



**Senate Fiscal Agency**  
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BILL



ANALYSIS

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House Bill 4169 (as passed by the House)  
Sponsor: Representative Tommy Brann  
House Committee: Regulatory Reform  
Senate Committee: Regulatory Reform

Date Completed: 6-13-17

### **CONTENT**

**The bill would amend the Michigan Liquor Control Code to exempt an outstanding license issued before March 1, 2017, from a requirement that the Michigan Liquor Control Commission deny a license to sell alcoholic beverages at retail or to transfer an existing license if the proposed location is within 500 feet of a church or school; and permit the Commission to waive the requirement for all classes of licenses.**

Specifically, Section 503 of the Code requires the Liquor Control Commission to deny a new application for a license to sell alcoholic beverages at retail or a request to transfer location of an existing license if the proposed location is within 500 feet of a church or a school building. The distance between the church or school building and the proposed location must be measured as described in the Code.

Section 503 does not apply to specially designated merchants not in conjunction with on-the-premises licenses. (A specially designated merchant is a person licensed by the Commission to sell beer or wine, or both, at retail for consumption off the premises.)

Section 503 also does not apply to an outstanding license issued before March 1, 1949, for a location within 500 feet of a church or school or to the renewal or transfer of the outstanding license at the location. Under the bill, Section 503 would not apply to an outstanding license issued before March 1, 2017, or to renewal or transfer of the outstanding license at the location.

The Code permits the Commission to waive the requirement "in the case of other classes of licenses". If an objection is not filed by the church or school, the Commission may issue the license. If an objection is filed, the Commission must hold a hearing before deciding whether to issue the license. Under the bill, the Commission could waive the requirement "for all classes of licenses", subject to the same requirement for a hearing if the church or school filed an objection.

MCL 436.1503

Legislative Analyst: Suzanne Lowe

### **FISCAL IMPACT**

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

Fiscal Analyst: Josh Sefton

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.