

SENATE BILL No. 885

April 14, 2016, Introduced by Senators MACGREGOR, HERTEL, KNOLLENBERG and HORN and referred to the Committee on Regulatory Reform.

A bill to amend 1998 PA 58, entitled
"Michigan liquor control code of 1998,"
by amending section 545 (MCL 436.1545), as added by 2010 PA 213.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 545. (1) As used in this act, "nonpublic continuing care
2 retirement center" means a residential community that, as
3 determined by the commission, meets both of the following
4 conditions:

5 (a) Provides full-time residential housing predominantly for
6 individuals over the age of 62.

7 **(B) MEETS 1 OF THE FOLLOWING CONDITIONS:**

8 (i) ~~(b) Is registered as a facility under the living care~~
9 ~~disclosure act, FORMER 1976 PA 440, MCL 554.801 to 554.844. OR THE~~

1 CONTINUING CARE COMMUNITY DISCLOSURE ACT, 2014 PA 448, MCL 554.901
2 TO 554.993.

3 (ii) IS A HOME FOR THE AGED LICENSED UNDER PART 213 OF THE
4 PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.21301 TO 333.21335.

5 (2) The commission, ~~upon~~ ON submission of a completed
6 application, shall grant a nonpublic continuing care retirement
7 center license to an applicant complying with this section. ~~The~~
8 ~~total number of~~ **SUBJECT TO SUBSECTION (4), THE COMMISSION SHALL NOT**
9 **ISSUE MORE THAN 25** licenses ~~issued~~ under this section. ~~shall not~~
10 ~~exceed 20.~~ If the holder of a license issued under this section
11 goes out of business, the license ~~shall~~ **MUST** be surrendered to the
12 commission. The commission may allow the transfer of ~~such a~~
13 **SURRENDERED** license to a new business owner ~~upon~~ ON transfer of the
14 owner's interest in the business **IF THE NEW BUSINESS OWNER MEETS**
15 **THE SAME CONDITION UNDER SUBSECTION (1) (B) AS THE PREVIOUS BUSINESS**
16 **OWNER.**

17 (3) The **HOLDER OF A** nonpublic continuing care retirement
18 center license ~~allows the licensee to~~ **MAY** sell at retail and serve
19 on the licensed premises beer, wine, mixed spirit drink, mixed wine
20 drink, and spirits, for consumption by a resident or the bona fide
21 guests accompanying the resident, only on the licensed premises.

22 (4) **THE COMMISSION SHALL NOT ISSUE MORE THAN 20 LICENSES UNDER**
23 **THIS SECTION TO FACILITIES DESCRIBED IN SUBSECTION (1) (B) (i) . THE**
24 **COMMISSION SHALL NOT ISSUE MORE THAN 5 LICENSES UNDER THIS SECTION**
25 **TO HOMES FOR THE AGED DESCRIBED IN SUBSECTION (1) (B) (ii) .**

26 Enacting section 1. This amendatory act takes effect 90 days
27 after the date it is enacted into law.