1	HOUSE BILL NO. 210
2	INTRODUCED BY M. DUNWELL
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4	A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE RESTRICTION ON ISSUING RETAIL LIQUOR
5	LICENSES TO BUSINESSES IN PROXIMITY TO CHURCHES AND SCHOOLS; AMENDING SECTION
6	16-3-306, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."
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8	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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10	**Section 1.** Section 16-3-306, MCA, is amended to read:
11	**"16-3-306. Proximity to churches and schools restricted.** (1) Except as provided in subsections (2)
12	through (4), a retail license may not be issued pursuant to this code to any business or enterprise whose
13	premises are within 600 feet of ~~and on the same street as~~ a building used exclusively as a church, synagogue,
14	or other place of worship or as a school other than a commercially operated or postsecondary school. This
15	distance must be measured in a straight line from the center of the nearest entrance of the place of worship or
16	school to the nearest entrance of the licensee's premises. This section is a limitation upon the department's
17	licensing authority.
18	(2) However, the department may renew a license for any establishment located in violation of this
19	section if the licensee does not relocate an entrance any closer than the existing entrances and if the
20	establishment:
21	(a) was located on the site before the place of worship or school opened; or
22	(b) was located in a bona fide hotel, restaurant, or fraternal organization building at the site since January
23	1, 1937.
24	(3) Subsection (1) does not apply to licenses for the sale of beer, table wine, or both in the original
25	package for off-premises consumption.
26	(4) Subsection (1) does not apply within the applicable jurisdiction of a local government that has
27	supplanted the provisions of subsection (1) as provided in 16-3-309."
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29	<u>NEW SECTION.</u> **Section 2. Effective date.** [This act] is effective on passage and approval.
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