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Am. Sub. H. B. No. 243

Representatives Kozlowski, Young

Cosponsors: Representatives Huffman, Beck, Thompson, Ramos, Maag, Hall, Mecklenborg, Dovilla, Fedor, Letson, Adams, R., Anielski, Antonio, Balderson, Barnes, Blessing, Bubp, Buchy, Carney, Damschroder, Driehaus, Duffey, Foley, Garland, Goyal, Grossman, Hagan, R., Lundy, Mallory, McClain, Milkovich, Murray, Peterson, Rosenberger, Ruhl, Slaby, Uecker, Wachtmann, Yuko

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A B I L L

To amend sections 4301.10, 4301.17, 4301.62, 4303.02,	1
4303.041, 4303.181, 4303.184, 4303.25, and 4303.29	2
and to enact sections 4301.171 and 4303.209 of the	3
Revised Code to revise certain provisions of the	4
Liquor Law.	5

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

Section 1. That sections 4301.10, 4301.17, 4301.62, 4303.02,	6
4303.041, 4303.181, 4303.184, 4303.25, and 4303.29 be amended and	7
sections 4301.171 and 4303.209 of the Revised Code be enacted to	8
read as follows:	9

Sec. 4301.10. (A) The division of liquor control shall do all	10
of the following:	11

(1) Control the traffic in beer and intoxicating liquor in this state, including the manufacture, importation, and sale of beer and intoxicating liquor;	12 13 14
(2) Grant or refuse permits for the manufacture, distribution, transportation, and sale of beer and intoxicating liquor and the sale of alcohol, as authorized or required by this chapter and Chapter 4303. of the Revised Code. A certificate, signed by the superintendent of liquor control and to which is affixed the official seal of the division, stating that it appears from the records of the division that no permit has been issued to the person specified in the certificate, or that a permit, if issued, has been revoked, canceled, or suspended, shall be received as prima-facie evidence of the facts recited in the certificate in any court or before any officer of this state.	15 16 17 18 19 20 21 22 23 24 25
(3) Put into operation, manage, and control a system of state liquor stores for the sale of spirituous liquor at retail and to holders of permits authorizing the sale of spirituous liquor; however, the division shall not establish any drive-in state liquor stores; and by means of those types of stores, and any manufacturing plants, distributing and bottling plants, warehouses, and other facilities that it considers expedient, establish and maintain a state monopoly of the distribution of spirituous liquor and its sale in packages or containers; and for that purpose, manufacture, buy, import, possess, and sell spirituous liquors as provided in this chapter and Chapter 4303. of the Revised Code, and in the rules promulgated by the superintendent of liquor control pursuant to those chapters; lease or in any manner acquire the use of any land or building required for any of those purposes; purchase any equipment that is required; and borrow money to carry on its business, and issue, sign, endorse, and accept notes, checks, and bills of exchange; but all obligations of the division created under authority of	26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43

this division shall be a charge only upon the moneys received by	44
the division from the sale of spirituous liquor and its other	45
business transactions in connection with the sale of spirituous	46
liquor, and shall not be general obligations of the state;	47
(4) Enforce the administrative provisions of this chapter and	48
Chapter 4303. of the Revised Code, and the rules and orders of the	49
liquor control commission and the superintendent relating to the	50
manufacture, importation, transportation, distribution, and sale	51
of beer or intoxicating liquor. The attorney general, any	52
prosecuting attorney, and any prosecuting officer of a municipal	53
corporation or a municipal court shall, at the request of the	54
division of liquor control or the department of public safety,	55
prosecute any person charged with the violation of any provision	56
in those chapters or of any section of the Revised Code relating	57
to the manufacture, importation, transportation, distribution, and	58
sale of beer or intoxicating liquor.	59
(5) Determine the locations of all state liquor stores and	60
manufacturing, distributing, and bottling plants required in	61
connection with those stores, subject to this chapter and Chapter	62
4303. of the Revised Code;	63
(6) Conduct inspections of liquor permit premises to	64
determine compliance with the administrative provisions of this	65
chapter and Chapter 4303. of the Revised Code and the rules	66
adopted under those provisions by the liquor control commission.	67
Except as otherwise provided in division (A)(6) of this	68
section, those inspections may be conducted only during those	69
hours in which the permit holder is open for business and only by	70
authorized agents or employees of the division or by any peace	71
officer, as defined in section 2935.01 of the Revised Code.	72
Inspections may be conducted at other hours only to determine	73
compliance with laws or commission rules that regulate the hours	74
of sale of beer or intoxicating liquor and only if the	75

investigator has reasonable cause to believe that those laws or 76
rules are being violated. Any inspection conducted pursuant to 77
division (A)(6) of this section is subject to all of the following 78
requirements: 79

(a) The only property that may be confiscated is contraband, 80
as defined in section 2901.01 of the Revised Code, or property 81
that is otherwise necessary for evidentiary purposes. 82

(b) A complete inventory of all property confiscated from the 83
premises shall be given to the permit holder or the permit 84
holder's agent or employee by the confiscating agent or officer at 85
the conclusion of the inspection. At that time, the inventory 86
shall be signed by the confiscating agent or officer, and the 87
agent or officer shall give the permit holder or the permit 88
holder's agent or employee the opportunity to sign the inventory. 89

(c) Inspections conducted pursuant to division (A)(6) of this 90
section shall be conducted in a reasonable manner. A finding by 91
any court of competent jurisdiction that an inspection was not 92
conducted in a reasonable manner in accordance with this section 93
or any rules adopted by the commission may be considered grounds 94
for suppression of evidence. A finding by the commission that an 95
inspection was not conducted in a reasonable manner in accordance 96
with this section or any rules adopted by it may be considered 97
grounds for dismissal of the commission case. 98

If any court of competent jurisdiction finds that property 99
confiscated as the result of an administrative inspection is not 100
necessary for evidentiary purposes and is not contraband, as 101
defined in section 2901.01 of the Revised Code, the court shall 102
order the immediate return of the confiscated property, provided 103
that property is not otherwise subject to forfeiture, to the 104
permit holder. However, the return of this property is not grounds 105
for dismissal of the case. The commission likewise may order the 106
return of confiscated property if no criminal prosecution is 107

pending or anticipated.	108
(7) Delegate to any of its agents or employees any power of investigation that the division possesses with respect to the enforcement of any of the administrative laws relating to beer or intoxicating liquor, provided that this division does not authorize the division to designate any agent or employee to serve as an enforcement agent. The employment and designation of enforcement agents shall be within the exclusive authority of the director of public safety pursuant to sections 5502.13 to 5502.19 of the Revised Code.	109 110 111 112 113 114 115 116 117
(8) Collect the following fees:	118
(a) A biennial fifty-dollar registration fee for each agent, solicitor, <u>trade marketing professional</u> , or salesperson, registered pursuant to section 4303.25 of the Revised Code, of a beer or intoxicating liquor manufacturer, supplier, broker, <u>trade marketing company</u> , or wholesale distributor doing business in this state;	119 120 121 122 123 124
(b) A fifty-dollar product registration fee for each new beer or intoxicating liquor product sold in this state. The product registration fee also applies to products sold in this state by B-2a and S permit holders. The product registration fee shall be accompanied by a copy of the federal label and product approval for the new product.	125 126 127 128 129 130
(c) An annual three-hundred-dollar supplier registration fee from each manufacturer or supplier that produces and ships into this state, or ships into this state, intoxicating liquor or beer, in addition to an initial application fee of one hundred dollars. A manufacturer that produces and ships beer or wine into this state and that holds only an S permit is exempt from the supplier registration fee. A manufacturer that produces and ships wine into this state and that holds a B-2a permit shall pay an annual	131 132 133 134 135 136 137 138

seventy-six-dollar supplier registration fee. A manufacturer that 139
produces and ships wine into this state and that does not hold 140
either an S or a B-2a permit, but that produces less than two 141
hundred fifty thousand gallons of wine per year and that is 142
entitled to a tax credit under 27 C.F.R. 24.278 shall pay an 143
annual seventy-six-dollar supplier registration fee. A B-2a or S 144
permit holder that does not sell its wine to wholesale 145
distributors of wine in this state and an S permit holder that 146
does not sell its beer to wholesale distributors of beer in this 147
state shall not be required to submit to the division territory 148
designation forms. 149

Each supplier, agent, solicitor, trade marketing 150
professional, or salesperson registration issued under this 151
division shall authorize the person named to carry on the activity 152
specified in the registration. Each agent, solicitor, trade 153
marketing professional, or salesperson registration is valid for 154
two years or for the unexpired portion of a two-year registration 155
period. Each supplier registration is valid for one year or for 156
the unexpired portion of a one-year registration period. 157
Registrations shall end on their respective uniform expiration 158
date, which shall be designated by the division, and are subject 159
to suspension, revocation, cancellation, or fine as authorized by 160
this chapter and Chapter 4303. of the Revised Code. 161

As used in this division, "trade marketing company" and 162
"trade marketing professional" have the same meanings as in 163
section 4301.171 of the Revised Code. 164

(9) Establish a system of electronic data interchange within 165
the division and regulate the electronic transfer of information 166
and funds among persons and governmental entities engaged in the 167
manufacture, distribution, and retail sale of alcoholic beverages; 168

(10) Notify all holders of retail permits of the forms of 169
permissible identification for purposes of division (A) of section 170

4301.639 of the Revised Code;	171
(11) Exercise all other powers expressly or by necessary implication conferred upon the division by this chapter and Chapter 4303. of the Revised Code, and all powers necessary for the exercise or discharge of any power, duty, or function expressly conferred or imposed upon the division by those chapters.	172 173 174 175 176 177
(B) The division may do all of the following:	178
(1) Sue, but may be sued only in connection with the execution of leases of real estate and the purchases and contracts necessary for the operation of the state liquor stores that are made under this chapter and Chapter 4303. of the Revised Code;	179 180 181 182
(2) Enter into leases and contracts of all descriptions and acquire and transfer title to personal property with regard to the sale, distribution, and storage of spirituous liquor within the state;	183 184 185 186
(3) Terminate at will any lease entered into pursuant to division (B)(2) of this section upon first giving ninety days' notice in writing to the lessor of its intention to do so;	187 188 189
(4) Fix the wholesale and retail prices at which the various classes, varieties, and brands of spirituous liquor shall be sold by the division. Those retail prices shall be the same at all state liquor stores, except to the extent that a price differential is required to collect a county sales tax levied pursuant to section 5739.021 of the Revised Code and for which tax the tax commissioner has authorized prepayment pursuant to section 5739.05 of the Revised Code. In fixing selling prices, the division shall compute an anticipated gross profit at least sufficient to provide in each calendar year all costs and expenses of the division and also an adequate working capital reserve for the division. The gross profit shall not exceed forty per cent of	190 191 192 193 194 195 196 197 198 199 200 201

the retail selling price based on costs of the division, and in 202
addition the sum required by section 4301.12 of the Revised Code 203
to be paid into the state treasury. An amount equal to one and 204
one-half per cent of that gross profit shall be paid into the 205
statewide treatment and prevention fund created by section 4301.30 206
of the Revised Code and be appropriated by the general assembly 207
from the fund to the department of alcohol and drug addiction 208
services as provided in section 4301.30 of the Revised Code. 209

On spirituous liquor manufactured in this state from the 210
juice of grapes or fruits grown in this state, the division shall 211
compute an anticipated gross profit of not to exceed ten per cent. 212

The wholesale prices fixed under this division shall be at a 213
discount of not less than six per cent of the retail selling 214
prices as determined by the division in accordance with this 215
section. 216

(C) The division may approve the expansion or diminution of a 217
premises to which a liquor permit has been issued and may adopt 218
standards governing such an expansion or diminution. 219

Sec. 4301.17. (A)(1) Subject to local option as provided in 220
sections 4301.32 to 4301.40 of the Revised Code, five state liquor 221
stores or agencies may be established in each county. One 222
additional store may be established in any county for each twenty 223
thousand of population of that county or major fraction thereof in 224
excess of the first forty thousand, according to the last 225
preceding federal decennial census or according to the population 226
estimates certified by the department of development between 227
decennial censuses. A person engaged in a mercantile business may 228
act as the agent for the division of liquor control for the sale 229
of spirituous liquor in a municipal corporation, in the 230
unincorporated area of a township, or in an area designated and 231
approved as a resort area under section 4303.262 of the Revised 232

Code. The division shall fix the compensation for such an agent in 233
the manner it considers best, but the compensation shall not 234
exceed seven per cent of the gross sales made by the agent in any 235
one year. 236

(2) The division shall adopt rules in accordance with Chapter 237
119. of the Revised Code governing the allocation and equitable 238
distribution of agency store contracts. The division shall comply 239
with the rules when awarding a contract under division (A)(1) of 240
this section. 241

(3) Except as otherwise provided in this section and section 242
4301.171 of the Revised Code, no mercantile business that sells 243
beer or intoxicating liquor for consumption on the premises under 244
a permit issued by the division shall operate an agency store at 245
the premises. An agency to which a D-1 permit has been issued may 246
offer for sale tasting samples of beer, an agency to which a D-2 247
permit has been issued may offer for sale tasting samples of wine 248
and mixed beverages, and an agency to which a D-5 permit has been 249
issued may offer for sale tasting samples of beer, wine, and mixed 250
beverages, but not. An agency to which a D-8 permit has been 251
issued may allow the sale of tasting samples of spirituous liquor 252
in accordance with section 4301.171 of the Revised Code. A tasting 253
sample shall not be sold for the purpose of general consumption. 254
As used in this section with respect to beer, wine, and mixed 255
beverages, "tasting sample" means a small amount of beer, wine, or 256
mixed beverages that is provided in not more than four servings of 257
not more than two ounces each to an authorized purchaser and that 258
allows the purchaser to determine, by tasting only, the quality 259
and character of the beverage. 260

(B) When an agency contract is proposed, when an existing 261
agency contract is assigned, when an existing agency proposes to 262
relocate, or when an existing agency is relocated and assigned, 263
before entering into any contract, consenting to any assignment, 264

or consenting to any relocation, the division shall notify the 265
legislative authority of the municipal corporation in which the 266
agency store is to be located, or the board of county 267
commissioners and the board of township trustees of the county and 268
the township in which the agency store is to be located if the 269
agency store is to be located outside the corporate limits of a 270
municipal corporation, of the proposed contract, assignment, or 271
relocation, and an opportunity shall be provided officials or 272
employees of the municipal corporation or county and township for 273
a complete hearing upon the advisability of entering into the 274
contract or consenting to the assignment or relocation. When the 275
division sends notice to the legislative authority of the 276
political subdivision, the division shall notify, by certified 277
mail or by personal service, the chief peace officer of the 278
political subdivision, who may appear and testify, either in 279
person or through a representative, at any hearing held on the 280
advisability of entering into the contract or consenting to the 281
assignment or relocation. 282

If the proposed agency store, the assignment of an agency 283
contract, or the relocation of an agency store would be located 284
within five hundred feet of a school, church, library, public 285
playground, or township park, the division shall not enter into an 286
agency contract until it has provided notice of the proposed 287
contract to the authorities in control of the school, church, 288
library, public playground, or township park and has provided 289
those authorities with an opportunity for a complete hearing upon 290
the advisability of entering into the contract. If an agency store 291
so located is operating under an agency contract, the division may 292
consent to relocation of the agency store or to the assignment of 293
that contract to operate an agency store at the same location. The 294
division may also consent to the assignment of an existing agency 295
contract simultaneously with the relocation of the agency store. 296
In any such assignment or relocation, the assignee and the 297

location shall be subject to the same requirements that the 298
existing location met at the time that the contract was first 299
entered into as well as any additional requirements imposed by the 300
division in rules adopted by the superintendent of liquor control. 301
The division shall not consent to an assignment or relocation of 302
an agency store until it has notified the authorities in control 303
of the school, church, library, public playground, or township 304
park and has provided those authorities with an opportunity for a 305
complete hearing upon the advisability of consenting to the 306
assignment or relocation. 307

Any hearing provided for in this division shall be held in 308
the central office of the division, except that upon written 309
request of the legislative authority of the municipal corporation, 310
the board of county commissioners, the board of township trustees, 311
or the authorities in control of the school, church, library, 312
public playground, or township park, the hearing shall be held in 313
the county seat of the county where the proposed agency store is 314
to be located. 315

(C) All agency contracts entered into by the division 316
pursuant to this section shall be in writing and shall contain a 317
clause providing for the termination of the contract at will by 318
the division upon its giving ninety days' notice in writing to the 319
agent of its intention to do so. Any agency contract may include a 320
clause requiring the agent to report to the appropriate law 321
enforcement agency the name and address of any individual under 322
twenty-one years of age who attempts to make an illegal purchase. 323

An agent may engage in the selling of beer, mixed beverages, 324
and wine pursuant to permits issued to the agent under Chapter 325
4303. of the Revised Code. 326

The division shall issue a C-1 and C-2 permit to each agent 327
who prior to November 1, 1994, had not been issued both of these 328
permits, notwithstanding the population quota restrictions 329

contained in section 4303.29 of the Revised Code or in any rule of 330
the liquor control commission and notwithstanding the requirements 331
of section 4303.31 of the Revised Code. The location of a C-1 or 332
C-2 permit issued to such an agent shall not be transferred. The 333
division shall revoke any C-1 or C-2 permit issued to an agent 334
under this paragraph if the agent no longer operates an agency 335
store. 336

The division may enter into agreements with the department of 337
development to implement a minority loan program to provide 338
low-interest loans to minority business enterprises, as defined in 339
section 122.71 of the Revised Code, that are awarded liquor agency 340
contracts or assignments. 341

(D) If the division closes a state liquor store and replaces 342
that store with an agency store, any employees of the division 343
employed at that state liquor store who lose their jobs at that 344
store as a result shall be given preference by the agent who 345
operates the agency store in filling any vacancies that occur 346
among the agent's employees, if that preference does not conflict 347
with the agent's obligations pursuant to a collective bargaining 348
agreement. 349

If the division closes a state liquor store and replaces the 350
store with an agency store, any employees of the division employed 351
at the state liquor store who lose their jobs at that store as a 352
result may displace other employees as provided in sections 353
124.321 to 124.328 of the Revised Code. If an employee cannot 354
displace other employees and is laid off, the employee shall be 355
reinstated in another job as provided in sections 124.321 to 356
124.328 of the Revised Code, except that the employee's rights of 357
reinstatement in a job at a state liquor store shall continue for 358
a period of two years after the date of the employee's layoff and 359
shall apply to jobs at state liquor stores located in the 360
employee's layoff jurisdiction and any layoff jurisdiction 361

adjacent to the employee's layoff jurisdiction.	362
(E) The division shall require every agent to give bond with surety to the satisfaction of the division, in the amount the division fixes, conditioned for the faithful performance of the agent's duties as prescribed by the division.	363 364 365 366
<u>Sec. 4301.171. (A) As used in this section:</u>	367
<u>(1) "Broker" and "solicitor" have the same meanings as in rules adopted by the superintendent of liquor control under section 4303.25 of the Revised Code.</u>	368 369 370
<u>(2) "Tasting sample" means a small amount of spirituous liquor that is provided in a serving of not more than a quarter ounce of spirituous liquor and, if provided, not more than one ounce of nonalcoholic mixer to an authorized purchaser and that allows the purchaser to determine, by tasting only, the quality and character of the beverage.</u>	371 372 373 374 375 376
<u>(3) "Trade marketing company" means a company that solicits the purchase of beer and intoxicating liquor and educates the public about beer and intoxicating liquor.</u>	377 378 379
<u>(4) "Trade marketing professional" means an individual who is an employee of, or is under contract with, a trade marketing company and who has successfully completed a training program described in section 4301.253 of the Revised Code.</u>	380 381 382 383
<u>(B) Notwithstanding section 4301.24 of the Revised Code, an agency store to which a D-8 permit has been issued may allow a trade marketing professional, broker, or solicitor to offer for sale tasting samples of spirituous liquor when conducted in accordance with this section. A tasting sample shall not be sold for the purpose of general consumption.</u>	384 385 386 387 388 389
<u>(C) Tasting samples of spirituous liquor may be offered for sale at an agency store by a trade marketing professional, broker,</u>	390 391

<u>or solicitor if all of the following apply:</u>	392
<u>(1) The tasting samples are sold only in the area of the agency store in which spirituous liquor is sold and that area is open to the public.</u>	393
<u>(2) The tasting samples are sold only by the trade marketing professional, broker, or solicitor.</u>	394
<u>(3) The spirituous liquor is registered under division (A)(8) of section 4301.10 of the Revised Code.</u>	395
<u>(4) Not less than five business days prior to the sale, the trade marketing professional, broker, or solicitor has provided written notice to the division of liquor control of the date and time of the sampling, and of the type and brand of spirituous liquor to be sampled at the agency store.</u>	396
<u>(D) A sale of tasting samples of spirituous liquor is subject to rules adopted by the superintendent of liquor control or the liquor control commission.</u>	397
<u>(E) An offering for sale of tasting samples of spirituous liquor shall be limited to a period of not more than two hours.</u>	398
<u>(F) For purposes of offering for sale tasting samples of spirituous liquor, an agency store shall purchase the spirituous liquor at the current retail price. An authorized purchaser shall be charged not less than fifty cents for each tasting sample of spirituous liquor. However, the aggregate amount charged for the sale of tasting samples shall be sufficient to cover the wholesale price of the spirituous liquor being tasted as that price is fixed under division (B)(4) of section 4301.10 of the Revised Code. Of the amount collected from the sale of tasting samples of spirituous liquor, the trade marketing professional, broker, or solicitor shall reimburse the agency store for the amount of the retail price of the spirituous liquor. When the sale of tasting samples of spirituous liquor at an agency store is completed, any</u>	399
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<u>bottles of spirituous liquor used to provide tasting samples that are not empty shall be marked as "sample" and removed from the agency store by the trade marketing professional, broker, or solicitor, as applicable.</u>	423
<u>(G) No trade marketing professional, broker, or solicitor shall do any of the following:</u>	427
<u>(1) Advertise the offering for sale of tasting samples of spirituous liquor other than at the agency store where the tasting samples will be offered;</u>	429
<u>(2) Solicit orders or make sales of tasting samples of spirituous liquor for quantities greater than those specified in division (G)(3) of this section;</u>	432
<u>(3) Allow any authorized purchaser to consume more than four tasting samples of spirituous liquor per day.</u>	435
<u>(H) The purchase of a tasting sample of spirituous liquor shall not be contingent upon the purchase of any other product from an agency store.</u>	437
<u>(I) No employee of an agency store that allows the sale of tasting samples of spirituous liquor shall purchase or consume a tasting sample while on duty.</u>	440
<u>(J) If an employee of an agency store that allows the sale of tasting samples of spirituous liquor consumes a tasting sample of spirituous liquor, the employee shall not perform the employee's duties and responsibilities at the agency store on the day the tasting sample is consumed.</u>	443
<u>(K) No person under twenty-one years of age shall consume a tasting sample of spirituous liquor.</u>	448
<u>(L) Not more than five events at which the sale of tasting samples of spirituous liquor are offered shall occur at an agency store in a calendar month.</u>	450

<u>(M) No trade marketing professional, trade marketing company, broker, solicitor, owner or operator of an agency store, or an agent or employee of the owner or operator shall violate this section or any rules adopted by the superintendent or the commission for the purposes of this section.</u>	453 454 455 456 457
Sec. 4301.62. (A) As used in this section:	458
(1) "Chauffeured limousine" means a vehicle registered under section 4503.24 of the Revised Code.	459 460
(2) "Street," "highway," and "motor vehicle" have the same meanings as in section 4511.01 of the Revised Code.	461 462
(B) No person shall have in the person's possession an opened container of beer or intoxicating liquor in any of the following circumstances:	463 464 465
(1) In a state liquor Except as provided in division <u>(C)(1)(e) of this section, in an agency store;</u>	466 467
(2) Except as provided in division (C) of this section, on the premises of the holder of any permit issued by the division of liquor control;	468 469 470
(3) In any other public place;	471
(4) Except as provided in division (D) or (E) of this section, while operating or being a passenger in or on a motor vehicle on any street, highway, or other public or private property open to the public for purposes of vehicular travel or parking;	472 473 474 475 476
(5) Except as provided in division (D) or (E) of this section, while being in or on a stationary motor vehicle on any street, highway, or other public or private property open to the public for purposes of vehicular travel or parking.	477 478 479 480
(C)(1) A person may have in the person's possession an opened	481

container of any of the following:	482
(a) Beer or intoxicating liquor that has been lawfully purchased for consumption on the premises where bought from the holder of an A-1-A, A-2, A-3a, D-1, D-2, D-3, D-3a, D-4, D-4a, D-5, D-5a, D-5b, D-5c, D-5d, D-5e, D-5f, D-5g, D-5h, D-5i, D-5j, D-5k, D-5l, D-5m, D-5n, D-5o, D-7, D-8, E, F, F-2, F-5, F-7, or F-8 permit;	483 484 485 486 487 488
(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;	489 490 491
(c) Beer or intoxicating liquor consumed on the premises of a convention facility as provided in section 4303.201 of the Revised Code;	492 493 494
(d) Beer or intoxicating liquor to be consumed during tastings and samplings approved by rule of the liquor control commission;	495 496 497
(e) <u>Spirituous liquor to be consumed for purposes of a tasting sample, as defined in section 4301.171 of the Revised Code.</u>	498 499 500
(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.	501 502 503 504 505 506 507 508 509 510
(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	511 512

that was not purchased from the holder of the D-2 permit if the	513
premises for which the D-2 permit is issued is an outdoor	514
performing arts center, the person is attending an orchestral	515
performance, and the holder of the D-2 permit grants permission	516
for the possession and consumption of wine in certain	517
predesignated areas of the premises during the period for which	518
the D-2 permit is issued.	519
(b) As used in division (C)(3)(a) of this section:	520
(i) "Orchestral performance" means a concert comprised of a	521
group of not fewer than forty musicians playing various musical	522
instruments.	523
(ii) "Outdoor performing arts center" means an outdoor	524
performing arts center that is located on not less than one	525
hundred fifty acres of land and that is open for performances from	526
the first day of April to the last day of October of each year.	527
(4) A person may have in the person's possession an opened or	528
unopened container of beer or intoxicating liquor at an outdoor	529
location at which the person is attending an orchestral	530
performance as defined in division (C)(3)(b)(i) of this section if	531
the person with supervision and control over the performance	532
grants permission for the possession and consumption of beer or	533
intoxicating liquor in certain predesignated areas of that outdoor	534
location.	535
<u>(5) A person may have in the person's possession on an F-9</u>	536
<u>liquor permit premises an opened or unopened container of beer or</u>	537
<u>intoxicating liquor that was not purchased from the holder of the</u>	538
<u>F-9 permit if the person is attending an orchestral performance</u>	539
<u>and the holder of the F-9 permit grants permission for the</u>	540
<u>possession and consumption of beer or intoxicating liquor in</u>	541
<u>certain predesignated areas of the premises during the period for</u>	542
<u>which the F-9 permit is issued.</u>	543

<u>As used in division (C)(5) of this section, "orchestral performance" has the same meaning as in division (C)(3)(b) of this section.</u>	544
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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:	547
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(1) The person or guest is a passenger in the limousine.	551
(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.	552
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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.	555
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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:	558
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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.	562
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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 by the driver or passengers and not easily accessible by the driver.	567
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Sec. 4303.02. Permit A-1 may be issued to a manufacturer to manufacture beer and sell beer products in bottles or containers for home use and to retail and wholesale permit holders under rules ~~promulgated adopted~~ by the division of liquor control. In addition, an A-1 permit holder may sell beer manufactured on the premises at retail, by individual drink in a glass or from a container, for consumption on the premises where sold. The fee for this permit is three thousand nine hundred six dollars for each plant during the year covered by the permit. 573
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Sec. 4303.041. (A) An A-3a permit may be issued to a distiller that manufactures less than ten thousand gallons of spirituous liquor per year. An A-3a permit holder may sell to a personal consumer, in sealed containers for consumption off the premises where manufactured, spirituous liquor that the permit holder manufactures, but sales to the personal consumer may occur only by an in-person transaction at the permit premises. The A-3a permit holder shall not ship, send, or use an H permit holder to deliver spirituous liquor to the personal consumer. 582
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"Distiller" means a person in this state who mashes, ferments, distills, and ages spirituous liquor. 591
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~~Not more than one A-3a permit may be issued per county and only in a county with a population exceeding eight hundred thousand.~~ 593
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(B)(1) Except as otherwise provided in this section, no A-3a permit shall be issued unless the sale of spirituous liquor by the glass for consumption on the premises or by the package for consumption off the premises is authorized in the election precinct in which the A-3a permit is proposed to be located. 596
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(2) Division (B)(1) of this section does not prohibit the issuance of an A-3a permit to an applicant for such a permit who has filed an application with the division of liquor control 601
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<u>before the effective date of this amendment.</u>	604
<u>(C)(1) An A-3a permit holder may offer for sale tasting samples of spirituous liquor. The A-3a permit holder shall not serve more than four tasting samples of spirituous liquor per person per day. A tasting sample shall not exceed a quarter ounce. Tasting samples shall be only for the purpose of allowing a purchaser to determine, by tasting only, the quality and character of the spirituous liquor. The tasting samples shall be offered for sale in accordance with rules adopted by the division of liquor control.</u>	605 606 607 608 609 610 611 612 613
<u>(2) An A-3a permit holder shall sell not more than one and one-half liters of spirituous liquor per day from the permit premises to the same personal consumer.</u>	614 615 616
An A-3a permit holder may sell spirituous liquor in sealed containers for consumption off the premises where manufactured as an independent contractor under agreement, by virtue of the permit, with the division of liquor control. The price at which the A-3a permit holder shall sell each spirituous liquor product to a personal consumer is to be determined by the division of liquor control. For an A-3a permit holder to purchase and then offer spirituous liquor for retail sale, the spirituous liquor need not first leave the physical possession of the A-3a permit holder to be so registered. The spirituous liquor that the A-3a permit holder buys from the division of liquor control shall be maintained in a separate area of the permit premises for sale to personal consumers. The A-3a permit holder shall sell such spirituous liquor in sealed containers for consumption off the premises where manufactured as an independent contractor by virtue of the permit issued by the division of liquor control, but the permit holder shall not be compensated as provided in division (A)(1) of section 4301.17 of the Revised Code. Each A-3a permit holder shall be subject to audit by the division of liquor	617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635

control.	636
(D) The fee for the A-3a permit is three thousand nine hundred six dollars for each plant, but if the production capacity of a plant is less than five hundred wine barrels of fifty gallons each annually, the fee is two dollars per <u>fifty-gallon</u> barrel.	637 638 639 640
(E) The holder of an A-3a permit may also exercise the same privileges as the holder of an A-3 permit.	641 642
 Sec. 4303.181. (A) Permit D-5a may be issued either to the owner or operator of a hotel or motel that is required to be licensed under section 3731.03 of the Revised Code, that contains at least fifty rooms for registered transient guests or is owned by a state institution of higher education as defined in section 3345.011 of the Revised Code or a private college or university, and that qualifies under the other requirements of this section, or to the owner or operator of a restaurant specified under this section, to sell beer and any intoxicating liquor at retail, only by the individual drink in glass and from the container, for consumption on the premises where sold, and to registered guests in their rooms, which may be sold by means of a controlled access alcohol and beverage cabinet in accordance with division (B) of section 4301.21 of the Revised Code; and to sell the same products in the same manner and amounts not for consumption on the premises as may be sold by holders of D-1 and D-2 permits. The premises of the hotel or motel shall include a retail food establishment or a food service operation licensed pursuant to Chapter 3717. of the Revised Code that operates as a restaurant for purposes of this chapter and that is affiliated with the hotel or motel and within or contiguous to the hotel or motel, and that serves food within the hotel or motel, but the principal business of the owner or operator of the hotel or motel shall be the accommodation of transient guests. In addition to the privileges authorized in this	643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666

division, the holder of a D-5a permit may exercise the same 667
privileges as the holder of a D-5 permit. 668

The owner or operator of a hotel, motel, or restaurant who 669
qualified for and held a D-5a permit on August 4, 1976, may, if 670
the owner or operator held another permit before holding a D-5a 671
permit, either retain a D-5a permit or apply for the permit 672
formerly held, and the division of liquor control shall issue the 673
permit for which the owner or operator applies and formerly held, 674
notwithstanding any quota. 675

A D-5a permit shall not be transferred to another location. 676
No quota restriction shall be placed on the number of D-5a permits 677
that may be issued. 678

The fee for this permit is two thousand three hundred 679
forty-four dollars. 680

(B) Permit D-5b may be issued to the owner, operator, tenant, 681
lessee, or occupant of an enclosed shopping center to sell beer 682
and intoxicating liquor at retail, only by the individual drink in 683
glass and from the container, for consumption on the premises 684
where sold; and to sell the same products in the same manner and 685
amount not for consumption on the premises as may be sold by 686
holders of D-1 and D-2 permits. In addition to the privileges 687
authorized in this division, the holder of a D-5b permit may 688
exercise the same privileges as a holder of a D-5 permit. 689

A D-5b permit shall not be transferred to another location. 690

One D-5b permit may be issued at an enclosed shopping center 691
containing at least two hundred twenty-five thousand, but less 692
than four hundred thousand, square feet of floor area. 693

Two D-5b permits may be issued at an enclosed shopping center 694
containing at least four hundred thousand square feet of floor 695
area. No more than one D-5b permit may be issued at an enclosed 696
shopping center for each additional two hundred thousand square 697

feet of floor area or fraction of that floor area, up to a maximum 698
of five D-5b permits for each enclosed shopping center. The number 699
of D-5b permits that may be issued at an enclosed shopping center 700
shall be determined by subtracting the number of D-3 and D-5 701
permits issued in the enclosed shopping center from the number of 702
D-5b permits that otherwise may be issued at the enclosed shopping 703
center under the formulas provided in this division. Except as 704
provided in this section, no quota shall be placed on the number 705
of D-5b permits that may be issued. Notwithstanding any quota 706
provided in this section, the holder of any D-5b permit first 707
issued in accordance with this section is entitled to its renewal 708
in accordance with section 4303.271 of the Revised Code. 709

The holder of a D-5b permit issued before April 4, 1984, 710
whose tenancy is terminated for a cause other than nonpayment of 711
rent, may return the D-5b permit to the division of liquor 712
control, and the division shall cancel that permit. Upon 713
cancellation of that permit and upon the permit holder's payment 714
of taxes, contributions, premiums, assessments, and other debts 715
owing or accrued upon the date of cancellation to this state and 716
its political subdivisions and a filing with the division of a 717
certification of that payment, the division shall issue to that 718
person either a D-5 permit, or a D-1, a D-2, and a D-3 permit, as 719
that person requests. The division shall issue the D-5 permit, or 720
the D-1, D-2, and D-3 permits, even if the number of D-1, D-2, 721
D-3, or D-5 permits currently issued in the municipal corporation 722
or in the unincorporated area of the township where that person's 723
proposed premises is located equals or exceeds the maximum number 724
of such permits that can be issued in that municipal corporation 725
or in the unincorporated area of that township under the 726
population quota restrictions contained in section 4303.29 of the 727
Revised Code. Any D-1, D-2, D-3, or D-5 permit so issued shall not 728
be transferred to another location. If a D-5b permit is canceled 729
under the provisions of this paragraph, the number of D-5b permits 730

that may be issued at the enclosed shopping center for which the 731
D-5b permit was issued, under the formula provided in this 732
division, shall be reduced by one if the enclosed shopping center 733
was entitled to more than one D-5b permit under the formula. 734

The fee for this permit is two thousand three hundred 735
forty-four dollars. 736

(C) Permit D-5c may be issued to the owner or operator of a 737
retail food establishment or a food service operation licensed 738
pursuant to Chapter 3717. of the Revised Code that operates as a 739
restaurant for purposes of this chapter and that qualifies under 740
the other requirements of this section to sell beer and any 741
intoxicating liquor at retail, only by the individual drink in 742
glass and from the container, for consumption on the premises 743
where sold, and to sell the same products in the same manner and 744
amounts not for consumption on the premises as may be sold by 745
holders of D-1 and D-2 permits. In addition to the privileges 746
authorized in this division, the holder of a D-5c permit may 747
exercise the same privileges as the holder of a D-5 permit. 748

To qualify for a D-5c permit, the owner or operator of a 749
retail food establishment or a food service operation licensed 750
pursuant to Chapter 3717. of the Revised Code that operates as a 751
restaurant for purposes of this chapter, shall have operated the 752
restaurant at the proposed premises for not less than twenty-four 753
consecutive months immediately preceding the filing of the 754
application for the permit, have applied for a D-5 permit no later 755
than December 31, 1988, and appear on the division's quota waiting 756
list for not less than six months immediately preceding the filing 757
of the application for the permit. In addition to these 758
requirements, the proposed D-5c permit premises shall be located 759
within a municipal corporation and further within an election 760
precinct that, at the time of the application, has no more than 761
twenty-five per cent of its total land area zoned for residential 762

use.	763
A D-5c permit shall not be transferred to another location.	764
No quota restriction shall be placed on the number of such permits that may be issued.	765
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Any person who has held a D-5c permit for at least two years may apply for a D-5 permit, and the division of liquor control shall issue the D-5 permit notwithstanding the quota restrictions contained in section 4303.29 of the Revised Code or in any rule of the liquor control commission.	767
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The fee for this permit is one thousand five hundred sixty-three dollars.	772
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(D) Permit D-5d may be issued to the owner or operator of a retail food establishment or a food service operation licensed pursuant to Chapter 3717. of the Revised Code that operates as a restaurant for purposes of this chapter and that is located at an airport operated by a board of county commissioners pursuant to section 307.20 of the Revised Code, at an airport operated by a port authority pursuant to Chapter 4582. of the Revised Code, or at an airport operated by a regional airport authority pursuant to Chapter 308. of the Revised Code. The holder of a D-5d permit may sell beer and any intoxicating liquor at retail, only by the individual drink in glass and from the container, for consumption on the premises where sold, and may sell the same products in the same manner and amounts not for consumption on the premises where sold as may be sold by the holders of D-1 and D-2 permits. In addition to the privileges authorized in this division, the holder of a D-5d permit may exercise the same privileges as the holder of a D-5 permit.	774
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A D-5d permit shall not be transferred to another location.	791
No quota restrictions shall be placed on the number of such permits that may be issued.	792
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The fee for this permit is two thousand three hundred	794
forty-four dollars.	795
(E) Permit D-5e may be issued to any nonprofit organization	796
that is exempt from federal income taxation under the "Internal	797
Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 501(c)(3), as	798
amended, or that is a charitable organization under any chapter of	799
the Revised Code, and that owns or operates a riverboat that meets	800
all of the following:	801
(1) Is permanently docked at one location;	802
(2) Is designated as an historical riverboat by the Ohio	803
historical society;	804
(3) Contains not less than fifteen hundred square feet of	805
floor area;	806
(4) Has a seating capacity of fifty or more persons.	807
The holder of a D-5e permit may sell beer and intoxicating	808
liquor at retail, only by the individual drink in glass and from	809
the container, for consumption on the premises where sold.	810
A D-5e permit shall not be transferred to another location.	811
No quota restriction shall be placed on the number of such permits	812
that may be issued. The population quota restrictions contained in	813
section 4303.29 of the Revised Code or in any rule of the liquor	814
control commission shall not apply to this division, and the	815
division shall issue a D-5e permit to any applicant who meets the	816
requirements of this division. However, the division shall not	817
issue a D-5e permit if the permit premises or proposed permit	818
premises are located within an area in which the sale of	819
spirituous liquor by the glass is prohibited.	820
The fee for this permit is one thousand two hundred nineteen	821
dollars.	822
(F) Permit D-5f may be issued to the owner or operator of a	823

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:	824 825 826 827
(1) It contains not less than twenty-five hundred square feet of floor area.	828 829
(2) It is located on or in, or immediately adjacent to, the shoreline of, a navigable river.	830 831
(3) It provides docking space for twenty-five boats.	832
(4) It provides entertainment and recreation, provided that not less than fifty per cent of the business on the permit premises shall be preparing and serving meals for a consideration.	833 834 835
In addition, each application for a D-5f permit shall be accompanied by a certification from the local legislative authority that the issuance of the D-5f permit is not inconsistent with that political subdivision's comprehensive development plan or other economic development goal as officially established by the local legislative authority.	836 837 838 839 840 841
The holder of a D-5f 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.	842 843 844
A D-5f permit shall not be transferred to another location.	845
The division of liquor control shall not issue a D-5f 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.	846 847 848 849
A fee for this permit is two thousand three hundred forty-four dollars.	850 851
As used in this division, "navigable river" means a river that is also a "navigable water" as defined in the "Federal Power	852 853

Act," 94 Stat. 770 (1980), 16 U.S.C. 796.	854
(G) Permit D-5g may be issued to a nonprofit corporation that is either the owner or the operator of a national professional sports museum. The holder of a D-5g permit may sell beer and any intoxicating liquor at retail, only by the individual drink in glass and from the container, for consumption on the premises where sold. The holder of a D-5g permit shall sell no beer or intoxicating liquor for consumption on the premises where sold after one a.m. A D-5g permit shall not be transferred to another location. No quota restrictions shall be placed on the number of D-5g permits that may be issued. The fee for this permit is one thousand eight hundred seventy-five dollars.	855 856 857 858 859 860 861 862 863 864 865
(H)(1) Permit D-5h may be issued to any nonprofit organization that is exempt from federal income taxation under the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 501(c)(3), as amended, that owns or operates any of the following:	866 867 868 869
(a) A fine arts museum, provided that the nonprofit organization has no less than one thousand five hundred bona fide members possessing full membership privileges;	870 871 872
(b) A community arts center. As used in division (H)(1)(b) of this section, "community arts center" means a facility that provides arts programming to the community in more than one arts discipline, including, but not limited to, exhibits of works of art and performances by both professional and amateur artists.	873 874 875 876 877
(c) A community theater, provided that the nonprofit organization is a member of the Ohio arts council and the American community theatre association and has been in existence for not less than ten years. As used in division (H)(1)(c) of this section, "community theater" means a facility that contains at least one hundred fifty seats and has a primary function of presenting live theatrical performances and providing recreational	878 879 880 881 882 883 884

opportunities to the community.	885
(2) The holder of a D-5h permit may sell beer and any intoxicating liquor at retail, only by the individual drink in glass and from the container, for consumption on the premises where sold. The holder of a D-5h permit shall sell no beer or intoxicating liquor for consumption on the premises where sold after one a.m. A D-5h permit shall not be transferred to another location. No quota restrictions shall be placed on the number of D-5h permits that may be issued.	886 887 888 889 890 891 892 893
(3) The fee for a D-5h permit is one thousand eight hundred seventy-five dollars.	894 895
(I) Permit D-5i 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 requirements:	896 897 898 899 900
(1) It is located in a municipal corporation or a township with a population of one hundred thousand or less.	901 902
(2) It has inside seating capacity for at least one hundred forty persons.	903 904
(3) It has at least four thousand square feet of floor area.	905
(4) It offers full-course meals, appetizers, and sandwiches.	906
(5) Its receipts from beer and liquor sales, excluding wine sales, do not exceed twenty-five per cent of its total gross receipts.	907 908 909
(6) It has at least one of the following characteristics:	910
(a) The value of its real and personal property exceeds seven hundred twenty-five thousand dollars.	911 912
(b) It is located on property that is owned or leased by the state or a state agency, and its owner or operator has	913 914

authorization from the state or the state agency that owns or 915
leases the property to obtain a D-5i permit. 916

The holder of a D-5i permit may sell beer and any 917
intoxicating liquor at retail, only by the individual drink in 918
glass and from the container, for consumption on the premises 919
where sold, and may sell the same products in the same manner and 920
amounts not for consumption on the premises where sold as may be 921
sold by the holders of D-1 and D-2 permits. The holder of a D-5i 922
permit shall sell no beer or intoxicating liquor for consumption 923
on the premises where sold after two-thirty a.m. In addition to 924
the privileges authorized in this division, the holder of a D-5i 925
permit may exercise the same privileges as the holder of a D-5 926
permit. 927

A D-5i permit shall not be transferred to another location. 928
The division of liquor control shall not renew a D-5i permit 929
unless the retail food establishment or food service operation for 930
which it is issued continues to meet the requirements described in 931
divisions (I)(1) to (6) of this section. No quota restrictions 932
shall be placed on the number of D-5i permits that may be issued. 933
The fee for the D-5i permit is two thousand three hundred 934
forty-four dollars. 935

(J)+(1) Permit D-5j may be issued to the owner or the operator 936
of a retail food establishment or a food service operation 937
licensed under Chapter 3717. of the Revised Code to sell beer and 938
intoxicating liquor at retail, only by the individual drink in 939
glass and from the container, for consumption on the premises 940
where sold and to sell beer and intoxicating liquor in the same 941
manner and amounts not for consumption on the premises where sold 942
as may be sold by the holders of D-1 and D-2 permits. The holder 943
of a D-5j permit may exercise the same privileges, and shall 944
observe the same hours of operation, as the holder of a D-5 945
permit. 946

(2) The D-5j permit shall be issued only within a community entertainment district that is designated under section 4301.80 of the Revised Code and that meets one of the following qualifications:	947
(a) It is located in a municipal corporation with a population of at least one hundred thousand.	948
(b) It is located in a municipal corporation with a population of at least twenty thousand, and either of the following applies:	949
(i) It contains an amusement park the rides of which have been issued a permit by the department of agriculture under Chapter 1711. of the Revised Code.	950
(ii) Not less than fifty million dollars will be invested in development and construction in the community entertainment district's area located in the municipal corporation.	951
(c) It is located in a township with a population of at least forty thousand.	952
(d) It is located in a township with a population of at least twenty thousand, and not less than seventy million dollars will be invested in development and construction in the community entertainment district's area located in the township.	953
(e) It is located in a municipal corporation with a population between ten thousand and twenty thousand, and both of the following apply:	954
(a) The municipal corporation was incorporated as a village prior to calendar year 1840 and currently has a historic downtown business district.	955
(b) The municipal corporation is located in the same county as another municipal corporation with at least one community entertainment district.	956

<u>(6)</u> It is located in a municipal corporation with a population of at least ten thousand, and not less than seventy million dollars will be invested in development and construction in the community entertainment district's area located in the municipal corporation.	977 978 979 980 981
(e) <u>(7)</u> It is located in a municipal corporation with a population of at least five thousand, and not less than one hundred million dollars will be invested in development and construction in the community entertainment district's area located in the municipal corporation.	982 983 984 985 986
(3) The location of a D-5j permit may be transferred only within the geographic boundaries of the community entertainment district in which it was issued and shall not be transferred outside the geographic boundaries of that district.	987 988 989 990
(4) Not more than one D-5j permit shall be issued within each community entertainment district for each five acres of land located within the district. Not more than fifteen D-5j permits may be issued within a single community entertainment district. Except as otherwise provided in division (J)(4) of this section, no quota restrictions shall be placed upon the number of D-5j permits that may be issued.	991 992 993 994 995 996 997
(5) The fee for a D-5j permit is two thousand three hundred forty-four dollars.	998 999
(K)(1) Permit D-5k may be issued to any nonprofit organization that is exempt from federal income taxation under the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 501(c)(3), as amended, that is the owner or operator of a botanical garden recognized by the American association of botanical gardens and arboreta, and that has not less than twenty-five hundred bona fide members.	1000 1001 1002 1003 1004 1005 1006
(2) The holder of a D-5k permit may sell beer and any	1007

intoxicating liquor at retail, only by the individual drink in	1008
glass and from the container, on the premises where sold.	1009
(3) The holder of a D-5k permit shall sell no beer or	1010
intoxicating liquor for consumption on the premises where sold	1011
after one a.m.	1012
(4) A D-5k permit shall not be transferred to another	1013
location.	1014
(5) No quota restrictions shall be placed on the number of	1015
D-5k permits that may be issued.	1016
(6) The fee for the D-5k permit is one thousand eight hundred	1017
seventy-five dollars.	1018
(L)(1) Permit D-5l may be issued to the owner or the operator	1019
of a retail food establishment or a food service operation	1020
licensed under Chapter 3717. of the Revised Code <u>business</u>	1021
<u>establishment</u> to sell beer and intoxicating liquor at retail, only	1022
by the individual drink in glass and from the container, for	1023
consumption on the premises where sold and to sell beer and	1024
intoxicating liquor in the same manner and amounts not for	1025
consumption on the premises where sold as may be sold by the	1026
holders of D-1 and D-2 permits. The holder of a D-5l permit may	1027
exercise the same privileges, and shall observe the same hours of	1028
operation, as the holder of a D-5 permit.	1029
(2) The D-5l permit shall be issued only to a premises that	1030
has gross annual receipts from the sale of food and meals that	1031
constitute not less than seventy five per cent of its total gross	1032
annual receipts , that is located within a revitalization district	1033
that is designated under section 4301.81 of the Revised Code, that	1034
is located in a municipal corporation or township in which the	1035
number of D-5 permits issued equals or exceeds the number of those	1036
permits that may be issued in that municipal corporation or	1037
township under section 4303.29 of the Revised Code, and that is	1038

located in a county with a population of one hundred twenty-five thousand or less according to the population estimates certified by the department of development for calendar year 2006.	1039 1040 1041
(3) The location of a D-51 permit may be transferred only within the geographic boundaries of the revitalization district in which it was issued and shall not be transferred outside the geographic boundaries of that district.	1042 1043 1044 1045
(4) Not more than one D-51 permit shall be issued within each revitalization district for each five acres of land located within the district. Not more than five <ins>fifteen</ins> D-51 permits may be issued within a single revitalization district. Except as otherwise provided in division (L)(4) of this section, no quota restrictions shall be placed upon the number of D-51 permits that may be issued.	1046 1047 1048 1049 1050 1051 1052
(5) <u>No D-51 permit shall be issued to an adult entertainment establishment as defined in section 2907.39 of the Revised Code.</u>	1053 1054
(6) The fee for a D-51 permit is two thousand three hundred forty-four dollars.	1055 1056
(M) Permit D-5m may be issued to either the owner or the operator of a retail food establishment or food service operation licensed under Chapter 3717. of the Revised Code that operates as a restaurant for purposes of this chapter and that is located in, or affiliated with, a center for the preservation of wild animals as defined in section 4301.404 of the Revised Code, to sell beer and any intoxicating liquor at retail, only by the glass and from the container, for consumption on the premises where sold, and to sell the same products in the same manner and amounts not for consumption on the premises as may be sold by the holders of D-1 and D-2 permits. In addition to the privileges authorized by this division, the holder of a D-5m permit may exercise the same privileges as the holder of a D-5 permit.	1057 1058 1059 1060 1061 1062 1063 1064 1065 1066 1067 1068 1069

A D-5m permit shall not be transferred to another location. 1070
No quota restrictions shall be placed on the number of D-5m 1071
permits that may be issued. The fee for a permit D-5m is two 1072
thousand three hundred forty-four dollars. 1073

(N) Permit D-5n shall be issued to either a casino operator 1074
or a casino management company licensed under Chapter 3772. of the 1075
Revised Code that operates a casino facility under that chapter, 1076
to sell beer and any intoxicating liquor at retail, only by the 1077
individual drink in glass and from the container, for consumption 1078
on the premises where sold, and to sell the same products in the 1079
same manner and amounts not for consumption on the premises as may 1080
be sold by the holders of D-1 and D-2 permits. In addition to the 1081
privileges authorized by this division, the holder of a D-5n 1082
permit may exercise the same privileges as the holder of a D-5 1083
permit. A D-5n permit shall not be transferred to another 1084
location. Only one D-5n permit may be issued per casino facility 1085
and not more than four D-5n permits shall be issued in this state. 1086
The fee for a permit D-5n shall be twenty thousand dollars. The 1087
holder of a D-5n permit may conduct casino gaming on the permit 1088
premises notwithstanding any provision of the Revised Code or 1089
Administrative Code. 1090

(O) Permit D-5o may be issued to the owner or operator of a 1091
retail food establishment or a food service operation licensed 1092
under Chapter 3717. of the Revised Code that operates as a 1093
restaurant for purposes of this chapter and that is located within 1094
a casino facility for which a D-5n permit has been issued. The 1095
holder of a D-5o permit may sell beer and any intoxicating liquor 1096
at retail, only by the individual drink in glass and from the 1097
container, for consumption on the premises where sold, and may 1098
sell the same products in the same manner and amounts not for 1099
consumption on the premises where sold as may be sold by the 1100
holders of D-1 and D-2 permits. In addition to the privileges 1101

authorized by this division, the holder of a D-5o permit may 1102
exercise the same privileges as the holder of a D-5 permit. A D-5o 1103
permit shall not be transferred to another location. No quota 1104
restrictions shall be placed on the number of such permits that 1105
may be issued. The fee for this permit is two thousand three 1106
hundred forty-four dollars. 1107

Sec. 4303.184. (A) Subject to division (B) of this section, a 1108
D-8 permit may be issued to the either of the following: 1109

(1) An agency store; 1110

(2) The holder of a C-1, C-2, or C-2x permit issued to a 1111
retail store that has either of the following characteristics: 1112

(1)(a) The store has at least five thousand five hundred 1113
square feet of floor area, and it generates more than sixty per 1114
cent of its sales in general merchandise items and food for 1115
consumption off the premises where sold. 1116

(2)(b) Wine constitutes at least sixty per cent of the value 1117
of the store's inventory. 1118

(B) A D-8 permit may be issued to the holder of a C-1, C-2, 1119
or C-2x permit only if the premises of the permit holder are 1120
located in a precinct, or at a particular location in a precinct, 1121
in which the sale of beer, wine, or mixed beverages is permitted 1122
for consumption off the premises where sold. Sales under a D-8 1123
permit are not affected by whether sales for consumption on the 1124
premises where sold are permitted in the precinct or at the 1125
particular location where the D-8 premises are located. 1126

(C)(1) The holder of a D-8 permit described in division 1127
(A)(2) of this section may sell tasting samples of beer, wine, and 1128
mixed beverages, but not spirituous liquor, at retail, for 1129
consumption on the premises where sold in an amount not to exceed 1130
two ounces or another amount designated by rule of the liquor 1131

control commission. A tasting sample shall not be sold for general consumption. No	1132 1133
<u>(2) The holder of a D-8 permit described in division (A)(1) of this section may allow the sale of tasting samples of spirituous liquor in accordance with section 4301.171 of the Revised Code.</u>	1134 1135 1136 1137
<u>(3) No D-8 permit holder described in division (A)(2) of this section</u> shall allow any authorized purchaser to consume more than four tasting samples of beer, wine, or mixed beverages, or any combination of beer, wine, or mixed beverages, per day.	1138 1139 1140 1141
<u>(D)(1) Notwithstanding sections 4303.11 and 4303.121 of the Revised Code, the holder of a D-8 permit described in division (A)(2) of this section may sell beer that is dispensed from containers that have a capacity equal to or greater than five and one-sixth gallons if all of the following conditions are met:</u>	1142 1143 1144 1145 1146
<u>(a) A product registration fee for the beer has been paid as required in division (A)(8)(b) of section 4301.10 of the Revised Code.</u>	1147 1148 1149
<u>(b) The beer is dispensed only in glass containers whose capacity does not exceed one gallon and not for consumption on the premises where sold.</u>	1150 1151 1152
<u>(c) The containers are sealed, marked, and transported in accordance with division (E) of section 4301.62 of the Revised Code.</u>	1153 1154 1155
<u>(d) The containers have been cleaned immediately before being filled in accordance with rule 4301:1-1-28 of the Administrative Code.</u>	1156 1157 1158
<u>(2) Beer that is sold and dispensed under division (D)(1) of this section is subject to both of the following:</u>	1159 1160
<u>(a) All applicable rules adopted by the liquor control</u>	1161

<u>commission, including, but not limited to, rule 4301:1-1-27 and rule 4301:1-1-72 of the Administrative Code;</u>	1162
	1163
(b) <u>All applicable federal laws and regulations.</u>	1164
(E) The privileges authorized <u>under for the holder of</u> a D-8 permit <u>described in division (A)(2) of this section</u> may only be exercised in conjunction with and during the hours of operation authorized by a C-1, C-2, C-2x, or D-6 permit.	1165
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(F) A D-8 permit shall not be transferred to another location.	1169
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(G) The fee for the D-8 permit is five hundred dollars.	1171
 <u>Sec. 4303.209. (A)(1) The division of liquor control may issue an F-9 permit to a nonprofit corporation that operates a park on property leased from a municipal corporation or a nonprofit corporation that provides or manages entertainment programming pursuant to an agreement with a nonprofit corporation that operates a park on property leased from a municipal corporation to sell beer or intoxicating liquor by the individual drink at specific events conducted within the park property and appurtenant streets, but only if, and only at times at which, the sale of beer and intoxicating liquor on the premises is otherwise permitted by law. Additionally, an F-9 permit may be issued only if the park property is located in a county that has a population of between one million one hundred thousand and one million two hundred thousand on the effective date of this section.</u>	1172
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(2) The division may issue separate F-9 permits to a nonprofit corporation that operates a park on property leased from a municipal corporation and a nonprofit corporation that provides or manages entertainment programming pursuant to an agreement with a nonprofit corporation that operates a park on property leased from a municipal corporation to be effective during the same time	1186
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<u>period. However, the permit privileges may be exercised by only one of the holders of an F-9 permit at specific events. The other holder of an F-9 permit shall certify to the division that it will not exercise its permit privileges during that specific event.</u>	1192 1193 1194 1195
<u>(3) The premises on which an F-9 permit will be used shall be clearly defined and sufficiently restricted to allow proper supervision of the permit's use by state and local law enforcement officers. Sales under an F-9 permit shall be confined to the same hours permitted to the holder of a D-3 permit.</u>	1196 1197 1198 1199 1200
<u>(4) The fee for an F-9 permit is one thousand seven hundred dollars. An F-9 permit is effective for a period not to exceed nine months as specified in the permit. An F-9 permit is not transferable or renewable. However, the holder of an F-9 permit may apply for a new F-9 permit at any time. The holder of an F-9 permit shall make sales only at those specific events about which the permit holder has notified in advance the division of liquor control, the department of public safety, and the chief, sheriff, or other principal peace officer of the local law enforcement agencies having jurisdiction over the premises.</u>	1201 1202 1203 1204 1205 1206 1207 1208 1209 1210
<u>(B)(1) An application for the issuance of an F-9 permit is subject to the notice and hearing requirements established in division (A) of section 4303.26 of the Revised Code.</u>	1211 1212 1213
<u>(2) The liquor control commission shall adopt rules under Chapter 119. of the Revised Code necessary to administer this section.</u>	1214 1215 1216
<u>(C) No F-9 permit holder shall sell beer or intoxicating liquor beyond the hours of sale allowed by the permit. This division imposes strict liability on the holder of an F-9 permit and on any officer, agent, or employee of that permit holder.</u>	1217 1218 1219 1220
<u>(D) Nothing in this section prohibits the division from issuing an F-2 permit for a specific event not conducted by the</u>	1221 1222

holder of an F-9 permit provided that the holder of the F-9 permit 1223
certifies to the division that it will not exercise its permit 1224
privileges during that specific event. 1225

Sec. 4303.25. No person personally or by the person's clerk, 1226
agent, or employee shall manufacture, manufacture for sale, offer, 1227
keep, or possess for sale, furnish or sell, or solicit the 1228
purchase or sale of any beer or intoxicating liquor in this state, 1229
or transport, import, or cause to be transported or imported any 1230
beer, intoxicating liquor, or alcohol in or into this state for 1231
delivery, use, or sale, unless the person has fully complied with 1232
this chapter and Chapter 4301. of the Revised Code or is the 1233
holder of a permit issued by the division of liquor control and in 1234
force at the time. 1235

The superintendent of liquor control may adopt rules 1236
requiring a person acting as an agent, solicitor, trade marketing 1237
professional, or salesperson for a manufacturer, supplier, broker, 1238
trade marketing company, or wholesale distributor, who solicits 1239
permit holders authorized to deal in beer and intoxicating liquor, 1240
to be registered with the division and may cite the registrant to 1241
the liquor control commission for a violation of this chapter, 1242
Chapter 4301. of the Revised Code, or the rules adopted by the 1243
commission or superintendent. 1244

A trade marketing professional may be registered for more 1245
than one trade marketing company. 1246

No manufacturer, supplier, wholesale distributor, broker, or 1247
retailer of beer or intoxicating liquor, or other person shall 1248
employ, retain, or otherwise utilize any person in this state to 1249
act as an employee, agent, solicitor, or salesperson, or act in 1250
any other representative capacity to sell, solicit, take orders, 1251
or receive offers to purchase or expressions of interest to 1252
purchase beer or intoxicating liquor from any person, at any 1253

location other than a liquor permit premises, except as 1254
specifically authorized by Chapter 4301. or 4303. of the Revised 1255
Code or rules adopted thereunder. No function, event, or party 1256
shall take place at any location other than a liquor permit 1257
premises where any person acts in any manner to sell, solicit, 1258
take orders, or receive offers to purchase or expressions of 1259
intent to purchase beer or intoxicating liquor to or from any 1260
person, except as specifically authorized by Chapter 4301. or 1261
4303. of the Revised Code or rules adopted thereunder. 1262

As used in this section, "trade marketing company" and "trade 1263
marketing professional" have the same meanings as in section 1264
4301.171 of the Revised Code. 1265

Sec. 4303.29. (A) No permit, other than an H permit, shall be 1266
issued to a firm or partnership unless all the members of the firm 1267
or partnership are citizens of the United States. No permit, other 1268
than an H permit, shall be issued to an individual who is not a 1269
citizen of the United States. No permit, other than an E or H 1270
permit, shall be issued to any corporation organized under the 1271
laws of any country, territory, or state other than this state 1272
until it has furnished the division of liquor control with 1273
evidence that it has complied with the laws of this state relating 1274
to the transaction of business in this state. 1275

The division may refuse to issue any permit to or refuse to 1276
renew any permit of any person convicted of any felony that is 1277
reasonably related to the person's fitness to operate a liquor 1278
permit business in this state. No holder of a permit shall sell, 1279
assign, transfer, or pledge the permit without the written consent 1280
of the division. 1281

(B)(1) No D-3 permit shall be issued to any club unless the 1282
club has been continuously engaged in the activity specified in 1283
section 4303.15 of the Revised Code, as a qualification for that 1284

class of permit, for two years at the time the permit is issued.	1285
(2)(a) Subject to division (B)(2)(b) of this section, upon application by properly qualified persons, one C-1 and C-2 permit shall be issued for each one thousand population or part of that population, and one D-1 and D-2 permit shall be issued for each two thousand population or part of that population, in each municipal corporation and in the unincorporated area of each township.	1286 1287 1288 1289 1290 1291 1292
Subject to division (B)(2)(b) of this section, not more than one D-3, D-4, or D-5 permit shall be issued for each two thousand population or part of that population in any municipal corporation and in the unincorporated area of any township, except that, in any city of a population of fifty-five thousand or more, one D-3 permit may be issued for each fifteen hundred population or part of that population.	1293 1294 1295 1296 1297 1298 1299
(b)(i) Division (B)(2)(a) of this section does not prohibit the transfer of location or the transfer of ownership and location of a C-1, C-2, D-1, D-2, D-3, or D-5 permit from a municipal corporation or the unincorporated area of a township in which the number of permits of that class exceeds the number of such permits authorized to be issued under division (B)(2)(a) of this section to an economic development project located in another municipal corporation or the unincorporated area of another township in which no additional permits of that class may be issued to the applicant under division (B)(2)(a) of this section, <u>but, However,</u> the transfer of location or transfer of ownership and location of the permit may occur only if the applicant notifies the municipal corporation or township to which the location of the permit will be transferred regarding the transfer and <u>that the</u> municipal corporation or township acknowledges in writing to the division of liquor control, at the time the application for the transfer of location or transfer of ownership and location of the permit is	1300 1301 1302 1303 1304 1305 1306 1307 1308 1309 1310 1311 1312 1313 1314 1315 1316

~~filed~~, that the transfer will be to an economic development 1317
project. This municipal corporation or township shall submit 1318
the acknowledgment at the time the application for the transfer is 1319
filed with the division. 1320

The acknowledgment by the municipal corporation or township 1321
does not prohibit it from requesting a hearing under section 1322
4303.26 of the Revised Code. The applicant is eligible to apply 1323
for and receive the transfer of location of the permit under 1324
division (B)(2)(b) of this section if all permits of that class 1325
that may be issued under division (B)(2)(a) of this section in the 1326
applicable municipal corporation or unincorporated area of the 1327
township have already been issued or if the number of applications 1328
filed for permits of that class in that municipal corporation or 1329
the unincorporated area of that township exceed the number of 1330
permits of that class that may be issued there under division 1331
(B)(2)(a) of this section. 1332

A permit transferred under division (B)(2)(b) of this section 1333
may be subsequently transferred to a different owner at the same 1334
location, or to the same owner or a different owner at a different 1335
location in the same municipal corporation or in the 1336
unincorporated area of the same township, as long as the same or 1337
new location meets the economic development project criteria set 1338
forth in this section. 1339

(ii) Factors that shall be used to determine the designation 1340
of an economic development project include, but are not limited 1341
to, architectural certification of the plans and the cost of the 1342
project, the number of jobs that will be created by the project, 1343
projected earnings of the project, projected tax revenues for the 1344
political subdivisions in which the project will be located, and 1345
the amount of financial investment in the project. The 1346
superintendent of liquor control shall determine whether the 1347
existing or proposed business that is seeking a permit described 1348

in division (B)(2)(b) of this section qualifies as an economic development project and, if the superintendent determines that it so qualifies, shall designate the business as an economic development project.	1349 1350 1351 1352
(3) Nothing in this section shall be construed to restrict the issuance of a permit to a municipal corporation for use at a municipally owned airport at which commercial airline companies operate regularly scheduled flights on which space is available to the public. A municipal corporation applying for a permit for such a municipally owned airport is exempt, in regard to that application, from the population restrictions contained in this section and from population quota restrictions contained in any rule of the liquor control commission. A municipal corporation applying for a D-1, D-2, D-3, D-4, or D-5 permit for such a municipally owned airport is subject to section 4303.31 of the Revised Code.	1353 1354 1355 1356 1357 1358 1359 1360 1361 1362 1363 1364
(4) Nothing in this section shall be construed to prohibit the issuance of a D permit to the board of trustees of a soldiers' memorial for a premises located at a soldiers' memorial established pursuant to Chapter 345. of the Revised Code. An application for a D permit by the board for those premises is exempt from the population restrictions contained in this section and from the population quota restrictions contained in any rule of the liquor control commission. The location of a D permit issued to the board for those premises shall not be transferred. A board of trustees of a soldiers' memorial applying for a D-1, D-2, D-3, D-4, or D-5 permit for the soldiers' memorial is subject to section 4303.31 of the Revised Code.	1365 1366 1367 1368 1369 1370 1371 1372 1373 1374 1375 1376
(5) Nothing in this section shall be construed to restrict the issuance of a permit for a premises located at a golf course owned by a municipal corporation, township, or county, owned by a park district created under Chapter 1545. of the Revised Code, or	1377 1378 1379 1380

owned by the state. The location of such a permit issued on or 1381
after September 26, 1984, for a premises located at such a golf 1382
course shall not be transferred. Any application for such a permit 1383
is exempt from the population quota restrictions contained in this 1384
section and from the population quota restrictions contained in 1385
any rule of the liquor control commission. A municipal 1386
corporation, township, county, park district, or state agency 1387
applying for a D-1, D-2, D-3, D-4, or D-5 permit for such a golf 1388
course is subject to section 4303.31 of the Revised Code. 1389

(6) As used in division (B)(6) of this section, "fair" has 1390
the same meaning as in section 991.01 of the Revised Code; "state 1391
fairgrounds" means the property that is held by the state for the 1392
purpose of conducting fairs, expositions, and exhibits and that is 1393
maintained and managed by the Ohio expositions commission under 1394
section 991.03 of the Revised Code; "capitol square" has the same 1395
meaning as in section 105.41 of the Revised Code; and "Ohio 1396
judicial center" means the site of the Ohio supreme court and its 1397
grounds. 1398

Nothing in this section shall be construed to restrict the 1399
issuance of one or more D permits to one or more applicants for 1400
all or a part of the state fairgrounds, capitol square, or the 1401
Ohio judicial center. An application for a D permit for the state 1402
fairgrounds, capitol square, or the Ohio judicial center is exempt 1403
from the population quota restrictions contained in this section 1404
and from the population quota restrictions contained in any rule 1405
of the liquor control commission. The location of a D permit 1406
issued for the state fairgrounds, capitol square, or the Ohio 1407
judicial center shall not be transferred. An applicant for a D-1, 1408
D-2, D-3, or D-5 permit for the state fairgrounds is not subject 1409
to section 4303.31 of the Revised Code. 1410

Pursuant to section 1711.09 of the Revised Code, the holder 1411
of a D permit issued for the state fairgrounds shall not deal in 1412

spirituous liquor at the state fairgrounds during, or for one week	1413
before or for three days after, any fair held at the state	1414
fairgrounds.	1415
(7) Nothing in this section shall be construed to prohibit	1416
the issuance of a D permit for a premises located at a zoological	1417
park at which sales have been approved in an election held under	1418
former section 4301.356 of the Revised Code. An application for a	1419
D permit for such a premises is exempt from the population	1420
restrictions contained in this section, from the population quota	1421
restrictions contained in any rule of the liquor control	1422
commission, and from section 4303.31 of the Revised Code. The	1423
location of a D permit issued for a premises at such a zoological	1424
park shall not be transferred, and no quota or other restrictions	1425
shall be placed on the number of D permits that may be issued for	1426
a premises at such a zoological park.	1427
(C)(1) No D-3, D-4, D-5, or D-5a permit shall be issued in	1428
any election precinct in any municipal corporation or in any	1429
election precinct in the unincorporated area of any township, in	1430
which at the November, 1933, election a majority of the electors	1431
voting thereon in the municipal corporation or in the	1432
unincorporated area of the township voted against the repeal of	1433
Section 9 of Article XV, Ohio Constitution, unless the sale of	1434
spirituous liquor by the glass is authorized by a majority vote of	1435
the electors voting on the question in the precinct at an election	1436
held pursuant to this section or by a majority vote of the	1437
electors of the precinct voting on question (C) at a special local	1438
option election held in the precinct pursuant to section 4301.35	1439
of the Revised Code. Upon the request of an elector, the board of	1440
elections of the county that encompasses the precinct shall	1441
furnish the elector with a copy of the instructions prepared by	1442
the secretary of state under division (P) of section 3501.05 of	1443
the Revised Code and, within fifteen days after the request, a	1444

certificate of the number of signatures required for a valid petition under this section.	1445 1446
Upon the petition of thirty-five per cent of the total number of voters voting in any such precinct for the office of governor at the preceding general election, filed with the board of elections of the county in which such precinct is located not later than ninety days before a general election, the board shall prepare ballots and hold an election at such general election upon the question of allowing spirituous liquor to be sold by the glass in such precinct. The ballots shall be approved in form by the secretary of state. The results of the election shall be certified by the board to the secretary of state, who shall certify the results to the division.	1447 1448 1449 1450 1451 1452 1453 1454 1455 1456 1457
(2) No holder of a class D-3 permit issued for a boat or vessel shall sell spirituous liquor in any precinct, in which the election provided for in this section may be held, unless the sale of spirituous liquor by the drink has been authorized by vote of the electors as provided in this section or in section 4301.35 of the Revised Code.	1458 1459 1460 1461 1462 1463
(D) Any holder of a C or D permit whose permit premises were purchased in 1986 or 1987 by the state or any state agency for highway purposes shall be issued the same permit at another location notwithstanding any quota restrictions contained in this chapter or in any rule of the liquor control commission.	1464 1465 1466 1467 1468
Section 2. That existing sections 4301.10, 4301.17, 4301.62, 4303.02, 4303.041, 4303.181, 4303.184, 4303.25, and 4303.29 of the Revised Code are hereby repealed.	1469 1470 1471