

**SUBSTITUTE FOR
SENATE BILL NO. 636**

A bill to amend 1933 (Ex Sess) PA 8, entitled
"The Michigan liquor control act,"
by amending section 18 (MCL 436.18), as amended by 1994 PA 185.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 18. (1) A person who holds or whose spouse holds,
2 either by appointment or election, a public office which involves
3 the duty to enforce any of the penal laws of the United States,
4 or the penal laws of this state, or a penal ordinance or resolu-
5 tion of any municipal subdivision of the state, except civil
6 defense volunteer police, mayors or council members of cities, or
7 village presidents, or mayors of home rule cities whose law
8 enforcement authority under the city charter is restricted to
9 emergency situations, or the state treasurer of this state when
10 acting in the capacity of custodian of the assets of the state

SB 636, As Passed Senate, November 12, 1997

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1 retirement systems created by the public school employees
2 retirement act of 1979, ~~Act No. 300 of the Public Acts of 1980,~~
3 ~~being sections 38.1301 to 38.1408 of the Michigan Compiled Laws~~
4 1980 PA 300, MCL 38.1301 TO 38.1437; the state employees' retire-
5 ment act, ~~Act No. 240 of the Public Acts of 1943, being sections~~
6 ~~38.1 to 38.48 of the Michigan Compiled Laws~~ 1943 PA 240, MCL
7 38.1 TO 38.69; the state police retirement act of 1986, ~~Act~~
8 ~~No. 182 of the Public Acts of 1986, being sections 38.1601 to~~
9 ~~38.1648 of the Michigan Compiled Laws~~ 1986 PA 182, MCL 38.1601
10 TO 38.1648; and the judges retirement act of 1992, ~~Act No. 234~~
11 ~~of the Public Acts of 1992, being sections 38.2101 to 38.2608 of~~
12 ~~the Michigan Compiled Laws~~ 1992 PA 234, MCL 38.2101 TO 38.2670,
13 and members of these state retirement systems only if the state
14 treasurer makes an investment in the name of the respective
15 retirement system to which such members belong, shall not be
16 issued a license, or have an interest, directly or indirectly, in
17 a license IF THE ACTIVITY REGULATED BY THE LICENSE OCCURS IN THE
18 SAME LOCAL UNIT OF GOVERNMENT WITHIN WHICH THE PERSON ENFORCES
19 THOSE STATE OR LOCAL PENAL LAWS. However, a nonprofit fraternal
20 organization incorporated under the laws of this state, whose
21 membership is not totally composed of law enforcement personnel
22 or public officeholders charged with the duty of enforcing any
23 penal laws or ordinances of a governmental body, may be issued a
24 club liquor license if the organization is otherwise qualified.

25 (2) As used in this section, "law enforcement personnel"
26 does not include the mayor of a city or the state treasurer of
27 this state when acting in the capacity of custodian of the assets

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1 of the state retirement systems created by ~~Act No. 300 of the~~
2 ~~Public Acts of 1980, Act No. 240 of the Public Acts of 1943, Act~~
3 ~~No. 182 of the Public Acts of 1986, and Act No. 234 of the Public~~
4 ~~Acts of 1992~~ THE PUBLIC SCHOOL EMPLOYEES RETIREMENT ACT OF 1979,
5 1980 PA 300, MCL 38.1301 TO 38.1437, THE STATE EMPLOYEES' RETIRE-
6 MENT ACT, 1943 PA 240, MCL 38.1 TO 38.69, THE STATE POLICE
7 RETIREMENT ACT OF 1986, 1986 PA 182, MCL 38.1601 TO 38.1648, AND
8 THE JUDGES RETIREMENT ACT OF 1992, 1992 PA 234, MCL 38.2101 TO
9 38.2670, and members of these state retirement systems only if
10 the state treasurer makes an investment in the name of the
11 respective retirement system to which such members belong.