

ALLOW GRANTING OF LIQUOR LICENSES TO A HOME FOR THE AGED

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Senate Bill 885 as passed by the Senate
Sponsor: Sen. Peter MacGregor
House Committee: Regulatory Reform
Senate Committee: Regulatory Reform
Complete to 9-6-16

(Enacted as Public Act 328 of 2016)

SUMMARY:

Senate Bill 885 would amend Section 545 of the Michigan Liquor Control Code by allowing a home for the aged to be eligible for a liquor license as a nonpublic continuing care retirement center. The number of liquor licenses that can be issued under Section 545 would be increased to a total 25, from 20. The bill would take effect 90 days after being enacted into law.

Presently, Section 545 defines a nonpublic continuing care retirement center as a residential community that, as determined by the Michigan Liquor Control Commission, meets both of the following conditions:

- Provides full-time residential housing predominantly for individuals over the age of 62.
- Is registered as a facility under The Living Care Disclosure Act.

The bill would amend this by adding to that definition, a home for the aged licensed under Part 213 of the Public Health Code, so that a facility could be registered facility OR a home for the aged. The bill replaces the reference to The Living Care Disclosure Act (LCDA) with the Continuing Care Community Disclosure Act (PA 448 of 2014), which repealed the LCDA.

The bill also specifies that a maximum of 20 licenses could continue to be issued to facilities licensed under the Continuing Care Community Disclosure Act, while a maximum of 5 would be available to homes for the aged that meets the definition of a nonpublic continuing care retirement center.

If a license holder goes out of business, that license must be surrendered to the commission. A surrendered license can be transferred to a new business owner on transfer of the old owner's interest in the business, provided that the new business owner meets the same condition as the previous business owner. (Presumably, this means that if the previous business was a home for the aged, then the new business owner must also be a home for the aged.)

FISCAL IMPACT:

Senate Bill 885 would not likely have significant fiscal impacts on the state or local units of government.

Legislative Analyst: Josh Roesner
Fiscal Analyst: Marcus Coffin

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