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LANSING

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Analysis of Enrolled House Bill 6395

Topic: Use of Military ID to Purchase Liquor
Sponsor: Representative Jones
Co-Sponsors: There are 34 co-sponsors from both parties
Committee: House Regulatory Reform
Senate Economic Development, Small Business & Regulatory Reform

Date Introduced: September 5, 2006

Date Enrolled: December 13, 2006

Date of Analysis: December 11, 2006

Position: The Department of Labor & Economic Growth supports the bill.

Problem/Background: It has been reported that soldiers on leave from service in Iraq or Afghanistan have sometimes been denied service in bars because they did not have a Michigan driver's license or their driver's license had expired. An expired driver's license is not considered an acceptable form of identification. Although the Liquor Control Code authorizes liquor licensees to accept other forms of identification, such as a military identification card, some licensees are reportedly reluctant to honor the military cards because their employees have not been trained in determining the difference between a valid ID and a fake one.

Description of Bill: The bill amends Section 701 of the Liquor Control Code of 1998 to specifically reference military identification cards in the list of items that provide proof of age for purposes of absolving a liquor licensee from an action alleging that service was provided to a minor.

Summary of Arguments

Pro: If an individual is of legal age and can prove it, he or she should not be refused service simply because an employee of the establishment isn't able to determine whether the military ID is real or fake.

The Department of Defense military identification card, also known as the Common Access Card, is a high tech creation with multiple safeguards. It is much more difficult to counterfeit a military identification card than a driver's license.

Con: The bill is unnecessary. Current law permits establishments to accept a military ID card as proof of age.

Although it may be difficult to create counterfeit military ID's, it does occur. In an incident in 2005 a traffic stop near Selfridge Air National Guard Base resulted in the confiscation of equipment used for the purpose of creating fake military identification cards.

Fiscal/Economic Impact: The bill will have no fiscal impact.

Other State Departments: No other state departments are affected.

Any Other Pertinent Information: The Michigan Licensed Beverage Association testified in support of the bill in House committee, while the Michigan Restaurant Association was neutral on the bill. The Liquor Control Commission is neutral on the bill.

Administrative Rules Impact: No new or revised administrative rules are anticipated.