

GENERAL NOTES:

Michigan is a control state – Distribution of alcoholic liquor is through the Commission. (M.C.L.A. 436.1231). The commission establishes uniform prices for the sale of alcoholic liquor by specially designated distributors. (M.C.L.A. 436.1233).

Ohio is a control state. Per OH. St. Section 4301.10, the division of liquor control puts into operation, manages, and controls a system of state liquor stores for the sale of spirituous liquor at retail and to holders of permits authorizing the sale of spirituous liquor. It maintains a state monopoly of the distribution of spirituous liquors. It fixes the wholesale and retail prices at which various classes, varieties and brands of spirituous liquor shall be sold by the division.

Idaho – Distilled spirits distribution that includes responsible participation by the state.

State Store – a retail store that sells liquor and is operated by state employees under the direct supervision of the Idaho State Liquor Division

I. Rule 8 – Salesman’s Permits

a. Kentucky

- i. KRS § 243.030 – the fee for a special agent’s or solicitor’s license per year is \$30.00.
- ii. KRS § 243.340 – Business authorized by special agent’s or solicitor’s license; issuance to nonresident; form

b. Illinois

- i. 11 Ill. Admin. Code 100.40 – Registration of Tasting Representatives – the fee for a tasting representative is \$100 per year.

c. Michigan

- i. R. 436.1853 - Licenses
- ii. MCLA § 436.1502 – Salesperson licenses; issuance; conditions; expiration and renewal; sales person accreditation program

d. Ohio

- i. OAC §4301-2-01 – Registered solicitors

e. Idaho

- i. IDAPA 15.10.01-021(8) – Supplier Representative Permits. - \$50.00 annual permit fee

f. South Dakota

- i. SDCL § 35-1-5 – Unlicensed business prohibited – Violation as misdemeanor.

II. Rule 11.1 Temporary Beer/Wine Permit Fees

a. Kentucky

- i. KRS § 243.260 – Special Temporary License for Qualifying Event; Activities Permitted and Prohibited
- ii. 804 KAR 4:251 – Special Temporary License

b. Illinois

- i. 235 ILCS 5/5-2 – Duration of license; classification

c. Michigan

- i. MCLA § 436.1526 – Beer Festivals; Application for Special License; Issuance; Service and Consumption at Event

d. Ohio

- i. R.C. § 4303.20 – F permit
- ii. R.C. § 4303.2012 – F12 permit

e. South Dakota

- i. SDCL § 35-4-125 – Application for Special Alcoholic Beverage License - Fee

III. Rule 15.3 - Minors as Employees

a. Kentucky

- i. KRS § 244.090 – Persons whom licensees may not employ; exceptions – Employees between the ages of eighteen (18) and under twenty (20) must be supervised by someone at least twenty (20) years old.

b. Michigan

- i. MCLA § 436.1526 – A member of an organization that holds a special license for a beer festival may serve alcohol if he/she is at least 18 years old.

c. Ohio

- i. R.C. § 4301.22 – Restrictions on Sales of Beer and Liquor – no person less than eighteen (18) is allowed to sell beer or intoxicating liquor

d. Idaho

- i. I.C. § 23-949 – Persons Not Allowed to Sell, Serve or Dispense Beer, Wine or other Alcoholic Liquor – A person who is at least nineteen (19) years of age can sell and serve liquor, beer or wine in the course of his or her employment.

- ii. I.C. §23-1013 – Restrictions concerning age – A person who is at least nineteen (19) years of age can sell and serve beer in the course of his/her employment.

e. South Dakota

- i. SDCL § 35-4-79 – Persons under twenty-one years old not permitted to loiter on on-sale or off-sale premises or to sell, serve, or consume beverages – Violation as misdemeanor

IV. Rule 29 – Selling of Package Alcoholic Beverages by Retail Permittee

a. Kentucky

- i. KRS § 243.034 – Business Authorized by Limited Restaurant License Within Wet Territory or Certain Moist Precincts; Restrictions on Purchasing; Prohibition Against Sale of Alcohol Without Meal; Package Sales Prohibited

b. Idaho

- i. I.C. §23-921 – NO Retail Sale Except by the Drink

c. South Dakota

- i. SDCL §35-4-114 – On-Premises Consumption Required

V. Rule 32.1 – Group Purchase Agreements

a. Illinois

- i. 235 ILCS 5/6-9.10 – Cooperative Purchasing Agreements
- ii. 235 ILCS 5/6-9.15 – Quantity Discounting Terms for Wine or Spirits Cooperative Purchasing Agreements

VI. Rule 35.1 Auto Race Tracks

a. Kentucky

- i. KRS § 243.030 – Distilled Spirits and Wine and Cannabis-Infused Beverage Licenses; Kinds; Fees
- ii. KRS §243.082 – Nonquota Type 1 or Nq1 Retail Drink License; Issuance to a Convention Center or Convention Hotel Complex, Horse Racetrack, Automobile Racetrack, Railroad System, Commercial Airline System or Charter Flight System, or State Park; Privileges, Duties, and Restrictions for Eligible Entities

b. Illinois

- i. 235 ILCS 5/4-1 to 4/7 – Local Control

c. Idaho

- i. I.C. § 23-953 – Racing Facilities – Licensing

d. South Dakota

- i. SDCL § 35-4-14.1 – On Sale License – Municipal Event Center or Recreation Facility – Limitations – Authority to Contract

VII. Rule 47 – Municipal Riverfront Development Projects

a. Kentucky

- i. KRS § 243.020 – License Required; Federal License Presumptions; Alcoholic Beverages and Cannabis-Infused Beverages Not Purchased from Licensee Disallowed on Licensed Premises; Licenses Permitted in Moist Territory; Possession of Alcohol Cannabis-Infused Beverages on or near Licensed Entertainment Destination Center Premises Permitted

b. Illinois

- i. 235 ILCS 5/4-1 to 4/7 – Local Control

c. Michigan

- i. MCLA § 436.1531 – Quotas and Limitations on Issuance of Licenses; Eligibility and Conditions; Permits, Permissions; and Approvals; Reporting Requirements; Applicability; Promulgation of Rules; Transferability of Licenses

d. Ohio

- i. R.C. §4303.29 – Restrictions on Issuance of Permits; Election on Sale of Spirituous Liquor by the Glass; Distribution of Instructions
- ii. R.C. §4303.292 – Grounds for Refusal for Issuance, Renewal or Transfer of Permits

e. South Dakota

- i. SDCL § 35-4-11.12 – Convention Facility on-sale licenses issued by municipality or county on behalf of improvement district

VIII. Rule 52 Posting Signs Authorized by IC 7.1-3-1-28

a. Kentucky

- i. KRS §243.360 – Notice of Intention to Apply for License; Exempted Applicants; Protest; Sufficiency of Substantial Compliance

b. Illinois

- i. 235 ILCS 5/4-1 to 5/4-7 – Local Control

c. South Dakota

- i. SDCL § 35-2-3 – Hearing Required Before Issuance of Retail License

- ii. SDCL § 35-2-5 – Time and Place of Hearing on Retail License Application – Notice by Mail Required

IX. **Rule 53 – Type II Gaming**

a. **Kentucky**

- i. KRS 243.500 – Causes for which licenses may be revoked or suspended

b. **Michigan**

- i. MCLA § 436.1901 – Prohibited Conduct; Sanctions and Penalties

c. **Idaho**

- i. I.C. §23-928 – Sale Away from Licensed Premises Prohibited – Gambling Prohibited