 (d) Variables associated with visible intoxication, including
29 the rate of drinking, experience, weight, food consumption, sex,

1 and use of other drugs.

2 (e) Personal skills to handle ~~slow-down~~**slowdown** of service
3 and intervention procedures.

4 (f) Procedures for monitoring consumption and maintaining
5 incident reports.

6 (g) The understanding of acceptable forms of personal
7 identification, techniques for determining the validity of
8 identification, and procedures for dealing with fraudulent
9 identification.

10 (h) Assessment of the need to ask for identification based on
11 appearance or company policy.

12 (i) The identification of potential second-party sales and
13 furnishing of alcoholic liquor to minors by persons 21 years of age
14 or ~~over~~**older**.

15 (j) The understanding of possible legal, civil, and
16 administrative consequences of violations of this act, the rules of
17 the commission, and other pertinent state laws.

18 (k) The understanding of Michigan laws pertaining to minors
19 attempting to purchase, minors in possession, and second-party
20 sales or furnishing of alcoholic liquor from adults to minors.

21 (l) Knowledge of the legal hours of alcoholic liquor service
22 and occupancy.

23 (m) The identification of signs of prohibited activities, such
24 as gambling, solicitation for prostitution, and drug sales.

25 (n) Any other pertinent laws as determined by the commission.

26 (7) The commission shall issue an instructor certification to
27 an individual presenting evidence acceptable to the commission of
28 having successfully completed instructor certification classes and
29 shall issue an identification card indicating that certification by

1 the commission.

2 (8) ~~Upon~~**On** approval by the commission of a server training
3 program, the commission shall appoint the person sponsoring the
4 server training program as an administrator of that program. The
5 administrator shall provide a certification to the commission that
6 a retail licensee has successfully completed the server training
7 program offered by a certified instructor and approved by the
8 commission and shall recommend that the commission designate the
9 licensee as a responsible vendor.

10 (9) A certified instructor who is a licensee or an employee of
11 a licensee may offer server training programs approved by the
12 commission to the employees of the licensee and certify to the
13 commission those persons who successfully completed the program.

14 (10) An ~~on-premises~~**on-premises** licensee whose license was
15 issued or who was the transferee of more than a 50% interest in an
16 on premises license on or after the commencement of the mandatory
17 server training program or an ~~on-premises~~**on-premises** licensee
18 determined by the commission to be in need of training ~~due to~~
19 **because of** the frequency or types of violations of this act
20 involving the serving of alcoholic liquor must have employed or
21 present on the licensed premises, at a minimum, supervisory
22 personnel who have successfully completed a server training program
23 on each shift and during all hours in which alcoholic liquor is
24 served. An ~~on-premises~~**on-premises** licensee must keep a copy of the
25 responsible vendor designation or proof of completion of server
26 training on the licensed premises to facilitate the verification of
27 ~~such~~**the** designation by the commission, agent of the commission, or
28 law enforcement officer. An on premises licensee determined by the
29 commission to have violated this subsection is subject to

1 revocation, suspension, or other sanction as provided for in
 2 section 903. A violation of this subsection is not a violation of
 3 section 909.

4 (11) As a condition of the designation of a licensee as a
 5 responsible vendor, the licensee shall make available to the
 6 administrator in not less than 60-day time increments records
 7 sufficient to verify the names and ~~social security~~ **Social Security**
 8 numbers of ~~his or her~~ **the licensee's** employees. The administrator
 9 shall provide to the commission a list of names and ~~social security~~
 10 **Social Security** numbers of individuals who have successfully
 11 completed the server training program and shall monitor the
 12 licensee in a manner approved by the commission ~~in order~~ to verify
 13 continued compliance of the licensee's status as a responsible
 14 vendor. The administrator shall notify the commission in writing as
 15 soon as it determines that the licensee has failed to maintain the
 16 standards for server training or has failed to cooperate with the
 17 administrator's verification procedure. ~~Upon~~ **On** receipt of ~~such a~~
 18 notice **under this subsection** from the administrator, the commission
 19 shall suspend the licensee's designation as a responsible vendor.

20 (12) The commission may suspend the designation of a retail
 21 licensee as a responsible vendor ~~upon~~ **on** a conviction or
 22 administrative determination of a prohibited sale on the licensee's
 23 licensed premises. The retail licensee losing ~~such a~~ designation
 24 **under this subsection** may reapply for designation as a responsible
 25 vendor ~~upon the passage of~~ **after** 12 months ~~from~~ **after** the date of
 26 the conviction or administrative determination of a prohibited sale
 27 if the licensee is not convicted or administratively determined to
 28 have engaged in a prohibited sale on the licensed premises. After
 29 the first instance of a retail licensee losing its designation as a

1 responsible vendor, that retail licensee is not eligible to reapply
2 for ~~such~~ a designation **under this subsection** until an additional 3
3 months for each subsequent conviction or determination. The 3-month
4 time periods are to be in addition to the 12-month period described
5 in this subsection.

6 (13) A responsible vendor is not considered to be in violation
7 of the prohibition contained in section 707(4) regarding allowing
8 an intoxicated ~~person~~ **individual** to frequent or loiter on the
9 licensed premises unless the facts demonstrate otherwise.

10 (14) **If an on-premises licensee employs a bouncer for the**
11 **licensed premises, the bouncer must complete positional**
12 **asphyxiation training. As used in this subsection, "bouncer" means**
13 **that term as defined in section 2 of the Joshua Conant act.**

14 Enacting section 1. This amendatory act does not take effect
15 unless House Bill No. 5060 (request no. H03315'25) of the 103rd
16 Legislature is enacted into law.