

**As Passed by the House**

**126th General Assembly  
Regular Session  
2005-2006**

**H. B. No. 12**

**Representatives Carano, S. Patton, J. Stewart, Seitz, Perry, Blasdel, Skindell,  
McGregor, Trakas, Chandler, Barrett, Cassell, Distel, Domenick, Harwood,  
Healy, Key, Kilbane, Koziura, Otterman, D. Stewart, Sykes, Ujvagi, Yuko**

**A B I L L**

To amend section 4301.62 and to enact section 1  
4303.232 of the Revised Code to create the T-1 2  
permit to authorize certain colleges and 3  
universities and professional athletic teams to 4  
allow the consumption of beer and intoxicating 5  
liquor brought into restricted areas on the 6  
property they own or lease. 7

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That section 4301.62 be amended and section 8  
4303.232 of the Revised Code be enacted to read as follows: 9

**Sec. 4301.62.** (A) As used in this section: 10

(1) "Chauffeured limousine" means a vehicle registered under 11  
section 4503.24 of the Revised Code. 12

(2) "Street," "highway," and "motor vehicle" have the same 13  
meanings as in section 4511.01 of the Revised Code. 14

(B) No person shall have in the person's possession an opened 15  
container of beer or intoxicating liquor in any of the following 16  
circumstances: 17

(1) In a state liquor store;	18
(2) Except as provided in division (C) of this section, on the premises of the holder of any permit issued by the division of liquor control;	19 20 21
(3) In any other public place;	22
(4) Except as provided in division (D) of this section, while operating or being a passenger in or on a motor vehicle on any street, highway, or other public or private property open to the public for purposes of vehicular travel or parking;	23 24 25 26
(5) Except as provided in division (D) of this section, while being in or on a stationary motor vehicle on any street, highway, or other public or private property open to the public for purposes of vehicular travel or parking.	27 28 29 30
(C)(1) A person may have in the person's possession an opened container of any of the following:	31 32
(a) Beer or intoxicating liquor that has been lawfully purchased for consumption on the premises where bought from the holder of an A-1-A, A-2, D-1, D-2, D-3, D-3a, D-4, D-4a, D-5, D-5a, D-5b, D-5c, D-5d, D-5e, D-5f, D-5g, D-5h, D-5i, D-5j, D-5k, D-7, D-8, E, F, F-2, or F-5 permit;	33 34 35 36 37
(b) Beer, wine, or mixed beverages served for consumption on the premises by the holder of an F-3 permit or wine served for consumption on the premises by the holder of an F-4 or F-6 permit;	38 39 40
(c) Beer or intoxicating liquor consumed on the premises of a convention facility as provided in section 4303.201 of the Revised Code <u>or consumed on the premises of a T-1 permit holder as provided in section 4303.232 of the Revised Code;</u>	41 42 43 44
(d) Beer or intoxicating liquor to be consumed during tastings and samplings approved by rule of the liquor control commission.	45 46 47

(2) A person may have in the person's possession on an F 48  
liquor permit premises an opened container of beer or intoxicating 49  
liquor that was not purchased from the holder of the F permit if 50  
the premises for which the F permit is issued is a music festival 51  
and the holder of the F permit grants permission for that 52  
possession on the premises during the period for which the F 53  
permit is issued. As used in this division, "music festival" means 54  
a series of outdoor live musical performances, extending for a 55  
period of at least three consecutive days and located on an area 56  
of land of at least forty acres. 57

(D) This section does not apply to a person who pays all or a 58  
portion of the fee imposed for the use of a chauffeured limousine 59  
pursuant to a prearranged contract, or the guest of the person, 60  
when all of the following apply: 61

(1) The person or guest is a passenger in the limousine. 62

(2) The person or guest is located in the limousine, but is 63  
not occupying a seat in the front compartment of the limousine 64  
where the operator of the limousine is located. 65

(3) The limousine is located on any street, highway, or other 66  
public or private property open to the public for purposes of 67  
vehicular travel or parking. 68

**Sec. 4303.232.** (A) As used in this section: 69

(1) "College or university" means a state institution of 70  
higher education as defined in section 3345.011 of the Revised 71  
Code, or a private institution of higher education, with an FTE 72  
(full-time equivalent) student enrollment of less than fifteen 73  
thousand. 74

(2) "Professional athletic team" means a professional 75  
baseball, basketball, football, hockey, or soccer team that owns 76  
or leases a stadium or arena that has a seating capacity of at 77

least four thousand.

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(B) A T-1 permit may be issued to any college or university  
or to any professional athletic team to authorize the college or  
university or professional athletic team to allow its guests to  
bring beer and intoxicating liquor in its original package, flask,  
or other container into an area on property that the college or  
university or professional athletic team owns or leases, for  
consumption in that area, if both of the following apply:

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(1) A fence or similar barrier encloses the area.

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(2) Security personnel are stationed at each exit from the  
area to prevent any person from leaving with an opened flask or  
other container of beer or intoxicating liquor.

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(C) The division of liquor control shall specify on each T-1  
permit the effective period of the permit, which shall not exceed  
three days. The fee for the T-1 permit is fifty dollars. The  
division shall prepare and make available application forms for  
the T-1 permit and may require applicants to furnish the  
information that the division determines is necessary for the  
administration of this section.

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(D) No holder of a T-1 permit shall provide or sell beer or  
intoxicating liquor by the drink or in its original package,  
flask, or other container in connection with the use of an area  
under the T-1 permit.

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**Section 2.** That existing section 4301.62 of the Revised Code  
is hereby repealed.

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