

SENATE BILL No. 803

February 1, 2018, Introduced by Senator HILDENBRAND 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 519 (MCL 436.1519).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 519. (1) Except as otherwise provided in this act, the
2 commission shall not issue a license to sell alcoholic liquor,
3 either on or off the premises, if the property or establishment to
4 be covered by the license is situated in or on state owned land.

5 (2) Subsection (1) does not apply to a special license ~~which~~
6 **THAT** has been approved by the governing authority of that state
7 owned land.

8 (3) Subsection (1) does not apply to **ANY OF** the following:
9 ~~land.~~

10 (a) The Michigan state fairgrounds.

1 (b) The Upper Peninsula state fairgrounds.

2 (c) Armories, air bases, and naval installations owned or
3 leased by ~~the-THIS~~ state or provided by the federal government by
4 either lease, license, or use permit and used by outside parties of
5 a nonmilitary or nonstate governmental nature.

6 (d) Land ~~which-THAT~~ was under lease to a person licensed in
7 the calendar year 1954 and on which a licensed establishment is
8 presently located.

9 (e) Land located in the Upper Peninsula ~~which-THAT~~ was owned
10 or leased by the federal government, used as a military
11 installation, and transferred to this state before December 31,
12 2000 ~~pursuant to-UNDER~~ 1978 PA 151, MCL 3.551 to 3.561, or 1993 PA
13 159, MCL 3.571 to 3.580. The commission may issue 2 additional
14 licenses ~~pursuant to-UNDER~~ this subdivision for establishments
15 located on this state land without regard to or without ~~the-AN~~
16 effect ~~upon-ON~~ the quota provisions of section 531 in the local
17 governmental unit in which the license will be issued subject to
18 the recommendation of the authority established ~~pursuant to-UNDER~~
19 ~~those acts. 1978 PA 151, MCL 3.551 TO 3.561, OR 1993 PA 159, MCL~~
20 ~~3.571 TO 3.580.~~ A person issued a license ~~pursuant to-UNDER~~ this
21 subdivision may renew the license and transfer ownership of the
22 license, without regard to or without ~~the-AN~~ effect ~~upon-ON~~ the
23 quota provisions of section 531, if title to the property covered
24 by the license is transferred from ~~the-THIS~~ state to another person
25 or to another governmental unit. The commission shall not transfer
26 a license issued under this subdivision to another location. Before
27 the issuance of a license, and annually thereafter before the

1 issuance of a license for a new licensing period, the applicant for
 2 a license shall submit to the commission a certificate from the
 3 department or agency charged with control of the land setting forth
 4 that the issuance of a license is not incompatible with the objects
 5 and purposes entrusted to that department or agency under the law
 6 establishing control of the land in the department or agency. This
 7 subsection does not prohibit the issuance of a license ~~pursuant to~~
 8 **UNDER** section 513.

9 (f) Property owned by the Michigan state waterways commission
 10 and leased to persons under part 791 ~~(harbor development)~~ of the
 11 natural resources and environmental protection act, 1994 PA 451,
 12 MCL 324.79101 to 324.79118. ~~A-**THE COMMISSION MAY ISSUE A** license~~
 13 ~~may be issued~~ under this subdivision to a lessee without regard to
 14 the quota provisions of section 531. ~~, but the~~ **HOWEVER, THE**
 15 **COMMISSION SHALL NOT ISSUE A** license ~~shall not be issued~~ **UNDER THIS**
 16 **SUBDIVISION** without the written approval of the Michigan state
 17 waterways commission or its designee. A license issued under this
 18 subdivision ~~shall~~ **IS** not ~~be~~ transferable as to ownership or
 19 location, and, if the licensee goes out of business, the license
 20 ~~shall~~ **MUST** be surrendered to the commission.

21 (g) Property owned by the state treasurer of this state when
 22 acting in the capacity of custodian of the assets of the state
 23 retirement systems created by the public school employees
 24 retirement act of 1979, ~~1979-1980~~ PA 300, MCL 38.1301 to 38.1437;
 25 the state employees' retirement act, 1943 PA 240, MCL 38.1 to
 26 38.69; the state police retirement act of 1986, 1986 PA 182, MCL
 27 38.1601 to 38.1648; and the judges retirement act of 1992, 1992 PA

1 234, MCL 38.2101 to 38.2670.

2 (H) A BUILDING TO WHICH ALL OF THE FOLLOWING APPLY:

3 (i) THE BUILDING IS OWNED BY THIS STATE.

4 (ii) THE LAND ON WHICH THE BUILDING IS LOCATED IS OWNED BY
5 THIS STATE.

6 (iii) THE BUILDING IS MORE THAN 1,000,000 SQUARE FEET.

7 (iv) SPACE WITHIN THE BUILDING IS LEASED TO A PRIVATE ENTITY
8 TO WHICH BOTH OF THE FOLLOWING APPLY:

9 (A) IN THE BUILDING, THE PRIVATE ENTITY PROVIDES SERVICES TO
10 THE GENERAL PUBLIC.

11 (B) THE PRIVATE ENTITY HOLDS A LICENSE TO SELL ALCOHOLIC
12 LIQUOR AS PROVIDED BY THIS ACT.