

# SENATE BILL No. 302

April 28, 2015, Introduced by Senator JONES and referred to the Committee on Judiciary.

A bill to amend 1998 PA 58, entitled  
"Michigan liquor control code of 1998,"  
(MCL 436.1101 to 436.2303) by adding section 916a.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           SEC. 916A. (1) THE PURPOSE OF THIS SECTION IS TO REGULATE  
2 ALCOHOLIC BEVERAGE TRAFFIC WITHIN ADULT-ORIENTED BUSINESSES THAT  
3 ARE LICENSED TO SELL ALCOHOLIC LIQUOR FOR CONSUMPTION ON THE  
4 PREMISES TO PROMOTE THE HEALTH, SAFETY, AND GENERAL WELFARE OF THE  
5 CITIZENS OF THIS STATE AND TO ESTABLISH REASONABLE AND UNIFORM  
6 REGULATIONS TO PREVENT THE DELETERIOUS SECONDARY EFFECTS OF ADULT-  
7 ORIENTED BUSINESSES WITHIN THIS STATE. THIS SECTION IS NOT INTENDED  
8 TO, NOR SHALL IT BE INTERPRETED TO, IMPOSE A LIMITATION OR  
9 RESTRICTION ON THE CONTENT OF, OR REASONABLE ACCESS TO, ANY  
10 COMMUNICATIVE MATERIALS INCLUDING ADULT-ORIENTED MATERIALS, TO

1 RESTRICT OR DENY ACCESS BY ADULTS TO ADULT-ORIENTED MATERIALS  
2 PROTECTED BY AMENDMENT I OF THE CONSTITUTION OF THE UNITED STATES,  
3 TO DENY ACCESS BY THE DISTRIBUTORS AND EXHIBITORS OF ADULT-ORIENTED  
4 ENTERTAINMENT TO THEIR INTENDED MARKET, OR TO CONDONE OR LEGITIMIZE  
5 THE DISTRIBUTION OF OBSCENE MATERIAL.

6 (2) AN ON-PREMISES LICENSEE SHALL NOT ALLOW IN OR ON THE  
7 LICENSED PREMISES AN INDIVIDUAL WHO EXPOSES TO PUBLIC VIEW THE  
8 PUBIC REGION, ANUS, OR GENITALS OR WHO DISPLAYS OTHER TYPES OF  
9 NUDITY PROHIBITED BY LAW OR LOCAL ORDINANCE. AN ON-PREMISES  
10 LICENSEE SHALL NOT ALLOW IN OR ON THE LICENSED PREMISES THE SHOWING  
11 OF FILMS, TELEVISION, SLIDES, OR OTHER ELECTRONIC REPRODUCTIONS  
12 THAT DEPICT SCENES WHEREIN ANY INDIVIDUAL EXPOSES TO PUBLIC VIEW  
13 THE PUBIC REGION, ANUS, OR GENITALS OR DISPLAYS OTHER TYPES OF  
14 NUDITY PROHIBITED BY LAW OR LOCAL ORDINANCE. THIS PROHIBITION DOES  
15 NOT APPLY TO A PUBLICLY BROADCAST TELEVISION TRANSMISSION FROM A  
16 FEDERALLY LICENSED STATION.

17 (3) THIS SECTION DOES NOT APPLY TO AN EXHIBITION OR  
18 PERFORMANCE IN A THEATER, CONCERT HALL, ART CENTER, MUSEUM, OR  
19 SIMILAR ESTABLISHMENT THAT IS PRIMARILY DEVOTED TO THE ARTS OR  
20 THEATRICAL PERFORMANCES.

21 Enacting section 1. This amendatory act takes effect 90 days  
22 after the date it is enacted into law.