

# SENATE BILL No. 55

January 30, 2001, Introduced by Senator SHUGARS and referred to the Committee on Economic Development, International Trade and Regulatory Affairs.

A bill to amend 1998 PA 58, entitled  
"Michigan liquor control code of 1998,"  
by amending section 503 (MCL 436.1503).

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 503. (1) A new application for a license to sell alco-  
2 holic ~~beverages~~ LIQUOR at retail, or a request to transfer  
3 location of an existing license, shall be denied if the contem-  
4 plated location is within 500 feet of ANY ENTRANCE TO a church or  
5 a school building THAT IS OPEN TO THE GENERAL PUBLIC. The dis-  
6 tance between the church or school building and the contemplated  
7 location shall be measured along the center line of the street or  
8 streets of address between 2 fixed points on the center line  
9 determined by projecting straight lines, at right angles to the  
10 center line, from the part of the church or school building  
11 nearest to the contemplated location and from the part of the

1 contemplated location nearest to the church or school building.  
2 IF AN ENTRANCE OF THE CHURCH OR SCHOOL THAT IS OPEN TO THE GEN-  
3 ERAL PUBLIC, OR THE CONTEMPLATED LOCATION OF SUCH AN ENTRANCE, IS  
4 ON A STREET OTHER THAN THE STREET OF ADDRESS, THE DISTANCE SHALL  
5 ADDITIONALLY BE MEASURED BY THE METHOD DESCRIBED IN THIS SUBSEC-  
6 TION USING THE STREET ON WHICH SUCH AN ENTRANCE IS LOCATED AS A  
7 FIXED POINT FOR THE MEASUREMENT. IF BOTH METHODS OF MEASUREMENT  
8 CONTAINED IN THIS SUBSECTION ARE UTILIZED AND EITHER IS 500 FEET  
9 OR LESS, THE COMMISSION SHALL CONSIDER THE CONTEMPLATED LOCATION  
10 TO BE WITHIN 500 FEET OF THE CHURCH OR SCHOOL.

11 (2) This section does not apply to specially designated mer-  
12 chants not in conjunction with on the premise licenses.

13 (3) This section does not apply to an outstanding license  
14 issued before March 1, 1949, for a location within the aforesaid  
15 distance or to the renewal or transfer of the outstanding license  
16 at that location, or to a resort license in effect during the  
17 1948-1949 licensing year, or to the renewal or transfer of the  
18 resort at that location or to an application for a license at  
19 that location which has been approved by the commission before  
20 March 1, 1949, and licenses so issued, renewed, transferred, or  
21 approved shall be conclusively presumed to be valid for purposes  
22 of this section only.

23 (4) The commission may waive this section in the case of  
24 other classes of licenses. If an objection is not filed by the  
25 church or school, the commission may issue the license pursuant  
26 to this act. If an objection is filed, the commission shall hold

1 a hearing pursuant to rules established by the commission before  
2 making a decision on the issuance of the license.

3 (5) This section shall not be construed to prevent the  
4 transfer of a license to a location farther from a church or  
5 school, if the license to be transferred is within the 500-foot  
6 radius.