

As Introduced

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

S. B. No. 136

Senator Mumper

Cosponsors: Senators Spada, Schuler

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A B I L L

To amend sections 4301.20, 4301.333, 4301.334, 1
4301.351, 4301.354, 4301.355, 4301.356, 4301.361, 2
4301.364, 4301.365, 4301.366, and 4303.182 of the 3
Revised Code to authorize certain Sunday liquor 4
sales to begin at 11 a.m. even if those sales 5
previously were approved by the voters to commence 6
at 1 p.m., to change from 1 p.m. to 11 a.m. the 7
time at which Sunday liquor sales may start as 8
specified in certain local option questions 9
submitted to the voters, and to clarify that the 10
Liquor Control and Liquor Permits Laws do not 11
prevent the manufacture, sale, and transport of 12
ethanol or ethyl alcohol for use as fuel. 13

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

Section 1. That sections 4301.20, 4301.333, 4301.334, 14
4301.351, 4301.354, 4301.355, 4301.356, 4301.361, 4301.364, 15
4301.365, 4301.366, and 4303.182 of the Revised Code be amended to 16
read as follows: 17

Sec. 4301.20. This chapter and Chapter 4303. of the Revised 18
Code do not prevent the following: 19

(A) The storage of intoxicating liquor in bonded warehouses, 20
established in accordance with the acts of congress and under the 21
regulation of the United States, located in this state, or the 22
transportation of intoxicating liquor to or from bonded warehouses 23
of the United States wherever located; 24

(B) A bona fide resident of this state who is the owner of a 25
warehouse receipt from obtaining or transporting to the resident's 26
residence for the resident's own consumption and not for resale 27
spirituous liquor stored in a government bonded warehouse in this 28
state or in another state prior to December 1933, subject to such 29
terms as are prescribed by the division of liquor control; 30

(C) The manufacture of cider from fruit for the purpose of 31
making vinegar, and nonintoxicating cider and fruit juices for use 32
and sale; 33

(D) A licensed physician or dentist from administering or 34
dispensing intoxicating liquor or alcohol to a patient in good 35
faith in the actual course of the practice of the physician's or 36
dentist's profession; 37

(E) The sale of alcohol to physicians, dentists, druggists, 38
veterinary surgeons, manufacturers, hospitals, infirmaries, or 39
medical or educational institutions using the alcohol for 40
medicinal, mechanical, chemical, or scientific purposes; 41

(F) The sale, gift, or keeping for sale by druggists and 42
others of any of the medicinal preparations manufactured in 43
accordance with the formulas prescribed by the United States 44
Pharmacopoeia and National Formulary, patent or proprietary 45
preparations, and other bona fide medicinal and technical 46
preparations, which contain no more alcohol than is necessary to 47
hold the medicinal agents in solution and to preserve the same, 48
which are manufactured and sold as medicine and not as beverages, 49
are unfit for use for beverage purposes, and the sale of which 50

does not require the payment of a United States liquor dealer's 51
tax; 52

(G) The manufacture and sale of tinctures or of toilet, 53
medicinal, and antiseptic preparations and solutions not intended 54
for internal human use nor to be sold as beverages, and which are 55
unfit for beverage purposes, if upon the outside of each bottle, 56
box, or package of which there is printed in the English language, 57
conspicuously and legibly, the quantity by volume of alcohol in 58
the preparation or solution; 59

(H) The manufacture and keeping for sale of the food products 60
known as flavoring extracts when manufactured and sold for 61
cooking, culinary, or flavoring purposes, and which are unfit for 62
use for beverage purposes; 63

(I) The lawful sale of wood alcohol or of ethyl alcohol for 64
external use when combined with other substances as to make it 65
unfit for internal use; 66

(J) The manufacture, sale, and transport of ethanol or ethyl 67
alcohol for use as fuel. As used in this division, "ethanol" has 68
the same meaning as in section 5733.46 of the Revised Code. 69

(K) The purchase and importation into this state of 70
intoxicating liquor for use in manufacturing processes of 71
nonbeverage food products under terms prescribed by the division, 72
provided that the terms prescribed by the division shall not 73
increase the cost of the intoxicating liquor to any person, firm, 74
or corporation purchasing and importing it into this state for 75
that use; 76

~~(K)~~(L) Any resident of this state or any member of the armed 77
forces of the United States, who has attained the age of 78
twenty-one years, from bringing into this state, for personal use 79
and not for resale, not more than one liter of spirituous liquor 80
in any thirty-day period, and the same is free of any tax consent 81

fee when the resident or member of the armed forces physically 82
possesses and accompanies the spirituous liquor on returning from 83
a foreign country, another state, or an insular possession of the 84
United States; 85

~~(L)~~(M) Persons, at least twenty-one years of age, who collect 86
ceramic commemorative bottles containing spirituous liquor ~~which~~ 87
that have unbroken federal tax stamps on them from selling or 88
trading the bottles to other collectors. The bottles ~~must~~ shall 89
originally have been purchased at retail from the division, 90
legally imported under division ~~(K)~~(L) of this section, or legally 91
imported pursuant to a supplier registration issued by the 92
division. The sales shall be for the purpose of exchanging a 93
ceramic commemorative bottle between private collectors and shall 94
not be for the purpose of selling the spirituous liquor for 95
personal consumption. The sale or exchange authorized by this 96
division shall not occur on the premises of any permit holder, 97
shall not be made in connection with the business of any permit 98
holder, and shall not be made in connection with any mercantile 99
business. 100

Sec. 4301.333. (A) The privilege of local option conferred by 101
section 4301.323 of the Revised Code may be exercised if, not 102
later than four p.m. of the seventy-fifth day before the day of a 103
general or primary election, a petition is presented to the board 104
of elections of the county in which the precinct is situated by a 105
petitioner who is one of the following: 106

(1) An applicant for the issuance or transfer of a liquor 107
permit at, or to, a particular location within the precinct; 108

(2) The holder of a liquor permit at a particular location 109
within the precinct; 110

(3) A person who operates or seeks to operate a liquor agency 111
store at a particular location within the precinct; 112

(4) The designated agent for an applicant, liquor permit holder, or liquor agency store described in division (A)(1), (2), or (3) of this section. 113
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(B) The petition shall be signed by the electors of the precinct equal in number to at least thirty-five per cent of the total number of votes cast in the precinct for the office of governor at the preceding general election for that office and shall contain all of the following: 116
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(1) A notice that the petition is for the submission of the question or questions set forth in section 4301.355 of the Revised Code; 121
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(2) The name of the applicant for the issuance or transfer, or the holder, of the liquor permit or, if applicable, the name of the liquor agency store, including any trade or fictitious names under which the applicant, holder, or liquor agency store either intends to do or does business at the particular location; 124
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(3) The address and proposed use of the particular location within the election precinct to which the results of the question or questions specified in section 4301.355 of the Revised Code shall apply. For purposes of this division, "use" means all of the following: 129
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(a) The type of each liquor permit applied for by the applicant or held by the liquor permit holder as described in sections 4303.11 to 4303.183 of the Revised Code, including a description of the type of beer or intoxicating liquor sales authorized by each permit as provided in those sections; 134
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(b) If a liquor agency store, the fact that the business operated as a liquor agency store authorized to operate by this state; 139
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(c) A description of the general nature of the business of the applicant, liquor permit holder, or liquor agency store. 142
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(4) If the petition seeks approval of Sunday sales under 144
question (B)(2) as set forth in section 4301.355 of the Revised 145
Code, a statement indicating whether the hours of sale sought are 146
between ten a.m. and midnight or between ~~one p.m.~~ eleven a.m. and 147
midnight. 148

(C)(1) At the time the petitioner files the petition with the 149
board of elections, the petitioner shall provide to the board both 150
of the following: 151

(a) An affidavit that is signed by the petitioner and that 152
states the proposed use of the location following the election 153
held to authorize the sale of beer or intoxicating liquor 154
authorized by each permit as provided in sections 4303.11 to 155
4303.183 of the Revised Code; 156

(b) Written evidence of the designation of an agent by the 157
applicant, liquor permit holder, or liquor agency store described 158
in division (A)(1), (2), or (3) of this section for the purpose of 159
petitioning for the local option election, if the petitioner is 160
the designated agent of the applicant, liquor permit holder, or 161
liquor agency store. 162

(2) Failure to supply the affidavit, or the written evidence 163
of the designation of the agent if the petitioner for the local 164
option election is the agent of the applicant, liquor permit 165
holder, or liquor agency store described in division (A)(1), (2), 166
or (3) of this section, at the time the petition is filed 167
invalidates the entire petition. 168

(D) Not later than the sixty-eighth day before the day of the 169
next general or primary election, whichever occurs first, the 170
board shall examine and determine the sufficiency of the 171
signatures and the validity of the petition. If the board finds 172
that the petition contains sufficient signatures and in other 173
respects is valid, it shall order the holding of an election in 174

the precinct on the day of the next general or primary election, 175
whichever occurs first, for the submission of the question or 176
questions set forth in section 4301.355 of the Revised Code. 177

(E) A petition filed with the board of elections under this 178
section shall be open to public inspection under rules adopted by 179
the board. 180

(F) An elector who is eligible to vote on the question or 181
questions set forth in section 4301.355 of the Revised Code may 182
file, not later than four p.m. of the sixty-fourth day before the 183
day of the election at which the question or questions will be 184
submitted to the electors, a protest against a local option 185
petition circulated and filed pursuant to this section. The 186
protest shall be in writing and shall be filed with the election 187
officials with whom the petition was filed. Upon the filing of the 188
protest, the election officials with whom it is filed shall 189
promptly establish a time and place for hearing the protest and 190
shall mail notice of the time and place for the hearing to the 191
applicant for, or the holder of, the liquor permit who is 192
specified in the petition and to the elector who filed the 193
protest. At the time and place established in the notice, the 194
election officials shall hear the protest and determine the 195
validity of the petition. 196

Sec. 4301.334. (A) The privilege of local option conferred by 197
section 4301.324 of the Revised Code may be exercised if, not 198
later than four p.m. of the seventy-fifth day before the day of a 199
general or primary election, a petition and other information 200
required by division (B) of this section are presented to the 201
board of elections of the county in which the community facility 202
named in the petition is located. The petition shall be signed by 203
electors of the municipal corporation or unincorporated area of 204
the township in which the community facility is located equal in 205

number to at least ten per cent of the total number of votes cast 206
in the municipal corporation or unincorporated area of the 207
township in which the community facility is located for the office 208
of governor at the most recent general election for that office 209
and shall contain both of the following: 210

(1) A notice that the petition is for the submission of the 211
question set forth in section 4301.356 of the Revised Code and a 212
statement indicating whether the hours of Sunday sales sought in 213
the local option election are between ten a.m. and midnight or 214
between eleven a.m. and midnight; 215

(2) The name and address of the community facility for which 216
the local option election is sought and, if the community facility 217
is a community entertainment district, the boundaries of the 218
district. 219

(B) Upon the request of a petitioner, a board of elections of 220
a county shall furnish to the petitioner a copy of the 221
instructions prepared by the secretary of state under division (P) 222
of section 3501.05 of the Revised Code and, within fifteen days 223
after the request, a certificate indicating the number of valid 224
signatures that will be required on a petition to hold an election 225
in the municipal corporation or unincorporated area of the 226
township in which the community facility is located on the 227
question specified in section 4301.356 of the Revised Code. 228

The petitioner shall, not less than thirty days before the 229
petition-filing deadline for an election on the question specified 230
in section 4301.356 of the Revised Code, specify to the division 231
of liquor control the name and address of the community facility 232
for which the election is sought and, if the community facility is 233
a community entertainment district, the boundaries of the 234
district, the municipal corporation or unincorporated area of a 235
township in which the election is sought, and the filing deadline. 236
The division shall, within a reasonable period of time and not 237

later than ten days before the filing deadline, supply the 238
petitioner with the name and address of any permit holder for or 239
within the community facility. 240

The petitioner shall file the name and address of any permit 241
holder who would be affected by the election at the time the 242
petitioner files the petition with the board of elections. Within 243
five days after receiving the petition, the board shall give 244
notice by certified mail to any permit holder within the community 245
facility that it has received the petition. Failure of the 246
petitioner to supply the name and address of any permit holder for 247
or within the community facility as furnished to the petitioner by 248
the division invalidates the petition. 249

(C) Not later than the sixty-eighth day before the day of the 250
next general or primary election, whichever occurs first, the 251
board shall examine and determine the sufficiency of the 252
signatures on the petition. If the board finds that the petition 253
is valid, it shall order the holding of an election in the 254
municipal corporation or unincorporated area of a township on the 255
day of the next general or primary election, whichever occurs 256
first, for the submission of the question set forth in section 257
4301.356 of the Revised Code. 258

(D) A petition filed with a board of elections under this 259
section shall be open to public inspection under rules adopted by 260
the board. 261

(E) An elector who is eligible to vote on the question set 262
forth in section 4301.356 of the Revised Code or any permit holder 263
for or within the community facility may, not later than four p.m. 264
of the sixty-fourth day before the day of the election at which 265
the question will be submitted to the electors, file a written 266
protest against the local option petition with the board of 267
elections with which the petition was filed. Upon the filing of 268
the protest, the board shall promptly fix a time and place for 269

hearing the protest and shall mail notice of the time and place to 270
the person who filed the petition and to the person who filed the 271
protest. At the time and place fixed, the board shall hear the 272
protest and determine the validity of the petition. 273

Sec. 4301.351. (A) If a petition is for submission of the 274
question of whether the sale of intoxicating liquor shall be 275
permitted on Sunday, a special election shall be held in the 276
precinct at the time fixed as provided in section 4301.33 of the 277
Revised Code. The expenses of holding the election shall be 278
charged to the municipal corporation or township of which the 279
precinct is a part. 280

(B) At the election, one or more of the following questions, 281
question (B)(1), (B)(2), or (B)(3) as designated in a valid 282
petition or question (B)(4) as submitted by the legislative 283
authority of a municipal corporation or the board of trustees of a 284
township, shall be submitted to the electors of the precinct: 285

(1) "Shall the sale of intoxicating liquor, of the same types 286
as may be legally sold in this precinct on other days of the week, 287
be permitted in this for consumption on the premises 288
where sold, between the hours of ~~one p.m.~~ eleven a.m. and midnight 289
on Sunday?" 290

(2) "Shall the sale of intoxicating liquor, of the same types 291
as may be legally sold in this precinct on other days of the week, 292
be permitted in this for consumption on the premises 293
where sold, between the hours of ~~one p.m.~~ eleven a.m. and midnight 294
on Sunday, at licensed premises where the sale of food and other 295
goods and services exceeds fifty per cent of the total gross 296
receipts of the permit holder at the premises?" 297

(3) "Shall the sale of wine and mixed beverages, of the same 298
types as may be legally sold in this precinct on other days of the 299
week, be permitted in this for consumption off the 300

premises where sold, between the hours of ~~one p.m.~~ eleven a.m. and 301
midnight on Sunday?" 302

(4) "Shall the sale of intoxicating liquor, of the same types 303
as may be legally sold in this precinct on other days of the week, 304
be permitted in this for consumption on the premises where 305
sold, between the hours of one p.m. and midnight on Sunday, at 306
outdoor performing arts centers, as defined in section 4303.182 of 307
the Revised Code, that have been issued a D-6 permit?" 308

Question (B)(4) shall be presented to the electors of a 309
precinct in which an outdoor performing arts center is located 310
only if the legislative authority of the municipal corporation in 311
which, or the board of trustees of the township in which, the 312
outdoor performing arts center is located submits, not later than 313
four p.m. of the seventy-fifth day before the day of a primary or 314
general election that occurs within two years after ~~the effective~~ 315
~~date of this amendment~~ April 9, 2001, to the board of elections of 316
the county in which the precinct is located, a copy of an 317
ordinance or resolution requesting the submission of that question 318
to the electors of the precinct. An election on question (B)(4) 319
may not be sought by a petition under section 4301.33 of the 320
Revised Code. 321

(C) At the election, one or more of the following questions, 322
as designated in a valid petition, shall be submitted to the 323
electors of the precinct: 324

(1) "Shall the sale of intoxicating liquor, of the same types 325
as may be legally sold in this precinct on other days of the week, 326
be permitted in this for consumption on the premises 327
where sold, between the hours of ten a.m. and midnight on Sunday?" 328

(2) "Shall the sale of intoxicating liquor, of the same types 329
as may be legally sold in this precinct on other days of the week, 330
be permitted in this for consumption on the premises 331

where sold, between the hours of ten a.m. and midnight on Sunday, 332
at licensed premises where the sale of food and other goods and 333
services exceeds fifty per cent of the total gross receipts of the 334
permit holder at the premises?" 335

(3) "Shall the sale of wine and mixed beverages, of the same 336
types as may be legally sold in this precinct on other days of the 337
week, be permitted in this for consumption off the 338
premises where sold, between the hours of ten a.m. and midnight on 339
Sunday?" 340

(D) No C or D permit holder who first applied for such a 341
permit after April 15, 1982, shall sell beer on Sunday unless the 342
sale of intoxicating liquor is authorized in the precinct or 343
portion of the precinct at an election on question (B)(1), (B)(2), 344
or (B)(3) of this section, on question (C)(1), (C)(2), or (C)(3) 345
of this section, on question (B)(1), (B)(2), or (B)(3) of section 346
4301.354 of the Revised Code, on question (C)(1), (C)(2), or 347
(C)(3) of section 4301.354 of the Revised Code, or on question 348
(B)(2) of section 4301.355 of the Revised Code. No D-6 permit is 349
required for the sale of beer on Sunday. 350

The board of elections to which the petition is presented 351
shall furnish printed ballots at the election in accordance with 352
section 3505.06 of the Revised Code, and separate ballots shall be 353
used for the special election under this section. One or more of 354
the questions prescribed by divisions (B) and (C) of this section, 355
as designated in the petition, shall be set forth on each ballot, 356
and the board shall insert in each question the name or an 357
accurate description of the precinct in which the election is to 358
be held. Votes shall be cast as provided in section 3505.06 of the 359
Revised Code. 360

Sec. 4301.354. (A) If a petition is filed under section 361
4301.332 of the Revised Code for the submission of one or more 362

questions set forth in this section, a special election shall be 363
held in the precinct as ordered by the board of elections under 364
that section. The expense of holding the special election shall be 365
charged to the municipal corporation or township of which the 366
precinct is a part. 367

(B) At the election, one or more of the following questions, 368
as designated in a valid petition, shall be submitted to the 369
electors of the precinct concerning Sunday sales: 370

(1) "Shall the sale of intoxicating liquor be permitted in a 371
portion of this precinct between the hours of ~~one p.m.~~ eleven a.m. 372
and midnight on Sunday for consumption on the premises where sold, 373
where the status of such Sunday sales as allowed or prohibited is 374
inconsistent with the status of such Sunday sales in the remainder 375
of the precinct?" 376

(2) "Shall the sale of intoxicating liquor be permitted in a 377
portion of this precinct between the hours of ~~one p.m.~~ eleven a.m. 378
and midnight on Sunday for consumption on the premises where sold 379
at licensed premises where the sale of food and other goods 380
exceeds fifty per cent of the total gross receipts of the permit 381
holder at the premises, where the status of such Sunday sales as 382
allowed or prohibited is inconsistent with the status of such 383
Sunday sales in the remainder of the precinct?" 384

(3) "Shall the sale of wine and mixed beverages be permitted 385
in a portion of this precinct between the hours of ~~one p.m.~~ eleven 386
a.m. and midnight on Sunday for consumption off the premises where 387
sold, where the status of such Sunday sales as allowed or 388
prohibited is inconsistent with the status of such Sunday sales in 389
the remainder of the precinct?" 390

(C) At the election, one or more of the following questions, 391
as designated in a valid petition, shall be submitted to the 392
electors of the precinct concerning Sunday sales: 393

(1) "Shall the sale of intoxicating liquor be permitted in a 394
portion of this precinct between the hours of ten a.m. and 395
midnight on Sunday for consumption on the premises where sold, 396
where the status of such Sunday sales as allowed or prohibited is 397
inconsistent with the status of such Sunday sales in the remainder 398
of the precinct?" 399

(2) "Shall the sale of intoxicating liquor be permitted in a 400
portion of this precinct between the hours of ten a.m. and 401
midnight on Sunday for consumption on the premises where sold at 402
licensed premises where the sale of food and other goods exceeds 403
fifty per cent of the total gross receipts of the permit holder at 404
the premises, where the status of such Sunday sales as allowed or 405
prohibited is inconsistent with the status of such Sunday sales in 406
the remainder of the precinct?" 407

(3) "Shall the sale of wine and mixed beverages be permitted 408
in a portion of this precinct between the hours of ten a.m. and 409
midnight on Sunday for consumption off the premises where sold, 410
where the status of such Sunday sales as allowed or prohibited is 411
inconsistent with the status of such Sunday sales in the remainder 412
of the precinct?" 413

(D) The board of elections shall furnish printed ballots at 414
the special election as provided under section 3505.06 of the 415
Revised Code, except that a separate ballot shall be used for the 416
special election. The one or more questions set forth in divisions 417
(B) and (C) of this section shall be printed on each ballot, and 418
the board shall insert in the ~~question and statement~~ questions 419
appropriate words to complete each and a description of the 420
portion of the precinct that would be affected by the results of 421
the election. 422

The description of the portion of the precinct shall include 423
either the complete listing of street addresses in that portion or 424
a condensed text that accurately describes the boundaries of the 425

portion of the precinct by street name or by another name 426
generally known by the residents of the portion of the precinct. 427
If other than a full street listing is used, the full street 428
listing also shall be posted in each polling place in a location 429
that is easily accessible to all voters. Failure of the board of 430
elections to completely and accurately list all street addresses 431
in the affected area of the precinct does not affect the validity 432
of the election at which the failure occurred and is not grounds 433
for contesting an election under section 3515.08 of the Revised 434
Code. Votes shall be cast as provided under section 3505.06 of the 435
Revised Code. 436

Sec. 4301.355. (A) If a petition is filed under section 437
4301.333 of the Revised Code for the submission of the question or 438
questions set forth in this section, it shall be held in the 439
precinct as ordered by the board of elections under that section. 440
The expense of holding the election shall be charged to the 441
municipal corporation or township of which the precinct is a part. 442

(B) At the election, one or more of the following questions, 443
as designated in a valid petition, shall be submitted to the 444
electors of the precinct: 445

(1) "Shall the sale of (insert beer, wine and 446
mixed beverages, or spirituous liquor) be permitted by 447
(insert name of applicant, liquor permit holder, or liquor agency 448
store, including trade or fictitious name under which applicant 449
for, or holder of, liquor permit or liquor agency store either 450
intends to do, or does, business at the particular location), an 451
..... (insert "applicant for" or "holder of" or "operator 452
of") a (insert class name of liquor permit or permits 453
followed by the words "liquor permit(s)" or, if appropriate, the 454
words "liquor agency store for the State of Ohio"), who is engaged 455
in the business of (insert general nature of the 456

business in which applicant or liquor permit holder is engaged or 457
will be engaged in at the particular location, as described in the 458
petition) at (insert address of the particular location 459
within the precinct as set forth in the petition) in this 460
precinct?" 461

(2) "Shall the sale of (insert beer, wine and 462
mixed beverages, or spirituous liquor) be permitted for sale on 463
Sunday between the hours of (insert "ten a.m. and 464
midnight" or "~~one p.m.~~ eleven a.m. and midnight") by 465
(insert name of applicant, liquor permit holder, or liquor agency 466
store, including trade or fictitious name under which applicant 467
for, or holder of, liquor permit or liquor agency store either 468
intends to do, or does, business at the particular location), an 469
..... (insert "applicant for a D-6 liquor permit," "holder of a 470
D-6 liquor permit," "applicant for or holder of an A-1-A, A-2, 471
C-1, C-2x, D-1, D-2x, D-3, D-3x, D-4, D-5, D-5b, D-5c, D-5e, D-5f, 472
D-5g, D-5h, D-5i, D-5j, D-5k, or D-7 liquor permit," if only the 473
approval of beer sales is sought, or "liquor agency store") who is 474
engaged in the business of (insert general nature of 475
the business in which applicant or liquor permit holder is engaged 476
or will be engaged in at the particular location, as described in 477
the petition) at (insert address of the particular 478
location within the precinct) in this precinct?" 479

(C) The board of elections shall furnish printed ballots at 480
the election as provided under section 3505.06 of the Revised 481
Code, except that a separate ballot shall be used for the election 482
under this section. The question set forth in this section shall 483
be printed on each ballot, and the board shall insert in the 484
question appropriate words to complete it. Votes shall be cast as 485
provided under section 3505.06 of the Revised Code. 486

Sec. 4301.356. If a petition is filed under section 4301.334 487

of the Revised Code for the submission of the question set forth 488
in this section, an election shall be held in the municipal 489
corporation or unincorporated area of a township as ordered by the 490
board of elections under that section. 491

Except as otherwise provided in this section, if the 492
legislative authority of a municipal corporation in whose 493
territory, or the board of township trustees of a township in 494
whose unincorporated area, a community facility is located 495
submits, not later than four p.m. of the seventy-fifth day before 496
the day of a primary or general election, to the board of 497
elections of the county in which the community facility is located 498
an ordinance or resolution requesting the submission of the 499
question set forth in this section to the electors of the 500
municipal corporation or unincorporated area of the township, the 501
board of elections shall order that an election be held on that 502
question in the municipal corporation or the unincorporated area 503
of the township on the day of the next primary or general 504
election, whichever occurs first. The legislative authority or 505
board of township trustees shall submit the name and address of 506
any permit holder who would be affected by the results of the 507
election to the board of elections at the same time it submits the 508
ordinance or resolution. The board of elections, within five days 509
after receiving the name and address, shall give notice by 510
certified mail to each permit holder that it has received the 511
ordinance or resolution. Failure of the legislative authority or 512
board of township trustees to supply the name and address of each 513
permit holder to the board of elections invalidates the effect of 514
the ordinance or resolution. 515

At the election, the following question shall be submitted to 516
the electors of the municipal corporation or unincorporated area 517
of a township: 518

"Shall the sale of beer and intoxicating liquor be permitted 519

on days of the week other than Sunday and between the hours of ~~one~~ 520
~~p.m.~~ (insert "ten a.m." or "eleven a.m.") and midnight 521
on Sunday, at (insert name of community facility), a 522
community facility as defined by section 4301.01 of the Revised 523
Code, and located at (insert the address of the community 524
facility and, if the community facility is a community 525
entertainment district, the boundaries of the district, as set 526
forth in the petition)?" 527

The board of elections shall furnish printed ballots at the 528
election as provided under section 3505.06 of the Revised Code, 529
except that a separate ballot shall be used for the election under 530
this section. The question set forth in this section shall be 531
printed on each ballot, and the board shall insert in the question 532
appropriate words to complete ~~each~~ it, subject to the approval of 533
the secretary of state. Votes shall be cast as provided under 534
section 3505.06 of the Revised Code. 535

Sec. 4301.361. (A) If a majority of the electors voting on 536
questions set forth in section 4301.351 of the Revised Code in a 537
precinct vote "yes" on question (B)(1) or (C)(1), or, if both 538
questions (B)(1) and (B)(2), or questions (C)(1) and (C)(2), are 539
submitted, "yes" on both questions or "yes" on question (B)(1) or 540
(C)(1) but "no" on question (B)(2) or (C)(2), sales of 541
intoxicating liquor shall be allowed on Sunday in the manner and 542
under the conditions specified in question (B)(1) or (C)(1), under 543
a D-6 permit, within the precinct concerned, during the hours 544
specified in division (A) of section 4303.182 of the Revised Code 545
and during the period the election is in effect as defined in 546
section 4301.37 of the Revised Code. 547

(B) If only question (B)(2) or (C)(2) is submitted to the 548
voters or if questions (B)(2) and (B)(3) or (C)(2) and (C)(3) are 549
submitted and a majority of the electors voting in a precinct vote 550

"yes" on question (B)(2) or (C)(2) as set forth in section 551
4301.351 of the Revised Code, sales of intoxicating liquor shall 552
be allowed on Sunday in the manner and under the conditions 553
specified in question (B)(2) or (C)(2), under a D-6 permit, within 554
the precinct concerned, during the hours specified in division (A) 555
of section 4303.182 of the Revised Code and during the period the 556
election is in effect as defined in section 4301.37 of the Revised 557
Code, even if question (B)(1) or (C)(1) was also submitted and a 558
majority of the electors voting in the precinct voted "no." 559

(C) If question (B)(3) or (C)(3) is submitted and a majority 560
of electors voting on question (B)(3) or (C)(3) as set forth in 561
section 4301.351 of the Revised Code in a precinct vote "yes," 562
sales of wine and mixed beverages shall be allowed on Sunday in 563
the manner and under the conditions specified in question (B)(3) 564
or (C)(3), under a D-6 permit, within the precinct concerned, 565
during the hours specified in division (A) of section 4303.182 of 566
the Revised Code and during the period the election is in effect 567
as defined in section 4301.37 of the Revised Code. 568

(D) If questions (B)(1), (B)(2), and (B)(3), or questions 569
(C)(1), (C)(2), and (C)(3), as set forth in section 4301.351 of 570
the Revised Code, are all submitted and a majority of the electors 571
voting in such precinct vote "no" on all three questions, no sales 572
of intoxicating liquor shall be made within the precinct concerned 573
after two-thirty a.m. on Sunday as specified in the questions 574
submitted, during the period the election is in effect as defined 575
in section 4301.37 of the Revised Code. 576

(E) If question (C)(1) as set forth in section 4301.351 of 577
the Revised Code is submitted to the voters in a precinct in which 578
question (B)(1) as set forth in that section previously was 579
submitted and approved, and the results of the election on 580
question (B)(1) are still in effect in the precinct; or if 581
question (C)(2) as set forth in that section is submitted to the 582

voters in a precinct in which question (B)(2) as set forth in that 583
section previously was submitted and approved, and the results of 584
the election on question (B)(2) are still in effect in the 585
precinct; or if question (C)(3) as set forth in that section is 586
submitted to the voters in a precinct in which question (B)(3) as 587
set forth in that section previously was submitted and approved, 588
and the results of the election on question (B)(3) are still in 589
effect in the precinct; and if a majority of the electors voting 590
on question (C)(1), (C)(2), or (C)(3) vote "no," then sales shall 591
continue to be allowed in the precinct in the manner and under the 592
conditions specified in the previously approved question (B)(1), 593
(B)(2), or (B)(3), as applicable. 594

(F) If question (B)(4) as set forth in section 4301.351 of 595
the Revised Code is submitted and a majority of the electors 596
voting in the precinct vote "yes," sales of intoxicating liquor 597
shall be allowed on Sunday at outdoor performing arts centers in 598
the manner and under the conditions specified in question (B)(4) 599
under a D-6 permit, within the precinct concerned, during the 600
hours specified in division (F) of section 4303.182 of the Revised 601
Code and during the period the election is in effect as defined in 602
section 4301.37 of the Revised Code. If question (B)(4) as set 603
forth in section 4301.351 of the Revised Code is submitted and a 604
majority of the electors voting in the precinct vote "no," no 605
sales of intoxicating liquor shall be allowed at outdoor 606
performing arts centers in the precinct concerned under a D-6 607
permit, after 2:30 a.m. on Sunday, during the period the election 608
is in effect as defined in section 4301.37 of the Revised Code. 609

Sec. 4301.364. (A) If a majority of the electors in a 610
precinct vote "yes" on question (B)(1) or (C)(1) as set forth in 611
section 4301.354 of the Revised Code, the sale of intoxicating 612
liquor, of the same types as may be legally sold in the precinct 613
on other days of the week, shall be permitted on Sunday in the 614

portion of the precinct affected by the results of the election 615
during the hours specified in division (A) of section 4303.182 of 616
the Revised Code and in the manner and under the conditions 617
specified in the question, subject only to this chapter and 618
Chapter 4303. of the Revised Code. 619

(B) If a majority of the electors in a precinct vote "yes" on 620
question (B)(2) or (C)(2) as set forth in section 4301.354 of the 621
Revised Code, the sale of intoxicating liquor, of the same types 622
as may be legally sold in the precinct on other days of the week, 623
shall be permitted on Sunday in the portion of the precinct 624
affected by the results of the election during the hours specified 625
in division (A) of section 4303.182 of the Revised Code and in the 626
manner and under the conditions specified in the question, subject 627
only to this chapter and Chapter 4303. of the Revised Code. 628

(C) If a majority of the electors in a precinct vote "yes" on 629
question (B)(3) or (C)(3) as set forth in section 4301.354 of the 630
Revised Code, the sale of wine and mixed beverages shall be 631
permitted on Sunday in the portion of the precinct affected by the 632
results of the election during the hours specified in division (A) 633
of section 4303.182 of the Revised Code and in the manner and 634
under the conditions specified in the question, subject only to 635
this chapter and Chapter 4303. of the Revised Code. 636

(D) If a majority of the electors in a precinct vote "no" on 637
question (B)(1) or (C)(1) as set forth in section 4301.354 of the 638
Revised Code, no sale of intoxicating liquor shall be permitted on 639
Sunday in the manner and under the conditions specified in the 640
question in the portion of the precinct affected by the results of 641
the election. 642

(E) If a majority of the electors in a precinct vote "no" on 643
question (B)(2) or (C)(2) as set forth in section 4301.354 of the 644
Revised Code, no sale of intoxicating liquor shall be permitted on 645
Sunday in the manner and under the conditions specified in the 646

question in the portion of the precinct affected by the results of 647
the election. 648

(F) If a majority of the electors in a precinct vote "no" on 649
question (B)(3) or (C)(3) as set forth in section 4301.354 of the 650
Revised Code, no sale of wine or mixed beverages shall be 651
permitted on Sunday in the manner and under the conditions 652
specified in the question in the portion of the precinct affected 653
by the results of the election. 654

(G) If question (C)(1) as set forth in section 4301.354 of 655
the Revised Code is submitted to the voters in a precinct in which 656
question (B)(1) as set forth in that section previously was 657
submitted and approved, and the results of the election on 658
question (B)(1) are still in effect in the precinct; or if 659
question (C)(2) as set forth in that section is submitted to the 660
voters in a precinct in which question (B)(2) as set forth in that 661
section previously was submitted and approved, and the results of 662
the election on question (B)(2) are still in effect in the 663
precinct; or if question (C)(3) as set forth in that section is 664
submitted to the voters in a precinct in which question (B)(3) as 665
set forth in that section previously was submitted and approved, 666
and the results of the election on question (B)(3) are still in 667
effect in the precinct; and if a majority of the electors voting 668
on question (C)(1), (C)(2), or (C)(3) vote "no," then sales shall 669
continue to be allowed in the precinct in the manner and under the 670
conditions specified in the previously approved question (B)(1), 671
(B)(2), or (B)(3), as applicable. 672

Sec. 4301.365. (A) If a majority of the electors in a 673
precinct vote "yes" on questions (B)(1) and (2) as set forth in 674
section 4301.355 of the Revised Code, the sale of beer, wine and 675
mixed beverages, or spirituous liquor, whichever was the subject 676
of the election, shall be allowed at the particular location and 677

for the use, ~~and during the hours on Sunday,~~ specified in the 678
questions under each permit applied for by the petitioner or at 679
the address listed for the liquor agency store, and, in relation 680
to question (B)(2), during the hours on Sunday specified in 681
division (A) of section 4303.182 of the Revised Code, subject only 682
to this chapter and Chapter 4303. of the Revised Code. Failure to 683
continue to use the particular location for any proposed or stated 684
use set forth in the petition is grounds for the denial of a 685
renewal of the liquor permit under division (A) of section 686
4303.271 of the Revised Code or is grounds for the nonrenewal or 687
cancellation of the liquor agency store contract by the division 688
of liquor control, except in the case where the liquor permit 689
holder or liquor agency store decides to cease the sale of beer, 690
wine and mixed beverages, or spirituous liquor, whichever was the 691
subject of the election, on Sundays. 692

(B) Except as otherwise provided in division (H) of this 693
section, if a majority of the electors in a precinct vote "yes" on 694
question (B)(1) and "no" on question (B)(2) as set forth in 695
section 4301.355 of the Revised Code, the sale of beer, wine and 696
mixed beverages, or spirituous liquor, whichever was the subject 697
of the election, shall be allowed at the particular location for 698
the use specified in question (B)(1) of section 4301.355 of the 699
Revised Code and under each permit applied for by the petitioner, 700
except for a D-6 permit, subject only to this chapter and Chapter 701
4303. of the Revised Code. 702

(C) If a majority of the electors in a precinct vote "no" on 703
question (B)(1) as set forth in section 4301.355 of the Revised 704
Code, no sales of beer, wine and mixed beverages, or spirituous 705
liquor, whichever was the subject of the election, shall be 706
allowed at the particular location for the use specified in the 707
petition during the period the election is in effect as defined in 708
section 4301.37 of the Revised Code. 709

(D) If a majority of the electors in a precinct vote only on question (B)(2) as set forth in section 4301.355 of the Revised Code and that vote results in a majority "yes" vote, sales of beer, wine and mixed beverages, or spirituous liquor, whichever was the subject of the election, shall be allowed at the particular location for the use ~~and during the hours~~ specified in the petition on Sunday during the hours specified in division (A) of section 4303.182 of the Revised Code and during the period the election is in effect as defined in section 4301.37 of the Revised Code.

(E) Except as otherwise provided in division (H) of this section, if a majority of the electors in a precinct vote only on question (B)(2) as set forth in section 4301.355 of the Revised Code and that vote results in a majority "no" vote, no sales of beer, wine and mixed beverages, or spirituous liquor, whichever was the subject of the election, shall be allowed at the particular location for the use and during the hours specified in the petition on Sunday during the period the election is in effect as defined in section 4301.37 of the Revised Code.

(F) In case of elections in the same precinct for the question or questions set forth in section 4301.355 of the Revised Code and for a question or questions set forth in section 4301.35, 4301.351, 4301.353, 4301.354, 4303.29, or 4305.14 of the Revised Code, the results of the election held on the question or questions set forth in section 4301.355 of the Revised Code shall apply to the particular location notwithstanding the results of the election held on the question or questions set forth in section 4301.35, 4301.351, 4301.353, 4301.354, 4303.29, or 4305.14 of the Revised Code.

(G) Sections 4301.32 to 4301.41 of the Revised Code do not prohibit the transfer of ownership of a permit that was issued to a particular location as the result of an election held on sales

of beer, wine and mixed beverages, spirituous liquor, or 742
intoxicating liquor at that particular location as long as the 743
general nature of the business at that particular location 744
described in the petition for that election remains the same after 745
the transfer. 746

(H) If question (B)(2) as set forth in section 4301.355 of 747
the Revised Code is submitted to the electors of a precinct 748
proposing to authorize the sale of beer, wine and mixed beverages, 749
or spirituous liquor between the hours of ten a.m. and midnight at 750
a particular location at which the sale of beer, wine and mixed 751
beverages, spirituous liquor, or intoxicating liquor is already 752
allowed between the hours of eleven a.m. and midnight or one p.m. 753
and midnight and the question submitted is defeated, the sale of 754
beer, wine and mixed beverages, spirituous liquor, or intoxicating 755
liquor between the hours of eleven a.m. and midnight or one p.m. 756
and midnight, as applicable, shall continue at that particular 757
location. 758

Sec. 4301.366. If a majority of the electors voting on the 759
question specified in section 4301.356 of the Revised Code vote 760
"yes," the sale of beer and intoxicating liquor shall be allowed 761
at the community facility ~~and~~ on days of the week other than 762
Sunday and during the hours on Sunday specified in division (A) of 763
section 4303.182 of the Revised Code, for the use specified in the 764
question, subject only to this chapter and Chapter 4303. of the 765
Revised Code. Failure to continue to use the location as a 766
community facility constitutes good cause for rejection of the 767
renewal of the liquor permit under division (A) of section 768
4303.271 of the Revised Code. 769

If a majority of the electors voting on the question 770
specified in section 4301.356 of the Revised Code vote "no," no 771
sales of beer or intoxicating liquor shall be made at or within 772

the community facility during the period the election is in effect 773
as defined in section 4301.37 of the Revised Code. 774

Sec. 4303.182. (A) Except as otherwise provided in divisions 775
(B) to (J) of this section, permit D-6 shall be issued to the 776
holder of an A-1-A, A-2, C-2, D-2, D-3, D-3a, D-4, D-4a, D-5, 777
D-5a, D-5b, D-5c, D-5d, D-5e, D-5f, D-5g, D-5h, D-5i, D-5j, D-5k, 778
or D-7 permit to allow sale under that permit ~~between~~ as follows: 779

(1) Between the hours of ten a.m. and midnight, ~~or between on~~ 780
Sunday if sale during those hours has been approved under question 781
(C)(1), (2), or (3) of section 4301.351 or 4301.354 of the Revised 782
Code, under question (B)(2) of section 4301.355 of the Revised 783
Code, or under section 4301.356 of the Revised Code and has been 784
authorized under section 4301.361, 4301.364, 4301.365, or 4301.366 785
of the Revised Code, under the restrictions of that authorization; 786

(2) Between the hours of ~~one p.m.~~ eleven a.m. and midnight, 787
on Sunday, ~~as applicable,~~ if that sale during those hours has been 788
approved on or after the effective date of this amendment under 789
question (B)(1), (2), or (3) of section 4301.351 or 4301.354 of 790
the Revised Code, under question (B)(2) of section 4301.355 of the 791
Revised Code, or under section 4301.356 of the Revised Code and 792
has been authorized under section 4301.361, 4301.364, 4301.365, or 793
4301.366 of the Revised Code ~~and,~~ under the restrictions of that 794
authorization; 795

(3) Between the hours of eleven a.m. and midnight on Sunday 796
if sale between the hours of one p.m. and midnight was approved 797
before the effective date of this amendment under question (B)(1), 798
(2), or (3) of section 4301.351 or 4301.354 of the Revised Code, 799
under question (B)(2) of section 4301.355 of the Revised Code, or 800
under section 4301.356 of the Revised Code and has been authorized 801
under section 4301.361, 4301.364, 4301.365, or 4301.366 of the 802
Revised Code, under the other restrictions of that authorization. 803

(B) Permit D-6 shall be issued to the holder of any permit, 804
including a D-4a and D-5d permit, authorizing the sale of 805
intoxicating liquor issued for a premises located at any publicly 806
owned airport, as defined in section 4563.01 of the Revised Code, 807
at which commercial airline companies operate regularly scheduled 808
flights on which space is available to the public, to allow sale 809
under such permit between the hours of ten a.m. and midnight on 810
Sunday, whether or not that sale has been authorized under section 811
4301.361, 4301.364, 4301.365, or 4301.366 of the Revised Code. 812

(C) Permit D-6 shall be issued to the holder of a D-5a 813
permit, and to the holder of a D-3 or D-3a permit who is the owner 814
or operator of a hotel or motel that is required to be licensed 815
under section 3731.03 of the Revised Code, that contains at least 816
fifty rooms for registered transient guests, and that has on its 817
premises a retail food establishment or a food service operation 818
licensed pursuant to Chapter 3717. of the Revised Code that 819
operates as a restaurant for purposes of this chapter and is 820
affiliated with the hotel or motel and within or contiguous to the 821
hotel or motel and serving food within the hotel or motel, to 822
allow sale under such permit between the hours of ten a.m. and 823
midnight on Sunday, whether or not that sale has been authorized 824
under section 4301.361, 4301.364, 4301.365, or 4301.366 of the 825
Revised Code. 826

(D) The holder of a D-6 permit that is issued to a sports 827
facility may make sales under the permit between the hours of 828
eleven a.m. and midnight on any Sunday on which a professional 829
baseball, basketball, football, hockey, or soccer game is being 830
played at the sports facility. As used in this division, "sports 831
facility" means a stadium or arena that has a seating capacity of 832
at least four thousand and that is owned or leased by a 833
professional baseball, basketball, football, hockey, or soccer 834
franchise or any combination of those franchises. 835

(E) Permit D-6 shall be issued to the holder of any permit 836
that authorizes the sale of beer or intoxicating liquor and that 837
is issued to a premises located in or at the Ohio historical 838
society area or the state fairgrounds, as defined in division (B) 839
of section 4301.40 of the Revised Code, to allow sale under that 840
permit between the hours of ten a.m. and midnight on Sunday, 841
whether or not that sale has been authorized under section 842
4301.361, 4301.364, 4301.365, or 4301.366 of the Revised Code. 843

(F) Permit D-6 shall be issued to the holder of any permit 844
that authorizes the sale of intoxicating liquor and that is issued 845
to an outdoor performing arts center to allow sale under that 846
permit between the hours of one p.m. and midnight on Sunday, 847
whether or not that sale has been authorized under section 848
4301.361 of the Revised Code. A D-6 permit issued under this 849
division is subject to the results of an election, held after the 850
D-6 permit is issued, on question (B)(4) as set forth in section 851
4301.351 of the Revised Code. Following the end of the period 852
during which an election may be held on question (B)(4) as set 853
forth in that section, sales of intoxicating liquor may continue 854
at an outdoor performing arts center under a D-6 permit issued 855
under this division, unless an election on that question is held 856
during the permitted period and a majority of the voters voting in 857
the precinct on that question vote "no." 858

As used in this division, "outdoor performing arts center" 859
means an outdoor performing arts center that is located on not 860
less than eight hundred acres of land and that is open for 861
performances from the first day of April to the last day of 862
October of each year. 863

(G) Permit D-6 shall be issued to the holder of any permit 864
that authorizes the sale of beer or intoxicating liquor and that 865
is issued to a golf course owned by the state, a conservancy 866
district, a park district created under Chapter 1545. of the 867

Revised Code, or another political subdivision to allow sale under 868
that permit between the hours of ten a.m. and midnight on Sunday, 869
whether or not that sale has been authorized under section 870
4301.361, 4301.364, 4301.365, or 4301.366 of the Revised Code. 871

(H) Permit D-6 shall be issued to the holder of a D-5g permit 872
to allow sale under that permit between the hours of ten a.m. and 873
midnight on Sunday, whether or not that sale has been authorized 874
under section 4301.361, 4301.364, 4301.365, or 4301.366 of the 875
Revised Code. 876

(I) Permit D-6 shall be issued to the holder of any D permit 877
for a premises that is licensed under Chapter 3717. of the Revised 878
Code and that is located at a ski area to allow sale under the D-6 879
permit between the hours of ten a.m. and midnight on Sunday, 880
whether or not that sale has been authorized under section 881
4301.361, 4301.364, 4301.365, or 4301.366 of the Revised Code. 882

As used in this division, "ski area" means a ski area as 883
defined in section 4169.01 of the Revised Code, provided that the 884
passenger tramway operator at that area is registered under 885
section 4169.03 of the Revised Code. 886

(J) Permit D-6 shall be issued to the holder of a D-5j permit 887
for a permit premises that is located in a community entertainment 888
district, as defined in section 4301.80 of the Revised Code, that 889
was approved by the legislative authority of a municipal 890
corporation under that section between October 1 and October 15, 891
2005, to allow sale under the permit between the hours of ten a.m. 892
and midnight on Sunday, whether or not that sale has been 893
authorized under section 4301.361, 4301.364, 4301.365, or 4301.366 894
of the Revised Code. 895

(K) If the restriction to licensed premises where the sale of 896
food and other goods and services exceeds fifty per cent of the 897
total gross receipts of the permit holder at the premises is 898

applicable, the division of liquor control may accept an affidavit 899
from the permit holder to show the proportion of the permit 900
holder's gross receipts derived from the sale of food and other 901
goods and services. If the liquor control commission determines 902
that affidavit to have been false, it shall revoke the permits of 903
the permit holder at the premises concerned. 904

(L) The fee for the D-6 permit is five hundred dollars when 905
it is issued to the holder of an A-1-A, A-2, D-2, D-3, D-3a, D-4, 906
D-4a, D-5, D-5a, D-5b, D-5c, D-5d, D-5e, D-5f, D-5g, D-5h, D-5i, 907
D-5j, D-5k, or D-7 permit. The fee for the D-6 permit is four 908
hundred dollars when it is issued to the holder of a C-2 permit. 909

Section 2. That existing sections 4301.20, 4301.333, 910
4301.334, 4301.351, 4301.354, 4301.355, 4301.356, 4301.361, 911
4301.364, 4301.365, 4301.366, and 4303.182 of the Revised Code are 912
hereby repealed. 913

Section 3. If a petition seeks the holding of an election on 914
Sunday liquor sales on or after the effective date of this section 915
under question (B)(1), (2), or (3) of section 4301.351 or 4301.354 916
of the Revised Code, under question (B)(2) of section 4301.355 of 917
the Revised Code, or under section 4301.356 of the Revised Code 918
and the petition contains signatures that were placed on it before 919
the effective date of this section, the petition is not invalid 920
merely because the question or questions sought to be submitted to 921
the electors and contained in the petition state that Sunday 922
liquor sales may commence beginning at 1 p.m. rather than 11 a.m. 923

Section 4. (A) Notwithstanding division (A)(3) of section 924
4303.182 of the Revised Code, as amended by this act, the electors 925
in a precinct in which the first hour of sale on Sunday was 926
changed from one p.m. to eleven a.m. by operation of that division 927
may petition to hold an election to revert that first hour of sale 928

to one p.m. That election shall be held under the following 929
conditions: 930

(1) At the first general election that occurs after the 931
effective date of this act unless that general election will be 932
held less than one hundred thirty-five days after that date, in 933
which case the election shall be held at the immediately following 934
general election; 935

(2) Under division (B)(1), (2), or (3) of section 4301.351 or 936
4301.354 of the Revised Code, under division (B)(2) of section 937
4301.355 of the Revised Code, or under section 4301.356 of the 938
Revised Code, as applicable, except that the starting time for 939
sales under the question shall be one p.m. rather than eleven 940
a.m.; 941

(3) In accordance with the applicable requirements and 942
provisions governing elections that are held under those divisions 943
or that section and that are established under Chapter 4301. of 944
the Revised Code. 945

(B) Not later than forty-five days after the effective date 946
of this act, the Superintendent of Liquor Control shall publish 947
notice of the provisions of division (A) of this section in a 948
newspaper of general circulation in each county of the state. 949