

**As Reported by the House State Government and Elections  
Committee**

**127th General Assembly  
Regular Session  
2007-2008**

**Sub. S. B. No. 102**

**Senator Schuler**

**Cosponsors: Senators Spada, Niehaus, Miller, D., Kearney, Clancy, Mumper  
Representatives Seitz, Schneider, Carmichael, Stewart, D., Driehaus**

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**A B I L L**

To amend sections 4301.17, 4301.355, 4301.62, 1  
4303.181, 4303.182, 4303.30, 4303.99, and 4399.12 2  
and to enact section 4303.208 of the Revised Code 3  
to authorize the F-8 liquor permit to be issued to 4  
certain nonprofit organizations to allow the sale 5  
of beer and intoxicating liquor at specific events 6  
that occur on public space that the organization 7  
manages, to change the population quota for state 8  
agency stores, to create the D-51 permit, and to 9  
declare an emergency. 10

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

**Section 1.** That sections 4301.17, 4301.355, 4301.62, 11  
4303.181, 4303.182, 4303.30, 4303.99, and 4399.12 be amended and 12  
section 4303.208 of the Revised Code be enacted to read as 13  
follows: 14

**Sec. 4301.17.** (A)(1) Subject to local option as provided in 15  
sections 4301.32 to 4301.40 of the Revised Code, five state liquor 16  
stores or agencies may be established in each county. One 17

additional store may be established in any county for each 18  
~~twenty-five~~ twenty thousand of population of that county or major 19  
fraction thereof in excess of the first forty thousand, according 20  
to the last preceding federal decennial census or according to the 21  
population estimates certified by the department of development 22  
between decennial censuses. A person engaged in a mercantile 23  
business may act as the agent for the division of liquor control 24  
for the sale of spirituous liquor in a municipal corporation, in 25  
the unincorporated area of a township, or in an area designated 26  
and approved as a resort area under section 4303.262 of the 27  
Revised Code. The division shall fix the compensation for such an 28  
agent in the manner it considers best, but the compensation shall 29  
not exceed seven per cent of the gross sales made by the agent in 30  
any one year. 31

(2) The division shall adopt rules in accordance with Chapter 32  
119. of the Revised Code governing the allocation and equitable 33  
distribution of agency store contracts. The division shall comply 34  
with the rules when awarding a contract under division (A)(1) of 35  
this section. 36

(3) Except as otherwise provided in this section, no 37  
mercantile business that sells beer or intoxicating liquor for 38  
consumption on the premises under a permit issued by the division 39  
shall operate an agency store at the premises. An agency to which 40  
a D-1 permit has been issued may offer for sale tasting samples of 41  
beer, an agency to which a D-2 permit has been issued may offer 42  
for sale tasting samples of wine and mixed beverages, and an 43  
agency to which a D-5 permit has been issued may offer for sale 44  
tasting samples of beer, wine, and mixed beverages, but not 45  
spirituous liquor. A tasting sample shall not be sold for the 46  
purpose of general consumption. As used in this section, "tasting 47  
sample" means a small amount of beer, wine, or mixed beverages 48  
that is provided in not more than four servings of not more than 49

two ounces each to an authorized purchaser and that allows the 50  
purchaser to determine, by tasting only, the quality and character 51  
of the beverage. 52

(B) When an agency contract is proposed, when an existing 53  
agency contract is assigned, when an existing agency proposes to 54  
relocate, or when an existing agency is relocated and assigned, 55  
before entering into any contract, consenting to any assignment, 56  
or consenting to any relocation, the division shall notify the 57  
legislative authority of the municipal corporation in which the 58  
agency store is to be located, or the board of county 59  
commissioners and the board of township trustees of the county and 60  
the township in which the agency store is to be located if the 61  
agency store is to be located outside the corporate limits of a 62  
municipal corporation, of the proposed contract, assignment, or 63  
relocation, and an opportunity shall be provided officials or 64  
employees of the municipal corporation or county and township for 65  
a complete hearing upon the advisability of entering into the 66  
contract or consenting to the assignment or relocation. When the 67  
division sends notice to the legislative authority of the 68  
political subdivision, the division shall notify, by certified 69  
mail or by personal service, the chief peace officer of the 70  
political subdivision, who may appear and testify, either in 71  
person or through a representative, at any hearing held on the 72  
advisability of entering into the contract or consenting to the 73  
assignment or relocation. 74

If the proposed agency store, the assignment of an agency 75  
contract, or the relocation of an agency store would be located 76  
within five hundred feet of a school, church, library, public 77  
playground, or township park, the division shall not enter into an 78  
agency contract until it has provided notice of the proposed 79  
contract to the authorities in control of the school, church, 80  
library, public playground, or township park and has provided 81

those authorities with an opportunity for a complete hearing upon 82  
the advisability of entering into the contract. If an agency store 83  
so located is operating under an agency contract, the division may 84  
consent to relocation of the agency store or to the assignment of 85  
that contract to operate an agency store at the same location. The 86  
division may also consent to the assignment of an existing agency 87  
contract simultaneously with the relocation of the agency store. 88  
In any such assignment or relocation, the assignee and the 89  
location shall be subject to the same requirements that the 90  
existing location met at the time that the contract was first 91  
entered into as well as any additional requirements imposed by the 92  
division in rules adopted by the superintendent of liquor control. 93  
The division shall not consent to an assignment or relocation of 94  
an agency store until it has notified the authorities in control 95  
of the school, church, library, public playground, or township 96  
park and has provided those authorities with an opportunity for a 97  
complete hearing upon the advisability of consenting to the 98  
assignment or relocation. 99

Any hearing provided for in this division shall be held in 100  
the central office of the division, except that upon written 101  
request of the legislative authority of the municipal corporation, 102  
the board of county commissioners, the board of township trustees, 103  
or the authorities in control of the school, church, library, 104  
public playground, or township park, the hearing shall be held in 105  
the county seat of the county where the proposed agency store is 106  
to be located. 107

(C) All agency contracts entered into by the division 108  
pursuant to this section shall be in writing and shall contain a 109  
clause providing for the termination of the contract at will by 110  
the division upon its giving ninety days' notice in writing to the 111  
agent of its intention to do so. Any agency contract may include a 112  
clause requiring the agent to report to the appropriate law 113

enforcement agency the name and address of any individual under 114  
twenty-one years of age who attempts to make an illegal purchase. 115

An agent may engage in the selling of beer, mixed beverages, 116  
and wine pursuant to permits issued to the agent under Chapter 117  
4303. of the Revised Code. 118

The division shall issue a C-1 and C-2 permit to each agent 119  
who prior to November 1, 1994, had not been issued both of these 120  
permits, notwithstanding the population quota restrictions 121  
contained in section 4303.29 of the Revised Code or in any rule of 122  
the liquor control commission and notwithstanding the requirements 123  
of section 4303.31 of the Revised Code. The location of a C-1 or 124  
C-2 permit issued to such an agent shall not be transferred. The 125  
division shall revoke any C-1 or C-2 permit issued to an agent 126  
under this paragraph if the agent no longer operates an agency 127  
store. 128

The division may enter into agreements with the department of 129  
development to implement a minority loan program to provide 130  
low-interest loans to minority business enterprises, as defined in 131  
section 122.71 of the Revised Code, that are awarded liquor agency 132  
contracts or assignments. 133

(D) If the division closes a state liquor store and replaces 134  
that store with an agency store, any employees of the division 135  
employed at that state liquor store who lose their jobs at that 136  
store as a result shall be given preference by the agent who 137  
operates the agency store in filling any vacancies that occur 138  
among the agent's employees, if that preference does not conflict 139  
with the agent's obligations pursuant to a collective bargaining 140  
agreement. 141

If the division closes a state liquor store and replaces the 142  
store with an agency store, any employees of the division employed 143  
at the state liquor store who lose their jobs at that store as a 144

result may displace other employees as provided in sections 145  
124.321 to 124.328 of the Revised Code. If an employee cannot 146  
displace other employees and is laid off, the employee shall be 147  
reinstated in another job as provided in sections 124.321 to 148  
124.328 of the Revised Code, except that the employee's rights of 149  
reinstatement in a job at a state liquor store shall continue for 150  
a period of two years after the date of the employee's layoff and 151  
shall apply to jobs at state liquor stores located in the 152  
employee's layoff jurisdiction and any layoff jurisdiction 153  
adjacent to the employee's layoff jurisdiction. 154

(E) The division shall require every agent to give bond with 155  
surety to the satisfaction of the division, in the amount the 156  
division fixes, conditioned for the faithful performance of the 157  
agent's duties as prescribed by the division. 158

**Sec. 4301.355.** (A) If a petition is filed under section 159  
4301.333 of the Revised Code for the submission of the question or 160  
questions set forth in this section, it shall be held in the 161  
precinct as ordered by the board of elections under that section. 162  
The expense of holding the election shall be charged to the 163  
municipal corporation or township of which the precinct is a part. 164

(B) At the election, one or more of the following questions, 165  
as designated in a valid petition, shall be submitted to the 166  
electors of the precinct: 167

(1) "Shall the sale of ..... (insert beer, wine and 168  
mixed beverages, or spirituous liquor) be permitted by ..... 169  
(insert name of applicant, liquor permit holder, or liquor agency 170  
store, including trade or fictitious name under which applicant 171  
for, or holder of, liquor permit or liquor agency store either 172  
intends to do, or does, business at the particular location), an 173  
..... (insert "applicant for" or "holder of" or "operator 174  
of") a ..... (insert class name of liquor permit or permits 175

followed by the words "liquor permit(s)" or, if appropriate, the 176  
words "liquor agency store for the State of Ohio"), who is engaged 177  
in the business of ..... (insert general nature of the 178  
business in which applicant or liquor permit holder is engaged or 179  
will be engaged in at the particular location, as described in the 180  
petition) at ..... (insert address of the particular location 181  
within the precinct as set forth in the petition) in this 182  
precinct?" 183

(2) "Shall the sale of ..... (insert beer, wine and 184  
mixed beverages, or spirituous liquor) be permitted for sale on 185  
Sunday between the hours of ..... (insert "ten a.m. and 186  
midnight" or "one p.m. and midnight") by ..... (insert name 187  
of applicant, liquor permit holder, or liquor agency store, 188  
including trade or fictitious name under which applicant for, or 189  
holder of, liquor permit or liquor agency store either intends to 190  
do, or does, business at the particular location), an ..... 191  
(insert "applicant for a D-6 liquor permit," "holder of a D-6 192  
liquor permit," "applicant for or holder of an A-1-A, A-2, C-1, 193  
C-2x, D-1, D-2x, D-3, D-3x, D-4, D-5, D-5b, D-5c, D-5e, D-5f, 194  
D-5g, D-5h, D-5i, D-5j, D-5k, D-5l, or D-7 liquor permit," if only 195  
the approval of beer sales is sought, or "liquor agency store") 196  
who is engaged in the business of ..... (insert general 197  
nature of the business in which applicant or liquor permit holder 198  
is engaged or will be engaged in at the particular location, as 199  
described in the petition) at ..... (insert address of the 200  
particular location within the precinct) in this precinct?" 201

(C) The board of elections shall furnish printed ballots at 202  
the election as provided under section 3505.06 of the Revised 203  
Code, except that a separate ballot shall be used for the election 204  
under this section. The question set forth in this section shall 205  
be printed on each ballot, and the board shall insert in the 206  
question appropriate words to complete it. Votes shall be cast as 207

provided under section 3505.06 of the Revised Code. 208

**Sec. 4301.62.** (A) As used in this section: 209

(1) "Chauffeured limousine" means a vehicle registered under 210  
section 4503.24 of the Revised Code. 211

(2) "Street," "highway," and "motor vehicle" have the same 212  
meanings as in section 4511.01 of the Revised Code. 213

(B) No person shall have in the person's possession an opened 214  
container of beer or intoxicating liquor in any of the following 215  
circumstances: 216

(1) In a state liquor store; 217

(2) Except as provided in division (C) of this section, on 218  
the premises of the holder of any permit issued by the division of 219  
liquor control; 220

(3) In any other public place; 221

(4) Except as provided in division (D) or (E) of this 222  
section, while operating or being a passenger in or on a motor 223  
vehicle on any street, highway, or other public or private 224  
property open to the public for purposes of vehicular travel or 225  
parking; 226

(5) Except as provided in division (D) or (E) of this 227  
section, while being in or on a stationary motor vehicle on any 228  
street, highway, or other public or private property open to the 229  
public for purposes of vehicular travel or parking. 230

(C)(1) A person may have in the person's possession an opened 231  
container of any of the following: 232

(a) Beer or intoxicating liquor that has been lawfully 233  
purchased for consumption on the premises where bought from the 234  
holder of an A-1-A, A-2, D-1, D-2, D-3, D-3a, D-4, D-4a, D-5, 235  
D-5a, D-5b, D-5c, D-5d, D-5e, D-5f, D-5g, D-5h, D-5i, D-5j, D-5k, 236



<u>D-51</u> , D-7, D-8, E, F, F-2, or F-5 permit;	237
(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;	238 239 240
(c) Beer or intoxicating liquor consumed on the premises of a convention facility as provided in section 4303.201 of the Revised Code;	241 242 243
(d) Beer or intoxicating liquor to be consumed during tastings and samplings approved by rule of the liquor control commission.	244 245 246
(2) A person may have in the person's possession on an F liquor permit premises an opened container of beer or intoxicating liquor that was not purchased from the holder of the F permit if the premises for which the F permit is issued is a music festival and the holder of the F permit grants permission for that possession on the premises during the period for which the F permit is issued. As used in this division, "music festival" means a series of outdoor live musical performances, extending for a period of at least three consecutive days and located on an area of land of at least forty acres.	247 248 249 250 251 252 253 254 255 256
(3)(a) A person may have in the person's possession on a D-2 liquor permit premises an opened or unopened container of wine that was not purchased from the holder of the D-2 permit if the premises for which the D-2 permit is issued is an outdoor performing arts center, the person is attending an orchestral performance, and the holder of the D-2 permit grants permission for the possession and consumption of wine in certain predesignated areas of the premises during the period for which the D-2 permit is issued.	257 258 259 260 261 262 263 264 265
(b) As used in division (C)(3)(a) of this section:	266
(i) "Orchestral performance" means a concert comprised of a	267

group of not fewer than forty musicians playing various musical instruments. 268  
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(ii) "Outdoor performing arts center" means an outdoor performing arts center that is located on not less than eight hundred acres of land and that is open for performances from the first day of April to the last day of October of each year. 270  
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(D) This section does not apply to a person who pays all or a portion of the fee imposed for the use of a chauffeured limousine pursuant to a prearranged contract, or the guest of the person, when all of the following apply: 274  
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(1) The person or guest is a passenger in the limousine. 278

(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. 279  
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(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. 282  
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(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: 285  
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(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. 289  
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(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 294  
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by the driver or passengers and not easily accessible by the 298  
driver. 299

**Sec. 4303.181.** (A) Permit D-5a may be issued either to the 300  
owner or operator of a hotel or motel that is required to be 301  
licensed under section 3731.03 of the Revised Code, that contains 302  
at least fifty rooms for registered transient guests or is owned 303  
by a state institution of higher education as defined in section 304  
3345.011 of the Revised Code or a private college or university, 305  
and that qualifies under the other requirements of this section, 306  
or to the owner or operator of a restaurant specified under this 307  
section, to sell beer and any intoxicating liquor at retail, only 308  
by the individual drink in glass and from the container, for 309  
consumption on the premises where sold, and to registered guests 310  
in their rooms, which may be sold by means of a controlled access 311  
alcohol and beverage cabinet in accordance with division (B) of 312  
section 4301.21 of the Revised Code; and to sell the same products 313  
in the same manner and amounts not for consumption on the premises 314  
as may be sold by holders of D-1 and D-2 permits. The premises of 315  
the hotel or motel shall include a retail food establishment or a 316  
food service operation licensed pursuant to Chapter 3717. of the 317  
Revised Code that operates as a restaurant for purposes of this 318  
chapter and that is affiliated with the hotel or motel and within 319  
or contiguous to the hotel or motel, and that serves food within 320  
the hotel or motel, but the principal business of the owner or 321  
operator of the hotel or motel shall be the accommodation of 322  
transient guests. In addition to the privileges authorized in this 323  
division, the holder of a D-5a permit may exercise the same 324  
privileges as the holder of a D-5 permit. 325

The owner or operator of a hotel, motel, or restaurant who 326  
qualified for and held a D-5a permit on August 4, 1976, may, if 327  
the owner or operator held another permit before holding a D-5a 328  
permit, either retain a D-5a permit or apply for the permit 329

formerly held, and the division of liquor control shall issue the 330  
permit for which the owner or operator applies and formerly held, 331  
notwithstanding any quota. 332

A D-5a permit shall not be transferred to another location. 333  
No quota restriction shall be placed on the number of D-5a permits 334  
that may be issued. 335

The fee for this permit is two thousand three hundred 336  
forty-four dollars. 337

(B) Permit D-5b may be issued to the owner, operator, tenant, 338  
lessee, or occupant of an enclosed shopping center to sell beer 339  
and intoxicating liquor at retail, only by the individual drink in 340  
glass and from the container, for consumption on the premises 341  
where sold; and to sell the same products in the same manner and 342  
amount not for consumption on the premises as may be sold by 343  
holders of D-1 and D-2 permits. In addition to the privileges 344  
authorized in this division, the holder of a D-5b permit may 345  
exercise the same privileges as a holder of a D-5 permit. 346

A D-5b permit shall not be transferred to another location. 347

One D-5b permit may be issued at an enclosed shopping center 348  
containing at least two hundred twenty-five thousand, but less 349  
than four hundred thousand, square feet of floor area. 350

Two D-5b permits may be issued at an enclosed shopping center 351  
containing at least four hundred thousand square feet of floor 352  
area. No more than one D-5b permit may be issued at an enclosed 353  
shopping center for each additional two hundred thousand square 354  
feet of floor area or fraction of that floor area, up to a maximum 355  
of five D-5b permits for each enclosed shopping center. The number 356  
of D-5b permits that may be issued at an enclosed shopping center 357  
shall be determined by subtracting the number of D-3 and D-5 358  
permits issued in the enclosed shopping center from the number of 359  
D-5b permits that otherwise may be issued at the enclosed shopping 360

center under the formulas provided in this division. Except as 361  
provided in this section, no quota shall be placed on the number 362  
of D-5b permits that may be issued. Notwithstanding any quota 363  
provided in this section, the holder of any D-5b permit first 364  
issued in accordance with this section is entitled to its renewal 365  
in accordance with section 4303.271 of the Revised Code. 366

The holder of a D-5b permit issued before April 4, 1984, 367  
whose tenancy is terminated for a cause other than nonpayment of 368  
rent, may return the D-5b permit to the division of liquor 369  
control, and the division shall cancel that permit. Upon 370  
cancellation of that permit and upon the permit holder's payment 371  
of taxes, contributions, premiums, assessments, and other debts 372  
owing or accrued upon the date of cancellation to this state and 373  
its political subdivisions and a filing with the division of a 374  
certification of that payment, the division shall issue to that 375  
person either a D-5 permit, or a D-1, a D-2, and a D-3 permit, as 376  
that person requests. The division shall issue the D-5 permit, or 377  
the D-1, D-2, and D-3 permits, even if the number of D-1, D-2, 378  
D-3, or D-5 permits currently issued in the municipal corporation 379  
or in the unincorporated area of the township where that person's 380  
proposed premises is located equals or exceeds the maximum number 381  
of such permits that can be issued in that municipal corporation 382  
or in the unincorporated area of that township under the 383  
population quota restrictions contained in section 4303.29 of the 384  
Revised Code. Any D-1, D-2, D-3, or D-5 permit so issued shall not 385  
be transferred to another location. If a D-5b permit is canceled 386  
under the provisions of this paragraph, the number of D-5b permits 387  
that may be issued at the enclosed shopping center for which the 388  
D-5b permit was issued, under the formula provided in this 389  
division, shall be reduced by one if the enclosed shopping center 390  
was entitled to more than one D-5b permit under the formula. 391

The fee for this permit is two thousand three hundred 392

forty-four dollars. 393

(C) Permit D-5c may be issued to the owner or operator of a 394  
retail food establishment or a food service operation licensed 395  
pursuant to Chapter 3717. of the Revised Code that operates as a 396  
restaurant for purposes of this chapter and that qualifies under 397  
the other requirements of this section to sell beer and any 398  
intoxicating liquor at retail, only by the individual drink in 399  
glass and from the container, for consumption on the premises 400  
where sold, and to sell the same products in the same manner and 401  
amounts not for consumption on the premises as may be sold by 402  
holders of D-1 and D-2 permits. In addition to the privileges 403  
authorized in this division, the holder of a D-5c permit may 404  
exercise the same privileges as the holder of a D-5 permit. 405

To qualify for a D-5c permit, the owner or operator of a 406  
retail food establishment or a food service operation licensed 407  
pursuant to Chapter 3717. of the Revised Code that operates as a 408  
restaurant for purposes of this chapter, shall have operated the 409  
restaurant at the proposed premises for not less than twenty-four 410  
consecutive months immediately preceding the filing of the 411  
application for the permit, have applied for a D-5 permit no later 412  
than December 31, 1988, and appear on the division's quota waiting 413  
list for not less than six months immediately preceding the filing 414  
of the application for the permit. In addition to these 415  
requirements, the proposed D-5c permit premises shall be located 416  
within a municipal corporation and further within an election 417  
precinct that, at the time of the application, has no more than 418  
twenty-five per cent of its total land area zoned for residential 419  
use. 420

A D-5c permit shall not be transferred to another location. 421  
No quota restriction shall be placed on the number of such permits 422  
that may be issued. 423

Any person who has held a D-5c permit for at least two years 424

may apply for a D-5 permit, and the division of liquor control 425  
shall issue the D-5 permit notwithstanding the quota restrictions 426  
contained in section 4303.29 of the Revised Code or in any rule of 427  
the liquor control commission. 428

The fee for this permit is one thousand five hundred 429  
sixty-three dollars. 430

(D) Permit D-5d may be issued to the owner or operator of a 431  
retail food establishment or a food service operation licensed 432  
pursuant to Chapter 3717. of the Revised Code that operates as a 433  
restaurant for purposes of this chapter and that is located at an 434  
airport operated by a board of county commissioners pursuant to 435  
section 307.20 of the Revised Code, at an airport operated by a 436  
port authority pursuant to Chapter 4582. of the Revised Code, or 437  
at an airport operated by a regional airport authority pursuant to 438  
Chapter 308. of the Revised Code. The holder of a D-5d permit may 439  
sell beer and any intoxicating liquor at retail, only by the 440  
individual drink in glass and from the container, for consumption 441  
on the premises where sold, and may sell the same products in the 442  
same manner and amounts not for consumption on the premises where 443  
sold as may be sold by the holders of D-1 and D-2 permits. In 444  
addition to the privileges authorized in this division, the holder 445  
of a D-5d permit may exercise the same privileges as the holder of 446  
a D-5 permit. 447

A D-5d permit shall not be transferred to another location. 448  
No quota restrictions shall be placed on the number of such 449  
permits that may be issued. 450

The fee for this permit is two thousand three hundred 451  
forty-four dollars. 452

(E) Permit D-5e may be issued to any nonprofit organization 453  
that is exempt from federal income taxation under the "Internal 454  
Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 501(c)(3), as 455

amended, or that is a charitable organization under any chapter of  
the Revised Code, and that owns or operates a riverboat that meets  
all of the following:

(1) Is permanently docked at one location;

(2) Is designated as an historical riverboat by the Ohio  
historical society;

(3) Contains not less than fifteen hundred square feet of  
floor area;

(4) Has a seating capacity of fifty or more persons.

The holder of a D-5e permit may sell beer and intoxicating  
liquor at retail, only by the individual drink in glass and from  
the container, for consumption on the premises where sold.

A D-5e permit shall not be transferred to another location.  
No quota restriction shall be placed on the number of such permits  
that may be issued. The population quota restrictions contained in  
section 4303.29 of the Revised Code or in any rule of the liquor  
control commission shall not apply to this division, and the  
division shall issue a D-5e permit to any applicant who meets the  
requirements of this division. However, the division shall not  
issue a D-5e permit if the permit premises or proposed permit  
premises are located within an area in which the sale of  
spirituous liquor by the glass is prohibited.

The fee for this permit is one thousand two hundred nineteen  
dollars.

(F) Permit D-5f may be issued to the owner or operator of a  
retail food establishment or a food service operation licensed  
under Chapter 3717. of the Revised Code that operates as a  
restaurant for purposes of this chapter and that meets all of the  
following:

(1) It contains not less than twenty-five hundred square feet



of floor area. 486

(2) It is located on or in, or immediately adjacent to, the 487  
shoreline of, a navigable river. 488

(3) It provides docking space for twenty-five boats. 489

(4) It provides entertainment and recreation, provided that 490  
not less than fifty per cent of the business on the permit 491  
premises shall be preparing and serving meals for a consideration. 492

In addition, each application for a D-5f permit shall be 493  
accompanied by a certification from the local legislative 494  
authority that the issuance of the D-5f permit is not inconsistent 495  
with that political subdivision's comprehensive development plan 496  
or other economic development goal as officially established by 497  
the local legislative authority. 498

The holder of a D-5f permit may sell beer and intoxicating 499  
liquor at retail, only by the individual drink in glass and from 500  
the container, for consumption on the premises where sold. 501

A D-5f permit shall not be transferred to another location. 502

The division of liquor control shall not issue a D-5f permit 503  
if the permit premises or proposed permit premises are located 504  
within an area in which the sale of spirituous liquor by the glass 505  
is prohibited. 506

A fee for this permit is two thousand three hundred 507  
forty-four dollars. 508

As used in this division, "navigable river" means a river 509  
that is also a "navigable water" as defined in the "Federal Power 510  
Act," 94 Stat. 770 (1980), 16 U.S.C. 796. 511

(G) Permit D-5g may be issued to a nonprofit corporation that 512  
is either the owner or the operator of a national professional 513  
sports museum. The holder of a D-5g permit may sell beer and any 514  
intoxicating liquor at retail, only by the individual drink in 515

glass and from the container, for consumption on the premises 516  
where sold. The holder of a D-5g permit shall sell no beer or 517  
intoxicating liquor for consumption on the premises where sold 518  
after one a.m. A D-5g permit shall not be transferred to another 519  
location. No quota restrictions shall be placed on the number of 520  
D-5g permits that may be issued. The fee for this permit is one 521  
thousand eight hundred seventy-five dollars. 522

(H)(1) Permit D-5h may be issued to any nonprofit 523  
organization that is exempt from federal income taxation under the 524  
"Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 525  
501(c)(3), as amended, that owns or operates any of the following: 526

(a) A fine arts museum, provided that the nonprofit 527  
organization has no less than one thousand five hundred bona fide 528  
members possessing full membership privileges; 529

(b) A community arts center. As used in division (H)(1)(b) of 530  
this section, "community arts center" means a facility that 531  
provides arts programming to the community in more than one arts 532  
discipline, including, but not limited to, exhibits of works of 533  
art and performances by both professional and amateur artists. 534

(c) A community theater, provided that the nonprofit 535  
organization is a member of the Ohio arts council and the American 536  
community theatre association and has been in existence for not 537  
less than ten years. As used in division (H)(1)(c) of this 538  
section, "community theater" means a facility that contains at 539  
least one hundred fifty seats and has a primary function of 540  
presenting live theatrical performances and providing recreational 541  
opportunities to the community. 542

(2) The holder of a D-5h permit may sell beer and any 543  
intoxicating liquor at retail, only by the individual drink in 544  
glass and from the container, for consumption on the premises 545  
where sold. The holder of a D-5h permit shall sell no beer or 546

intoxicating liquor for consumption on the premises where sold 547  
after one a.m. A D-5h permit shall not be transferred to another 548  
location. No quota restrictions shall be placed on the number of 549  
D-5h permits that may be issued. 550

(3) The fee for a D-5h permit is one thousand eight hundred 551  
seventy-five dollars. 552

(I) Permit D-5i may be issued to the owner or operator of a 553  
retail food establishment or a food service operation licensed 554  
under Chapter 3717. of the Revised Code that operates as a 555  
restaurant for purposes of this chapter and that meets all of the 556  
following requirements: 557

(1) It is located in a municipal corporation or a township 558  
with a population of one hundred thousand or less. 559

(2) It has inside seating capacity for at least one hundred 560  
forty persons. 561

(3) It has at least four thousand square feet of floor area. 562

(4) It offers full-course meals, appetizers, and sandwiches. 563

(5) Its receipts from beer and liquor sales, excluding wine 564  
sales, do not exceed twenty-five per cent of its total gross 565  
receipts. 566

(6) It has at least one of the following characteristics: 567

(a) The value of its real and personal property exceeds seven 568  
hundred twenty-five thousand dollars. 569

(b) It is located on property that is owned or leased by the 570  
state or a state agency, and its owner or operator has 571  
authorization from the state or the state agency that owns or 572  
leases the property to obtain a D-5i permit. 573

The holder of a D-5i permit shall cause an independent audit 574  
to be performed at the end of one full year of operation following 575  
issuance of the permit in order to verify the requirements of 576

division (I)(5) of this section. The results of the independent 577  
audit shall be transmitted to the division. Upon determining that 578  
the receipts of the holder from beer and liquor sales, excluding 579  
wine sales, exceeded twenty-five per cent of its total gross 580  
receipts, the division shall suspend the permit of the permit 581  
holder under section 4301.25 of the Revised Code and may allow the 582  
permit holder to elect a forfeiture under section 4301.252 of the 583  
Revised Code. 584

The holder of a D-5i permit may sell beer and any 585  
intoxicating liquor at retail, only by the individual drink in 586  
glass and from the container, for consumption on the premises 587  
where sold, and may sell the same products in the same manner and 588  
amounts not for consumption on the premises where sold as may be 589  
sold by the holders of D-1 and D-2 permits. The holder of a D-5i 590  
permit shall sell no beer or intoxicating liquor for consumption 591  
on the premises where sold after two-thirty a.m. In addition to 592  
the privileges authorized in this division, the holder of a D-5i 593  
permit may exercise the same privileges as the holder of a D-5 594  
permit. 595

A D-5i permit shall not be transferred to another location. 596  
The division of liquor control shall not renew a D-5i permit 597  
unless the retail food establishment or food service operation for 598  
which it is issued continues to meet the requirements described in 599  
divisions (I)(1) to (6) of this section. No quota restrictions 600  
shall be placed on the number of D-5i permits that may be issued. 601  
The fee for the D-5i permit is two thousand three hundred 602  
forty-four dollars. 603

(J)(1) Permit D-5j may be issued to the owner or the operator 604  
of a retail food establishment or a food service operation 605  
licensed under Chapter 3717. of the Revised Code to sell beer and 606  
intoxicating liquor at retail, only by the individual drink in 607  
glass and from the container, for consumption on the premises 608

where sold and to sell beer and intoxicating liquor in the same 609  
manner and amounts not for consumption on the premises where sold 610  
as may be sold by the holders of D-1 and D-2 permits. The holder 611  
of a D-5j permit may exercise the same privileges, and shall 612  
observe the same hours of operation, as the holder of a D-5 613  
permit. 614

(2) The D-5j permit shall be issued only within a community 615  
entertainment district that is designated under section 4301.80 of 616  
the Revised Code and that meets one of the following 617  
qualifications: 618

(a) It is located in a municipal corporation with a 619  
population of at least one hundred thousand. 620

(b) It is located in a municipal corporation with a 621  
population of at least twenty thousand, and either of the 622  
following applies: 623

(i) It contains an amusement park the rides of which have 624  
been issued a permit by the department of agriculture under 625  
Chapter 1711. of the Revised Code. 626

(ii) Not less than fifty million dollars will be invested in 627  
development and construction in the community entertainment 628  
district's area located in the municipal corporation. 629

(c) It is located in a township with a population of at least 630  
forty thousand. 631

(d) It is located in a municipal corporation with a 632  
population of at least ten thousand, and not less than seventy 633  
million dollars will be invested in development and construction 634  
in the community entertainment district's area located in the 635  
municipal corporation. 636

(3) The location of a D-5j permit may be transferred only 637  
within the geographic boundaries of the community entertainment 638

district in which it was issued and shall not be transferred 639  
outside the geographic boundaries of that district. 640

(4) Not more than one D-5j permit shall be issued within each 641  
community entertainment district for each five acres of land 642  
located within the district. Not more than fifteen D-5j permits 643  
may be issued within a single community entertainment district. 644  
Except as otherwise provided in division (J)(4) of this section, 645  
no quota restrictions shall be placed upon the number of D-5j 646  
permits that may be issued. 647

(5) The fee for a D-5j permit is two thousand three hundred 648  
forty-four dollars. 649

(K)(1) Permit D-5k may be issued to any nonprofit 650  
organization that is exempt from federal income taxation under the 651  
"Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 652  
501(c)(3), as amended, that is the owner or operator of a 653  
botanical garden recognized by the American association of 654  
botanical gardens and arboreta, and that has not less than 655  
twenty-five hundred bona fide members. 656

(2) The holder of a D-5k permit may sell beer and any 657  
intoxicating liquor at retail, only by the individual drink in 658  
glass and from the container, on the premises where sold. 659

(3) The holder of a D-5k permit shall sell no beer or 660  
intoxicating liquor for consumption on the premises where sold 661  
after one a.m. 662

(4) A D-5k permit shall not be transferred to another 663  
location. 664

(5) No quota restrictions shall be placed on the number of 665  
D-5k permits that may be issued. 666

(6) The fee for the D-5k permit is one thousand eight hundred 667  
seventy-five dollars. 668

(L)(1) Permit D-51 may be issued to the owner or operator of a retail food establishment or a food service operation licensed under Chapter 3717. of the Revised Code to sell beer and intoxicating liquor at retail, only by the individual drink in glass and from the container, for consumption on the premises where sold in the same manner and same amounts as may be sold by the holders of D-1 and D-2 permits. The holder of a D-51 permit may exercise the same privileges, and shall observe the same hours of operation, as the holder of a D-5 permit.

(2) The D-51 permit shall be issued only in a municipal corporation with a population of less than one hundred thousand and only within the geographic boundaries of a designated heritage Ohio main street community area and its location may be transferred only within the geographic boundaries of the designated heritage Ohio main street community area in which it was issued. Not more than one D-51 permit shall be issued for each ten thousand population of the municipal corporation in which it was issued. Except as otherwise provided in division (L)(2) of this section, no quota restriction shall be placed upon the number of D-51 permits that may be issued.

(3) No individual D-51 permit shall be issued and renewed for a period longer than seven years.

(4) The fee for a D-51 permit is two thousand three hundred forty-four dollars.

(5) No D-51 permit shall be issued after the end of a period of twenty-five years that begins on the effective date of Senate Bill No. 102 of the 127th General Assembly.

**Sec. 4303.182.** (A) Except as otherwise provided in divisions (B) to (J) of this section, permit D-6 shall be issued to the holder of an A-1-A, A-2, C-2, 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-51, or D-7 permit to allow sale under that permit between the 700  
hours of ten a.m. and midnight, or between the hours of one p.m. 701  
and midnight, on Sunday, as applicable, if that sale has been 702  
authorized under section 4301.361, 4301.364, 4301.365, or 4301.366 703  
of the Revised Code and under the restrictions of that 704  
authorization. 705

(B) Permit D-6 shall be issued to the holder of any permit, 706  
including a D-4a and D-5d permit, authorizing the sale of 707  
intoxicating liquor issued for a premises located at any publicly 708  
owned airport, as defined in section 4563.01 of the Revised Code, 709  
at which commercial airline companies operate regularly scheduled 710  
flights on which space is available to the public, to allow sale 711  
under such permit between the hours of ten a.m. and midnight on 712  
Sunday, whether or not that sale has been authorized under section 713  
4301.361, 4301.364, 4301.365, or 4301.366 of the Revised Code. 714

(C) Permit D-6 shall be issued to the holder of a D-5a 715  
permit, and to the holder of a D-3 or D-3a permit who is the owner 716  
or operator of a hotel or motel that is required to be licensed 717  
under section 3731.03 of the Revised Code, that contains at least 718  
fifty rooms for registered transient guests, and that has on its 719  
premises a retail food establishment or a food service operation 720  
licensed pursuant to Chapter 3717. of the Revised Code that 721  
operates as a restaurant for purposes of this chapter and is 722  
affiliated with the hotel or motel and within or contiguous to the 723  
hotel or motel and serving food within the hotel or motel, to 724  
allow sale under such permit between the hours of ten a.m. and 725  
midnight on Sunday, whether or not that sale has been authorized 726  
under section 4301.361, 4301.364, 4301.365, or 4301.366 of the 727  
Revised Code. 728

(D) The holder of a D-6 permit that is issued to a sports 729  
facility may make sales under the permit between the hours of 730  
eleven a.m. and midnight on any Sunday on which a professional 731



baseball, basketball, football, hockey, or soccer game is being 732  
played at the sports facility. As used in this division, "sports 733  
facility" means a stadium or arena that has a seating capacity of 734  
at least four thousand and that is owned or leased by a 735  
professional baseball, basketball, football, hockey, or soccer 736  
franchise or any combination of those franchises. 737

(E) Permit D-6 shall be issued to the holder of any permit 738  
that authorizes the sale of beer or intoxicating liquor and that 739  
is issued to a premises located in or at the Ohio historical 740  
society area or the state fairgrounds, as defined in division (B) 741  
of section 4301.40 of the Revised Code, to allow sale under that 742  
permit between the hours of ten a.m. and midnight on Sunday, 743  
whether or not that sale has been authorized under section 744  
4301.361, 4301.364, 4301.365, or 4301.366 of the Revised Code. 745

(F) Permit D-6 shall be issued to the holder of any permit 746  
that authorizes the sale of intoxicating liquor and that is issued 747  
to an outdoor performing arts center to allow sale under that 748  
permit between the hours of one p.m. and midnight on Sunday, 749  
whether or not that sale has been authorized under section 750  
4301.361 of the Revised Code. A D-6 permit issued under this 751  
division is subject to the results of an election, held after the 752  
D-6 permit is issued, on question (B)(4) as set forth in section 753  
4301.351 of the Revised Code. Following the end of the period 754  
during which an election may be held on question (B)(4) as set 755  
forth in that section, sales of intoxicating liquor may continue 756  
at an outdoor performing arts center under a D-6 permit issued 757  
under this division, unless an election on that question is held 758  
during the permitted period and a majority of the voters voting in 759  
the precinct on that question vote "no." 760

As used in this division, "outdoor performing arts center" 761  
means an outdoor performing arts center that is located on not 762  
less than eight hundred acres of land and that is open for 763

performances from the first day of April to the last day of 764  
October of each year. 765

(G) Permit D-6 shall be issued to the holder of any permit 766  
that authorizes the sale of beer or intoxicating liquor and that 767  
is issued to a golf course owned by the state, a conservancy 768  
district, a park district created under Chapter 1545. of the 769  
Revised Code, or another political subdivision to allow sale under 770  
that permit between the hours of ten a.m. and midnight on Sunday, 771  
whether or not that sale has been authorized under section 772  
4301.361, 4301.364, 4301.365, or 4301.366 of the Revised Code. 773

(H) Permit D-6 shall be issued to the holder of a D-5g permit 774  
to allow sale under that permit between the hours of ten a.m. and 775  
midnight on Sunday, whether or not that sale has been authorized 776  
under section 4301.361, 4301.364, 4301.365, or 4301.366 of the 777  
Revised Code. 778

(I) Permit D-6 shall be issued to the holder of any D permit 779  
for a premises that is licensed under Chapter 3717. of the Revised 780  
Code and that is located at a ski area to allow sale under the D-6 781  
permit between the hours of ten a.m. and midnight on Sunday, 782  
whether or not that sale has been authorized under section 783  
4301.361, 4301.364, 4301.365, or 4301.366 of the Revised Code. 784

As used in this division, "ski area" means a ski area as 785  
defined in section 4169.01 of the Revised Code, provided that the 786  
passenger tramway operator at that area is registered under 787  
section 4169.03 of the Revised Code. 788

(J) Permit D-6 shall be issued to the holder of a D-5j permit 789  
for a permit premises that is located in a community entertainment 790  
district, as defined in section 4301.80 of the Revised Code, that 791  
was approved by the legislative authority of a municipal 792  
corporation under that section between October 1 and October 15, 793  
2005, to allow sale under the permit between the hours of ten a.m. 794

and midnight on Sunday, whether or not that sale has been 795  
authorized under section 4301.361, 4301.364, 4301.365, or 4301.366 796  
of the Revised Code. 797

(K) If the restriction to licensed premises where the sale of 798  
food and other goods and services exceeds fifty per cent of the 799  
total gross receipts of the permit holder at the premises is 800  
applicable, the division of liquor control may accept an affidavit 801  
from the permit holder to show the proportion of the permit 802  
holder's gross receipts derived from the sale of food and other 803  
goods and services. If the liquor control commission determines 804  
that affidavit to have been false, it shall revoke the permits of 805  
the permit holder at the premises concerned. 806

(L) The fee for the D-6 permit is five hundred dollars when 807  
it is issued to the holder of an A-1-A, A-2, D-2, D-3, D-3a, D-4, 808  
D-4a, D-5, D-5a, D-5b, D-5c, D-5d, D-5e, D-5f, D-5g, D-5h, D-5i, 809  
D-5j, D-5k, D-5l, or D-7 permit. The fee for the D-6 permit is 810  
four hundred dollars when it is issued to the holder of a C-2 811  
permit. 812

Sec. 4303.208. (A)(1) The division of liquor control may 813  
issue an F-8 permit to a not-for-profit organization that manages, 814  
for the benefit of the public and by contract with a political 815  
subdivision of this state, publicly owned property to sell beer or 816  
intoxicating liquor by the individual drink at specific events 817  
conducted on the publicly owned property and appurtenant streets, 818  
but only if, and then only at times at which, the sale of beer and 819  
intoxicating liquor on the premises is otherwise permitted by law. 820  
Additionally, an F-8 permit may be issued only if the publicly 821  
owned property is located in a county that has a population of 822  
between seven hundred fifty thousand and nine hundred thousand on 823  
the effective date of this section. 824

(2) The premises on which an F-8 permit will be used shall be 825

clearly defined and sufficiently restricted to allow proper 826  
supervision of the permit's use by state and local law enforcement 827  
officers. Sales under an F-8 permit shall be confined to the same 828  
hours permitted to the holder of a D-3 permit. 829

(3) The fee for an F-8 permit is one thousand seven hundred 830  
dollars. An F-8 permit is effective for a period not to exceed 831  
nine months as specified in the permit. An F-8 permit is not 832  
transferable or renewable. However, the holder of an F-8 permit 833  
may apply for a new F-8 permit at any time. An F-8 permit is not 834  
effective until any F-8 permit currently held expires. The holder 835  
of an F-8 permit shall make sales only at those specific events 836  
about which the permit holder has notified in advance the division 837  
of liquor control, the department of public safety, and the chief, 838  
sheriff, or other principal peace officer of the local law 839  
enforcement agencies having jurisdiction over the premises. 840

(B)(1) An application for the issuance of an F-8 permit is 841  
subject to the notice and hearing requirements established in 842  
division (A) of section 4303.26 of the Revised Code. 843

(2) The liquor control commission shall adopt under Chapter 844  
119. of the Revised Code rules necessary to administer this 845  
section. 846

(C) No F-8 permit holder shall sell beer or intoxicating 847  
liquor beyond the hours of sale allowed by the permit. This 848  
division imposes strict liability on the holder of an F-8 permit 849  
and on any officer, agent, or employee of that permit holder. 850

**Sec. 4303.30.** The rights granted by any D-2, D-3, D-3a, D-4, 851  
D-4a, D-5, D-5a, D-5b, D-5e, D-5f, D-5g, D-5h, D-5i, D-5j, D-5k, 852  
or D-6 permit shall be exercised at not more than two fixed 853  
counters, commonly known as bars, in rooms or places on the permit 854  
premises, where beer, mixed beverages, wine, or spirituous liquor 855  
is sold to the public for consumption on the premises. For each 856

additional fixed counter on the permit premises where those 857  
beverages are sold for consumption on the premises, the permit 858  
holder shall obtain a duplicate D-2, D-3, D-3a, D-4, D-4a, D-5, 859  
D-5a, D-5b, D-5e, D-5f, D-5g, D-5h, D-5i, D-5j, D-5k, D-5l, or D-6 860  
permit. 861

The holder of any D-2, D-3, D-3a, D-4, D-4a, D-5, D-5a, D-5b, 862  
D-5e, D-5f, D-5g, D-5h, D-5i, D-5j, D-5k, D-5l, or D-6 permit 863  
shall be granted, upon application to the division of liquor 864  
control, a duplicate D-2, D-3, D-3a, D-4, D-4a, D-5, D-5a, D-5b, 865  
D-5e, D-5f, D-5g, D-5h, D-5i, D-5j, D-5k, D-5l, or D-6 permit for 866  
each additional fixed counter on the permit premises at which 867  
beer, mixed beverages, wine, or spirituous liquor is sold for 868  
consumption on the premises, provided the application is made in 869  
the same manner as an application for an original permit. The 870  
application shall be identified with DUPLICATE printed on the 871  
permit application form furnished by the department, in boldface 872  
type. The application shall identify by name, or otherwise amply 873  
describe, the room or place on the premises where the duplicate 874  
permit is to be operative. Each duplicate permit shall be issued 875  
only to the same individual, firm, or corporation as that of the 876  
original permit and shall be an exact duplicate in size and word 877  
content as the original permit, except that it shall show on it 878  
the name or other ample identification of the room, or place, for 879  
which it is issued and shall have DUPLICATE printed on it in 880  
boldface type. A duplicate permit shall bear the same number as 881  
the original permit. The fee for a duplicate permit is: D-1, one 882  
hundred dollars; D-2, one hundred dollars; D-3, four hundred 883  
dollars; D-3a, four hundred dollars; D-4, two hundred dollars; 884  
D-5, one thousand dollars; D-5a, one thousand dollars; D-5b, one 885  
thousand dollars; D-5c, four hundred dollars; D-5e, six hundred 886  
fifty dollars; D-5f, one thousand dollars; D-6, one hundred 887  
dollars when issued to the holder of a D-4a permit; and in all 888  
other cases one hundred dollars or an amount which is twenty per 889

cent of the fees payable for the A-1-A, D-2, D-3, D-3a, D-4, D-5, 890  
D-5a, D-5b, D-5e, D-5f, D-5g, D-5h, D-5i, D-5j, D-5k, D-5l, and 891  
D-6 permits issued to the same premises, whichever is higher. 892  
Application for a duplicate permit may be filed any time during 893  
the life of an original permit. The fee for each duplicate D-2, 894  
D-3, D-3a, D-4, D-4a, D-5, D-5a, D-5b, D-5e, D-5f, D-5g, D-5h, 895  
D-5i, D-5j, D-5k, D-5l, or D-6 permit shall be paid in accordance 896  
with section 4303.24 of the Revised Code. 897

**Sec. 4303.99.** (A) Whoever violates section 4303.28 of the 898  
Revised Code shall be fined not less than one thousand nor more 899  
than twenty-five hundred dollars or imprisoned not less than six 900  
months nor more than one year. 901

(B) Whoever violates section 4303.36 of the Revised Code 902  
shall be fined not less than twenty-five nor more than one hundred 903  
dollars. 904

(C) Whoever violates section 4303.37 of the Revised Code 905  
shall be fined not less than twenty-five nor more than fifty 906  
dollars. 907

(D) Whoever violates division (B) of section 4303.202 or 908  
division (C) of section 4303.208 of the Revised Code is guilty of 909  
a misdemeanor of the fourth degree. 910

**Sec. 4399.12.** No provision contained in Title XLIII of the 911  
Revised Code that prohibits the sale of intoxicating liquors in 912  
any of the circumstances described in section 4399.11 of the 913  
Revised Code extends to or prevents the holder of an A, B, C-2, 914  
D-2, D-3, D-3a, D-4, D-4a, D-5, D-5a, D-5b, D-5e, D-5f, D-5g, 915  
D-5h, D-5i, D-5j, D-5k, D-5l, G, or I permit issued by the 916  
division of liquor control from distributing or selling 917  
intoxicating liquor at the place of business described in the 918  
permit of the holder. 919

**Section 2.** That existing sections 4301.17, 4301.355, 4301.62, 920  
4303.181, 4303.182, 4303.30, 4303.99, and 4399.12 of the Revised 921  
Code are hereby repealed. 922

**Section 3.** This act is hereby declared to be an emergency 923  
measure necessary for the immediate preservation of the public 924  
peace, health, and safety. The reason for such necessity lies in 925  
the fact that the summer festival season is fast approaching and 926  
the implementation of the issuance of the F-8 permit needs to be 927  
expedited so that the permit can be issued during this summer 928  
season. Therefore, this act shall go into immediate effect. 929