

HOUSE BILL 71

IN THE HOUSE

January 4, 1979	Introduced and referred to Committee on Business and Industry.
January 6, 1979	On motion, joint rule 6-6 suspended and sponsor's signature allowed to be added to prefiled bills.
January 8, 1979	Rereferred to Committee on State Administration.
January 17, 1979	Committee recommend bill, as amended.
January 18, 1979	Printed and placed on members' desks.
January 19, 1979	Second reading, pass consideration, as amended.
January 20, 1979	Second reading, as amended, do not pass.

1 HOUSE BILL NO. 71
 2 INTRODUCTION BY _____
 3 BY REQUEST OF THE DEPARTMENT OF REVENUE

4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY AND AMEND
 6 SECTION 16-3-306, MCA, RELATING TO THE PROXIMITY OF
 7 ESTABLISHMENTS WITH ALCOHOLIC BEVERAGE LICENSES TO CHURCHES
 8 AND SCHOOLS."

9
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 16-3-306, MCA, is amended to read:

12 "16-3-306. Proximity to churches and schools
 13 restricted. (1) A retail licensee may not ~~extend or relocate~~
 14 locate his premises within a 600 feet foot radius of ~~and on~~
 15 ~~the same street as~~ a building used exclusively as a church,
 16 synagogue, or other place of worship or as a school other
 17 than a commercially operated or postsecondary school. This
 18 distance shall be measured in a straight line from the
 19 ~~center of the nearest entrance of~~ closest point of the
 20 building housing the place of worship or school to the
 21 ~~nearest entrance of~~ closest point of the building housing
 22 the licensee's premises. This section is a limitation upon
 23 the department's licensing authority.

24 (2) ~~However, the department may renew a license for~~
 25 ~~any establishment located~~ Retail licenses issued prior to

1 July 1, 1978, which are in violation of this section shall
 2 be renewable. Such licenses are also renewable if the
 3 establishment was either located on the site before the
 4 place of worship or school opened or located in a bona fide
 5 hotel, restaurant, or fraternal organization building at the
 6 site since January 1, 1937."

-End-

Approved by Committee
on State Administration

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 11 Section 1. Section 16-3-306, MCA, is amended to read:
 12 "16-3-306. Proximity to churches and schools
 13 restricted. (1) A retail licensee, WITH THE EXCEPTION OF
 14 THOSE LICENSED FOR OFF-PREMISES CONSUMPTION, may not extend
 15 or ~~relocate~~ locate his premises within a 600 foot
 16 radius of ~~and--on--the--same--street--as~~ a building used
 17 exclusively as a church, synagogue, or other place of
 18 worship or as a school other than a commercially operated or
 19 postsecondary school. This distance shall be measured in a
 20 straight line from the ~~center-of-the-nearest-entrance-of~~
 21 closest point of the building housing the place of worship
 22 or school to the ~~nearest-entrance-of~~ closest point of the
 23 building housing the licensee's premises. This section is a
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-End-