SENATE BILL NO. 31

Introduced: 1/3/83

Referred to Committee on Public Health, Welfare, & Safety:

1/3/83

Hearing: 2/11/83 Died in Committee

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1	SENATE BILL NO. 31
2	INTRODUCED BY HAGER
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4	A BILL FOR AN ACT ENTITLED: "AN ACT TO EXEMPT
5	ESTABLISHMENTS LOCATED IN BUSINESS AND COMMERCIAL DISTRICTS
6	FROM THE PROHIBITION AGAINST ISSUANCE OF RETAIL ALCOHOLIC
7	BEVERAGE LICENSES TO ESTABLISHMENTS WITHIN 600 FEET OF
8	CHURCH OR SCHOOL; AMENDING SECTION 16-3-306, MCA.
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.0	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
1	Section 1. Section 16-3-306, MCA, is amended to read:
2	#16-3-306. Proximity to churches and schools
.3	restricted. (1) Except as provided in subsections (2). end
4	(3), and (41) no retail license may be issued pursuant to
5	this code to any business or enterprise whose premises are
6	within 600 feet of and on the same street as a building used
7	exclusively as a church, synagogue, or other place of
8	worship or as a school other than a commercially operated or
9	postsecondary school. This distance shall be measured in a
0	straight line from the center of the nearest entrance of the
1	place of worship or school to the nearest entrance of the
2	licensee's premises. This section is a limitation upon the
3	department's licensing authority.
4	(2) However, the department may renew a license for

any establishment located in violation of this section if

the existing entrances and if the establishment: (a) was located on the site before the p worship or school opened; or (b) was located in a bona fide hotel, restaura fraternal organization building at the site since Jan 1937. (3) Subsection (1) does not apply to licenses sale of beer, table wine, or both in the original for off-premises consumption. (4) Subsection (1) does not apply to a retail issued to a business or enterprise: (a) located within a zoning district zone business or commercial use: or (b) located within an area contiguous to a st highway if business or commercial establishments occ least 75% of the area: (i) along 300 or more feet of frontage upon the or highway; and (ii) within 300 feet of either side or within 1	ite his entrances any closer th	es not relocate his entrances any closer tha	1 the lice
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