

# HOUSE BILL No. 5834

April 29, 2004, Introduced by Reps. Stallworth, Smith, Clack, Farrah, Plakas, Hunter, McConico, Waters, Dennis, Vagnozzi, Hood, Cheeks, Murphy, Phillips, Hardman and Reeves 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 new application for a license to sell  
2 alcoholic ~~beverages~~ **liquor** at retail, or a request to transfer  
3 location of an existing license, shall be denied if the  
4 contemplated location is within ~~500~~ **1,500** feet of a church or a  
5 school building. The distance between the church or school  
6 building and the contemplated location shall be measured along  
7 the center line of the street or streets of address between 2  
8 fixed points on the center line determined by projecting straight  
9 lines, at right angles to the center line, from the part of the  
10 church or school building nearest to the contemplated location  
11 and from the part of the contemplated location nearest to the

1 church or school building.

2 (2) This section does not apply to specially designated  
3 merchants not in conjunction with ~~on the premise~~ **on-premises**  
4 licenses.

5 (3) This section does not apply to an outstanding license  
6 issued before March 1, 1949, for a location within the  
7 ~~aforsaid~~ distance **described in subsection (1)** or to the  
8 renewal or transfer of the outstanding license at that location,  
9 or to a resort license in effect during the 1948-1949 licensing  
10 year, or to the renewal or transfer of the resort at that  
11 location or to an application for a license at that location  
12 ~~which~~ **that** has been approved by the commission before March 1,  
13 1949, and licenses so issued, renewed, transferred, or approved  
14 shall be conclusively presumed to be valid for purposes of this  
15 section only.

16 (4) The commission may waive this section in the case of  
17 other classes of licenses. If an objection is not filed by the  
18 church or school, the commission may issue the license pursuant  
19 to this act. If an objection is filed, the commission shall hold  
20 a hearing pursuant to rules established by the commission before  
21 making a decision on the issuance of the license.

22 (5) This section shall not be construed to prevent the  
23 transfer of a license to a location farther from a church or  
24 school, if the license to be transferred is within the ~~500-foot~~  
25 **1,500-foot** radius.