

Act No. 66  
Public Acts of 2017  
Approved by the Governor  
June 29, 2017  
Filed with the Secretary of State  
June 30, 2017  
EFFECTIVE DATE: June 30, 2017

**STATE OF MICHIGAN  
99TH LEGISLATURE  
REGULAR SESSION OF 2017**

Introduced by Reps. Brann, Lucido, Noble, Schor, Frederick, Webber and LaGrand

# **ENROLLED HOUSE BILL No. 4169**

AN ACT to amend 1998 PA 58, entitled “An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts,” by amending section 503 (MCL 436.1503).

*The People of the State of Michigan enact:*

Sec. 503. (1) The commission shall 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 contemplated location is within 500 feet of a church or a school building. The distance between the church or school building and the contemplated location must be measured along the center line of the street or streets of address between 2 fixed points on the center line determined by projecting straight lines, at right angles to the center line, from the part of the church or school building nearest to the contemplated location and from the part of the contemplated location nearest to the church or school building.

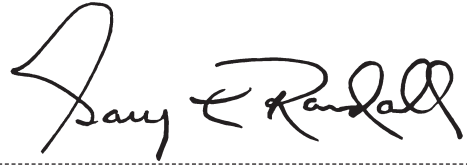
(2) This section does not apply to specially designated merchants not in conjunction with on the premises licenses.

(3) This section does not apply to an outstanding license issued before March 1, 2017, for a location within the distance described in subsection (1) or to the renewal or transfer of the outstanding license at the location. A license issued, renewed, or transferred as described in this subsection is conclusively presumed to be valid for purposes of this section only.

(4) The commission may waive this section for all classes of licenses. If an objection is not filed by the church or school, the commission may issue the license under this act. If an objection is filed, the commission shall hold a hearing under rules established by the commission before making a decision on issuing the license.

(5) This section does not prevent the transfer of a license to a location farther from a church or school, if the license to be transferred is within the 500-foot radius described in subsection (1).

This act is ordered to take immediate effect.



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Clerk of the House of Representatives



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Secretary of the Senate

Approved .....

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Governor