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BILL ANALYSIS



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Senate Bill 885 (as reported without amendment)
Sponsor: Senator Peter MacGregor
Committee: Regulatory Reform

CONTENT

The bill would amend the Michigan Liquor Control Code to allow a total of 25, rather than the 20 currently permitted by the Code, nonpublic continuing care retirement center licenses to be issued, and expand the types of residential communities that may be eligible for a license.

The Code allows a nonpublic continuing care retirement center to acquire a nonpublic continuing care retirement center license, which allows that center to sell at retail and serve on the licensed premises beer, wine, mixed spirit and wine drink, and spirits, for consumption by a resident or the bona fide guests accompanying the resident, on the licensed premises.

The Code defines "nonpublic continuing care retirement center" as a residential community that, as determined by the Liquor Control Commission, meets both of the following conditions:

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

The bill would retain the first condition and would require a center to meet one of the following:

- Be registered as a facility under the former Living Care Disclosure Act, or the Continuing Care Community Disclosure Act.
- Be a home for the aged licensed under Part 213 of the Public Health Code.

The bill would increase the maximum number of licenses from 20 to 25. The Commission could not issue more than 20 licenses to facilities considered eligible because they were registered as a facility under the former Living Care Disclosure Act (repealed in 2015) or the Continuing Care Community Disclosure Act, and could not issue more than five licenses to homes for the aged. In addition, the bill would allow the transfer of a surrendered license to a new business owner on transfer of the owner's interest in the business if the new business owner met the same eligibility condition to be considered a nonpublic continuing care retirement center as the previous business owner.

The bill would take effect 90 days after its enactment.

MCL 436.1545

Legislative Analyst: Drew Krogulecki

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 5-12-16

Fiscal Analyst: Josh Sefton

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Bill Analysis @ www.senate.michigan.gov/sfa

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