



SENATE BILL No. 957

April 17, 1996, Introduced by Senators BYRUM and SCHWARZ
and referred to the Committee on Economic Development,
International Trade and Regulatory Affairs.

A bill to amend section 18 of Act No. 8 of the Public Acts
of the Extra Session of 1933, entitled as amended
"The Michigan liquor control act,"
as amended by Act No. 185 of the Public Acts of 1994, being sec-
tion 436.18 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 18 of Act No. 8 of the Public Acts of
2 the Extra Session of 1933, as amended by Act No. 185 of the
3 Public Acts of 1994, being section 436.18 of the Michigan
4 Compiled Laws, is amended to read as follows:

5 Sec. 18. (1) A person who holds ~~or whose spouse holds~~ ON
6 A FULL-TIME BASIS, either by appointment or election, a public
7 office which involves the duty to enforce any of the penal laws
8 of the United States, or the penal laws of this state, or a penal
9 ordinance or resolution of any municipal subdivision of the

1 state, except civil defense volunteer police, mayors or council
2 members of cities, or village presidents, or mayors of home rule
3 cities whose law enforcement authority under the city charter is
4 restricted to emergency situations, or the state treasurer of
5 this state when acting in the capacity of custodian of the assets
6 of the state retirement systems created by the public school
7 employees retirement act of 1979, Act No. 300 of the Public Acts
8 of 1980, being sections 38.1301 to 38.1408 of the Michigan
9 Compiled Laws; the state employees' retirement act, Act No. 240
10 of the Public Acts of 1943, being sections 38.1 to ~~38.48~~ 38.49
11 of the Michigan Compiled Laws; the state police retirement act of
12 1986, Act No. 182 of the Public Acts of 1986, being sections
13 38.1601 to 38.1648 of the Michigan Compiled Laws; and the judges
14 retirement act of 1992, Act No. 234 of the Public Acts of 1992,
15 being sections 38.2101 to 38.2608 of the Michigan Compiled Laws,
16 and members of these state retirement systems only if the state
17 treasurer makes an investment in the name of the respective
18 retirement system to which such members belong, shall not be
19 issued a license, or have an interest, directly or indirectly, in
20 a license IF THE ACTIVITY REGULATED BY THE LICENSE OCCURS IN THE
21 SAME LOCAL UNIT OF GOVERNMENT WITHIN WHICH THE PERSON ENFORCES
22 THOSE STATE OR LOCAL PENAL LAWS. However, a nonprofit fraternal
23 organization incorporated under the laws of this state, whose
24 membership is not totally composed of law enforcement personnel
25 or public officeholders charged with the duty of enforcing any
26 penal laws or ordinances of a governmental body, may be issued a
27 club liquor license if the organization is otherwise qualified.

1 (2) As used in this section, "law enforcement personnel"
2 does not include the mayor of a city or the state treasurer of
3 this state when acting in the capacity of custodian of the assets
4 of the state retirement systems created by Act No. 300 of the
5 Public Acts of 1980, Act No. 240 of the Public Acts of 1943, Act
6 No. 182 of the Public Acts of 1986, and Act No. 234 of the Public
7 Acts of 1992, and members of these state retirement systems only
8 if the state treasurer makes an investment in the name of the
9 respective retirement system to which such members belong.