

HOUSE BILL No. 4169

February 7, 2017, Introduced by Reps. Brann, Lucido, Noble, Schor, Frederick, Webber and LaGrand 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 503 (MCL 436.1503).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 503. (1) ~~A~~**THE COMMISSION SHALL DENY A** new application
2 for a license to sell alcoholic beverages at retail ~~, or a request~~
3 to transfer location of an existing license ~~, shall be denied if~~
4 the contemplated location is within 500 feet of a church or a
5 school building. The distance between the church or school building
6 and the contemplated location ~~shall~~**MUST** be measured along the
7 center line of the street or streets of address between 2 fixed
8 points on the center line determined by projecting straight lines,
9 at right angles to the center line, from the part of the church or

1 school building nearest to the contemplated location and from the
 2 part of the contemplated location nearest to the church or school
 3 building.

4 (2) This section does not apply to specially designated
 5 merchants not in conjunction with on the ~~premise~~ **PREMISES** licenses.

6 (3) This section does not apply to an outstanding license
 7 issued before March 1, ~~1949, 2017~~, for a location within the
 8 ~~aforesaid distance~~ **DESCRIBED IN SUBSECTION (1)** or to the renewal or
 9 transfer of the outstanding license at ~~that~~ **THE** location. ~~, or to a~~
 10 ~~resort license in effect during the 1948-1949 licensing year, or to~~
 11 ~~the renewal or transfer of the resort at that location or to an~~
 12 ~~application for a license at that location which has been approved~~
 13 ~~by the commission before March 1, 1949, and licenses so~~ **A LICENSE**
 14 issued, renewed, **OR** transferred, ~~, or approved shall be~~ **AS DESCRIBED**
 15 **IN THIS SUBSECTION IS** conclusively presumed to be valid for
 16 purposes of this section only.

17 (4) The commission may waive this section ~~in the case of other~~
 18 **FOR ALL** classes of licenses. If an objection is not filed by the
 19 church or school, the commission may issue the license ~~pursuant to~~
 20 **UNDER** this act. If an objection is filed, the commission shall hold
 21 a hearing ~~pursuant to~~ **UNDER** rules established by the commission
 22 before making a decision on ~~the issuance of~~ **ISSUING** the license.

23 (5) This section ~~shall not be construed to~~ **DOES NOT** prevent
 24 the transfer of a license to a location farther from a church or
 25 school, if the license to be transferred is within the 500-foot
 26 radius **DESCRIBED IN SUBSECTION (1)**.