

HOUSE BILL No. 5003

June 28, 2007, Introduced by Rep. Farrah 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~~**LIQUOR** at retail, or a
3 request to transfer location of an existing license, ~~shall be~~
4 ~~denied~~ if the contemplated location is within 500 feet of a church
5 or a school building. The distance between the church or school
6 building and the contemplated location shall be measured along the
7 center line of the street or streets of address between 2 fixed

1 points on the center line determined by projecting straight lines,
2 at right angles to the center line, from the part of the church or
3 school building nearest to the contemplated location and from the
4 part of the contemplated location nearest to the church or school
5 building.

6 (2) This section does not apply to ~~especially~~ **ANY OF THE**
7 **FOLLOWING:**

8 (A) **SPECIALLY** designated merchants not in conjunction with on
9 the premise licenses.

10 (B) ~~(3) This section does not apply to an~~ **AN** outstanding
11 license issued before March 1, 1949, for a location within the
12 ~~aforsaid~~ distance **DESCRIBED IN SUBSECTION (1)** or to the renewal or
13 transfer of the outstanding license at that location; ~~or~~ to a
14 resort license in effect during the 1948-1949 licensing year; ~~or~~
15 **AND** to the renewal or transfer of the resort at that location or to
16 an application for a license at that location ~~which~~ **THAT** has been
17 approved by the commission before March 1, 1949. ~~and licenses~~
18 **LICENSES** so issued, renewed, transferred, or approved shall be
19 conclusively presumed to be valid for purposes of this section
20 only.

21 (C) **AN APPLICANT LOCATED IN A DOWNTOWN OR BUSINESS AREA AS**
22 **DETERMINED OR DESIGNATED BY THE LEGISLATIVE BODY OF THE LOCAL**
23 **GOVERNMENTAL UNIT.**

24 (4) The commission may waive this section in the case of other
25 classes of licenses. If an objection is not filed by the church or
26 school, the commission may issue the license ~~pursuant to~~ **UNDER** this
27 act. If an objection is filed, the commission shall hold a hearing

1 ~~pursuant to~~ **IN COMPLIANCE WITH** rules established by the commission
2 before making a decision on the issuance of the license.

3 (5) This section ~~shall~~ **DOES** not ~~be construed to~~ prevent the
4 transfer of a license to a location farther from a church or
5 school, if the license to be transferred is within the 500-foot
6 radius.