

SENATE BILL No. 1445

October 6, 2004, Introduced by Senator JACOBS and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

A bill to amend 1998 PA 58, entitled
"Michigan liquor control code of 1998,"
(MCL 436.1101 to 436.2303) by adding section 521a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 521a. (1) In order to allow cities to enhance the
2 quality of life for their residents and visitors to their
3 communities, the commission may issue public on-premises licenses
4 in addition to those quota licenses allowed in cities under
5 section 531(1). The licenses under this section shall be issued
6 to businesses that meet both of the following conditions:

7 (a) Are located in a city redevelopment project area meeting
8 the criteria described in subsections (3) and (4).

9 (b) Are engaged in activities determined by the commission
10 to be related to dining, entertainment, and urban recreation.

11 (2) The commission shall not issue a license under this

1 section unless the applicant fulfills the following in relation
2 to the licensed premises:

3 (a) Provides the activity described in subsection (1)(b) not
4 less than 3 days per week.

5 (b) Is open to the public not less than 10 hours per day, 5
6 days per week.

7 (c) Presents verification of redevelopment project area
8 status to the commission that shall include the following:

9 (i) A resolution of the governing body of the city
10 establishing its status as a redevelopment project area.

11 (ii) An affidavit from the assessor, as certified by the
12 city clerk, stating the total amount of investment in real and
13 personal property within the redevelopment project area of the
14 city during the preceding 3 years. In the case of an applicant
15 seeking a license under this section within the first license
16 cycle after the effective date of this section, the time period
17 described in this subdivision may be up to 5 years.

18 (iii) An affidavit from the assessor, as certified by the
19 city clerk, separately stating the amount of investment money
20 expended for manufacturing, industrial, residential, and
21 commercial development within the redevelopment project area of
22 the city during the preceding 3 years. In the case of an
23 applicant seeking a license under this section within the first
24 license cycle after the effective date of this section, the time
25 period described in this subdivision may be up to 5 years.

26 (3) The amount of commercial investment in the redevelopment
27 project area within the city shall constitute not less than 25%

1 of the total investment in real and personal property in that
2 redevelopment project area as evidenced by an affidavit of the
3 city assessor. This subsection does not prevent the city from
4 realigning the redevelopment project area in the presentment of
5 verification provided for under subsection (2)(c).

6 (4) An applicant shall meet at least 1 of the investment
7 requirements of this subsection during the 3 years preceding
8 application, or within the preceding 5 years in the case of an
9 applicant applying during the first license cycle after the
10 effective date of this section. The total investment in real and
11 personal property in the redevelopment project area within the
12 city over the appropriate time period described in this
13 subsection shall be at least 1 of the following:

14 (a) Not less than \$50,000,000.00 in cities having a
15 population of 50,000 or more.

16 (b) Not less than an amount reflecting \$1,000,000.00 per
17 1,000 people in cities having a population of less than 50,000.

18 (5) The commission may issue a license for each monetary
19 threshold described in subsection (4)(a) and (b), or for each
20 major fraction thereof.

21 (6) The commission may issue the licenses under this section
22 without regard to the order in which the applications are
23 received.

24 (7) The commission shall annually report to the legislature
25 the names of the businesses issued licenses under this section
26 and their locations.

27 (8) The commission shall not transfer a license issued under

1 this section to another location. If the licensee goes out of
2 business, the licensee shall surrender the license to the
3 commission.

4 (9) As used in this section, "city" means a city established
5 under either of the following:

6 (a) The home rule city act, 1909 PA 279, MCL 117.1 to
7 117.38.

8 (b) The fourth class city act, 1895 PA 215, MCL 81.1 to
9 113.20.

10 Enacting section 1. This amendatory act does not take
11 effect unless Senate Bill No. 1446
12 of the 92nd Legislature is enacted into
13 law.