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SFA**BILL ANALYSIS**

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Senate Bill 682 (Substitute S-3 as reported)

Sponsor: Senator Dianne Byrum

Committee: Economic Development, International Trade and Regulatory Affairs

CONTENT

The bill would amend the Michigan Liquor Control Act to allow a law enforcement officer or public officeholder, or the spouse of such person, to obtain a liquor license under certain circumstances. Currently, a person who holds, by appointment or election, a public office that involves the duty to enforce Federal, State, or local penal laws may not obtain or have an interest in a liquor license. Under the bill, the person could not obtain or have an interest in a liquor license if the activity regulated by the license occurred in the same local unit of government within which the person enforced the State or local penal laws.

In addition, the general prohibition would not apply to the spouse of a law enforcement officer or public officeholder if the spouse held a license or an interest in a license for at least three years before marrying the official. The prohibition also would not apply to a spouse who had voting rights in a public or private club holding a liquor license, which rights were derived from ownership of shares to the club, and the spouse participated as a member in good standing of the club or of an advisory board but did not participate in the club's day-to-day operation.

In the case of any licensee excepted from the Act's general prohibition, the Liquor Control Commission could periodically review all circumstances of the licensee and his or her spouse regarding the exception. The Commission also could review and monitor any complaints it received regarding inappropriate enforcement of the Act by or against a person excepted from the prohibition.

MCL 436.18

Legislative Analyst: S. Lowe

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 10-30-97

Fiscal Analyst: M. Tyszkiewicz