

**As Introduced**

**127th General Assembly  
Regular Session  
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**H. B. No. 18**

**Representatives Carano, McGregor, J., Hagan, R., Seitz, Stewart, D., Dodd,  
Koziura, Bolon, Evans, Chandler**

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**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 that 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;

(3) In any other public place;

(4) Except as provided in division (D) or (E) 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;

(5) Except as provided in division (D) or (E) 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.

(C)(1) A person may have in the person's possession an opened container of any of the following:

(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;

(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;

(c) Beer or intoxicating liquor consumed on the premises of a convention facility as provided in section 4303.201 of the Revised Code or consumed on the premises of a T-1 permit holder as provided in section 4303.232 of the Revised Code;

(d) Beer or intoxicating liquor to be consumed during tastings and samplings approved by rule of the liquor control commission.

(2) A person may have in the person's possession on an F 49  
liquor permit premises an opened container of beer or intoxicating 50  
liquor that was not purchased from the holder of the F permit if 51  
the premises for which the F permit is issued is a music festival 52  
and the holder of the F permit grants permission for that 53  
possession on the premises during the period for which the F 54  
permit is issued. As used in this division, "music festival" means 55  
a series of outdoor live musical performances, extending for a 56  
period of at least three consecutive days and located on an area 57  
of land of at least forty acres. 58

(3)(a) A person may have in the person's possession on a D-2 59  
liquor permit premises an opened or unopened container of wine 60  
that was not purchased from the holder of the D-2 permit if the 61  
premises for which the D-2 permit is issued is an outdoor 62  
performing arts center, the person is attending an orchestral 63  
performance, and the holder of the D-2 permit grants permission 64  
for the possession and consumption of wine in certain 65  
predesignated areas of the premises during the period for which 66  
the D-2 permit is issued. 67

(b) As used in division (C)(3)(a) of this section: 68

(i) "Orchestral performance" means a concert comprised of a 69  
group of not fewer than forty musicians playing various musical 70  
instruments. 71

(ii) "Outdoor performing arts center" means an outdoor 72  
performing arts center that is located on not less than eight 73  
hundred acres of land and that is open for performances from the 74  
first day of April to the last day of October of each year. 75

(D) This section does not apply to a person who pays all or a 76  
portion of the fee imposed for the use of a chauffeured limousine 77  
pursuant to a prearranged contract, or the guest of the person, 78  
when all of the following apply: 79

(1) The person or guest is a passenger in the limousine.	80
(2) The person or guest is located in the limousine, but is not occupying a seat in the front compartment of the limousine where the operator of the limousine is located.	81 82 83
(3) The limousine is located on any street, highway, or other public or private property open to the public for purposes of vehicular travel or parking.	84 85 86
(E) An opened bottle of wine that was purchased from the holder of a permit that authorizes the sale of wine for consumption on the premises where sold is not an opened container for the purposes of this section if both of the following apply:	87 88 89 90
(1) The opened bottle of wine is securely resealed by the permit holder or an employee of the permit holder before the bottle is removed from the premises. The bottle shall be secured in such a manner that it is visibly apparent if the bottle has been subsequently opened or tampered with.	91 92 93 94 95
(2) The opened bottle of wine that is resealed in accordance with division (E)(1) of this section is stored in the trunk of a motor vehicle or, if the motor vehicle does not have a trunk, behind the last upright seat or in an area not normally occupied by the driver or passengers and not easily accessible by the driver.	96 97 98 99 100 101
<b><u>Sec. 4303.232. (A) As used in this section:</u></b>	102
<u>(1) "College or university" means a state institution of higher education as defined in section 3345.011 of the Revised Code, or a private institution of higher education, with an FTE (full-time equivalent) student enrollment of less than fifteen thousand.</u>	103 104 105 106 107
<u>(2) "Professional athletic team" means a professional baseball, basketball, football, hockey, or soccer team that owns</u>	108 109

or leases a stadium or arena that has a seating capacity of at 110  
least four thousand. 111

(B) A T-1 permit may be issued to any college or university 112  
or to any professional athletic team to authorize the college or 113  
university or professional athletic team to allow its guests to 114  
bring beer and intoxicating liquor in its original package, flask, 115  
or other container into an area on property that the college or 116  
university or professional athletic team owns or leases, for 117  
consumption in that area, if both of the following apply: 118

(1) A fence or similar barrier encloses the area. 119

(2) Security personnel are stationed at each exit from the 120  
area to prevent any person from leaving with an opened flask or 121  
other container of beer or intoxicating liquor. 122

(C) The division of liquor control shall specify on each T-1 123  
permit the effective period of the permit, which shall not exceed 124  
three days. The fee for the T-1 permit is fifty dollars. The 125  
division shall prepare and make available application forms for 126  
the T-1 permit and may require applicants to furnish the 127  
information that the division determines is necessary for the 128  
administration of this section. 129

(D) No holder of a T-1 permit shall provide or sell beer or 130  
intoxicating liquor by the drink or in its original package, 131  
flask, or other container in connection with the use of an area 132  
under the T-1 permit. 133

**Section 2.** That existing section 4301.62 of the Revised Code 134  
is hereby repealed. 135