

**As Introduced**

**129th General Assembly  
Regular Session  
2011-2012**

**H. B. No. 26**

**Representative Letson**

**Cosponsors: Representatives Gerberry, Pillich, Stinziano, Stautberg,  
McGregor, O'Brien, Hagan, Yuko**

—

**A B I L L**

To amend sections 4301.62 and 4303.29 and to enact 1  
sections 4301.82 and 4303.235 of the Revised Code 2  
to establish local entertainment districts in 3  
municipal corporations or unincorporated areas of 4  
counties of specified populations for the purpose 5  
of the issuance of D-1, D-2, and D-5 liquor 6  
permits under specified conditions and to create 7  
the T-1 permit. 8

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

**Section 1.** That sections 4301.62 and 4303.29 be amended and 9  
sections 4301.82 and 4303.235 of the Revised Code be enacted to 10  
read as follows: 11

**Sec. 4301.62.** (A) As used in this section: 12

(1) "Chauffeured limousine" means a vehicle registered under 13  
section 4503.24 of the Revised Code. 14

(2) "Street," "highway," and "motor vehicle" have the same 15  
meanings as in section 4511.01 of the Revised Code. 16

(B) No person shall have in the person's possession an opened 17

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

provided in section 4303.235 of the Revised Code; 48

(d) Beer or intoxicating liquor to be consumed during 49  
tastings and samplings approved by rule of the liquor control 50  
commission. 51

(2) A person may have in the person's possession on an F 52  
liquor permit premises an opened container of beer or intoxicating 53  
liquor that was not purchased from the holder of the F permit if 54  
the premises for which the F permit is issued is a music festival 55  
and the holder of the F permit grants permission for that 56  
possession on the premises during the period for which the F 57  
permit is issued. As used in this division, "music festival" means 58  
a series of outdoor live musical performances, extending for a 59  
period of at least three consecutive days and located on an area 60  
of land of at least forty acres. 61

(3)(a) A person may have in the person's possession on a D-2 62  
liquor permit premises an opened or unopened container of wine 63  
that was not purchased from the holder of the D-2 permit if the 64  
premises for which the D-2 permit is issued is an outdoor 65  
performing arts center, the person is attending an orchestral 66  
performance, and the holder of the D-2 permit grants permission 67  
for the possession and consumption of wine in certain 68  
predesignated areas of the premises during the period for which 69  
the D-2 permit is issued. 70

(b) As used in division (C)(3)(a) of this section: 71

(i) "Orchestral performance" means a concert comprised of a 72  
group of not fewer than forty musicians playing various musical 73  
instruments. 74

(ii) "Outdoor performing arts center" means an outdoor 75  
performing arts center that is located on not less than eight 76  
hundred acres of land and that is open for performances from the 77  
first day of April to the last day of October of each year. 78

(4) A person may have in the person's possession an opened or unopened container of beer or intoxicating liquor at an outdoor location at which the person is attending an orchestral performance as defined in division (C)(3)(b)(i) of this section if the person with supervision and control over the performance grants permission for the possession and consumption of beer or intoxicating liquor in certain predesignated areas of that outdoor location.

(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:

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

(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.

(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.

(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:

(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.

(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 110  
by the driver or passengers and not easily accessible by the 111  
driver. 112

Sec. 4301.82. (A) As used in this section: 113

(1) "Local entertainment district" means a bounded area that 114  
includes or will include a combination of entertainment, retail, 115  
educational, sporting, social, cultural, or arts establishments 116  
within close proximity to some or all of the following types of 117  
establishments within the district or other types of 118  
establishments similar to these: 119

(a) Hotels; 120

(b) Restaurants; 121

(c) Retail sales establishments; 122

(d) Enclosed shopping centers; 123

(e) Museums; 124

(f) Performing arts theaters; 125

(g) Motion picture theaters; 126

(h) Night clubs; 127

(i) Convention facilities; 128

(j) Sports facilities; 129

(k) Entertainment facilities or complexes; 130

(l) Any combination of the establishments described in 131  
divisions (A)(1)(a) to (k) of this section that provide similar 132  
services to the community. 133

(2) "Municipal corporation" means a municipal corporation 134  
with a population of less than one hundred thousand. 135

(3) "County" means a county with a population of more than 136

one hundred twenty-five thousand. 137

(B) Any owner of property located in a municipal corporation 138  
seeking to have that property, or that property and other 139  
surrounding property, designated as a local entertainment district 140  
shall file an application seeking this designation with the mayor 141  
of the municipal corporation in which that property is located. 142  
Any owner of property located in the unincorporated area of a 143  
county seeking to have that property, or that property and other 144  
surrounding property, designated as a local entertainment district 145  
shall file an application seeking this designation with the board 146  
of county commissioners of the county in whose unincorporated area 147  
that property is located. An application to designate an area as a 148  
local entertainment district shall contain all of the following: 149

(1) The applicant's name and address; 150

(2) A map or survey of the proposed local entertainment 151  
district in sufficient detail to identify the boundaries of the 152  
district and the property owned by the applicant; 153

(3) A general statement of the nature and types of 154  
establishments described in division (A) of this section that are 155  
or will be located within the proposed local entertainment 156  
district and any other establishments located in the proposed 157  
local entertainment district that are not described in division 158  
(A) of this section; 159

(4) If some or all of the establishments within the proposed 160  
local entertainment district have not yet been developed, the 161  
proposed time frame for completing the development of these 162  
establishments; 163

(5) Evidence that the uses of land within the proposed local 164  
entertainment district are in accord with the municipal 165  
corporation's or county's master zoning plan or map; 166

(6) A handling and processing fee to accompany the 167

application, payable to the applicable municipal corporation or 168  
county, in an amount determined by that municipal corporation or 169  
county. 170

(C) An application relating to an area located in a municipal 171  
corporation shall be addressed and submitted to the mayor of the 172  
municipal corporation in which the area described in the 173  
application is located. The mayor, within thirty days after 174  
receiving the application, shall submit the application with the 175  
mayor's recommendation to the legislative authority of the 176  
municipal corporation. An application relating to an area located 177  
in the unincorporated area of a county shall be addressed and 178  
submitted to the board of county commissioners of the county in 179  
whose unincorporated area the area described in the application is 180  
located. The application is a public record for purposes of 181  
section 149.43 of the Revised Code upon its receipt by the mayor 182  
or board of county commissioners. 183

Within thirty days after it receives the application and the 184  
mayor's recommendations relating to the application, the 185  
legislative authority of the municipal corporation, by notice 186  
published once a week for two consecutive weeks in at least one 187  
newspaper of general circulation in the municipal corporation, 188  
shall notify the public that the application is on file in the 189  
office of the clerk of the municipal corporation and is available 190  
for inspection by the public during regular business hours. Within 191  
thirty days after it receives the application, the board of county 192  
commissioners, by notice published once a week for two consecutive 193  
weeks in at least one newspaper of general circulation in the 194  
county, shall notify the public that the application is on file in 195  
the office of the county auditor and is available for inspection 196  
by the public during regular business hours. The notice shall also 197  
indicate the date and time of any public hearing by the municipal 198  
legislative authority or board of county commissioners on the 199

application. 200

Within seventy-five days after the date the application is 201  
filed with the mayor of a municipal corporation, the legislative 202  
authority of the municipal corporation by ordinance or resolution 203  
shall approve or disapprove the application based on whether the 204  
proposed local entertainment district does or will substantially 205  
contribute to entertainment, retail, educational, sporting, 206  
social, cultural, or arts opportunities for the community. The 207  
community considered shall at a minimum include the municipal 208  
corporation in which the community is located. Any approval of an 209  
application shall be by an affirmative majority vote of the 210  
legislative authority. Not more than one local entertainment 211  
district shall be designated within the municipal corporation. 212

Within seventy-five days after the date the application is 213  
filed with a board of county commissioners, the board by 214  
resolution shall approve or disapprove the application based on 215  
whether the proposed local entertainment district does or will 216  
substantially contribute to entertainment, retail, educational, 217  
sporting, social, cultural, or arts opportunities for the 218  
community. The community considered shall at a minimum include at 219  
least a portion of the county in which the community is located. 220  
Any approval of an application shall be by an affirmative majority 221  
vote of the board of county commissioners. Not more than one local 222  
entertainment district shall be designated within the 223  
unincorporated area of the county. 224

If the municipal legislative authority or board of county 225  
commissioners disapproves the application, the applicant may make 226  
changes in the application to secure its approval by the 227  
legislative authority or board of county commissioners. Any area 228  
approved by the legislative authority or board of county 229  
commissioners constitutes a local entertainment district. 230

(D) All or part of an area designated as a local 231



entertainment district may lose this designation as provided in 232  
this division. The legislative authority of a municipal 233  
corporation in which a local entertainment district is located, or 234  
the board of county commissioners of the county in whose 235  
unincorporated area a local entertainment district is located, 236  
after giving notice of its proposed action by publication once a 237  
week for two consecutive weeks in at least one newspaper of 238  
general circulation in the municipal corporation or county, may 239  
determine by ordinance or resolution in the case of the 240  
legislative authority of a municipal corporation, or by resolution 241  
in the case of the board of county commissioners of a county, that 242  
all or part of the area fails to meet the standards described in 243  
this section for designation of an area as a local entertainment 244  
district. If the legislative authority or board so determines, the 245  
area designated in the ordinance or resolution no longer 246  
constitutes a local entertainment district. 247

**Sec. 4303.235.** (A) As used in this section: 248

(1) "College or university" means a state institution of 249  
higher education as defined in section 3345.011 of the Revised 250  
Code, or a private institution of higher education, with an FTE 251  
(full-time equivalent) student enrollment of less than fifteen 252  
thousand. 253

(2) "Professional athletic team" means a professional 254  
baseball, basketball, football, hockey, or soccer team that owns 255  
or leases a stadium or arena that has a seating capacity of at 256  
least four thousand. 257

(B) A T-1 permit may be issued to any college or university 258  
or to any professional athletic team to authorize the college or 259  
university or professional athletic team to allow its guests to 260  
bring beer and intoxicating liquor in its original package, flask, 261  
or other container into an area on property that the college or 262

university or professional athletic team owns or leases, for 263  
consumption in that area, if both of the following apply: 264

(1) A fence or similar barrier encloses the area. 265

(2) Security personnel are stationed at each exit from the 266  
area to prevent any person from leaving with an opened flask or 267  
other container of beer or intoxicating liquor. 268

(C) The division of liquor control shall specify on each T-1 269  
permit the effective period of the permit, which shall not exceed 270  
three days. The fee for the T-1 permit is fifty dollars. The 271  
division shall prepare and make available application forms for 272  
the T-1 permit and may require applicants to furnish the 273  
information that the division determines is necessary for the 274  
administration of this section. 275

(D) No holder of a T-1 permit shall provide or sell beer or 276  
intoxicating liquor by the drink or in its original package, 277  
flask, or other container in connection with the use of an area 278  
under the T-1 permit. 279

**Sec. 4303.29.** (A) No permit, other than an H permit, shall be 280  
issued to a firm or partnership unless all the members of the firm 281  
or partnership are citizens of the United States. No permit, other 282  
than an H permit, shall be issued to an individual who is not a 283  
citizen of the United States. No permit, other than an E or H 284  
permit, shall be issued to any corporation organized under the 285  
laws of any country, territory, or state other than this state 286  
until it has furnished the division of liquor control with 287  
evidence that it has complied with the laws of this state relating 288  
to the transaction of business in this state. 289

The division may refuse to issue any permit to or refuse to 290  
renew any permit of any person convicted of any felony that is 291  
reasonably related to the person's fitness to operate a liquor 292

permit business in this state. No holder of a permit shall sell, 293  
assign, transfer, or pledge the permit without the written consent 294  
of the division. 295

(B)(1) No D-3 permit shall be issued to any club unless the 296  
club has been continuously engaged in the activity specified in 297  
section 4303.15 of the Revised Code, as a qualification for that 298  
class of permit, for two years at the time the permit is issued. 299

(2)(a) Subject to division (B)(2)(b) of this section, upon 300  
application by properly qualified persons, one C-1 and C-2 permit 301  
shall be issued for each one thousand population or part of that 302  
population, and one D-1 and D-2 permit shall be issued for each 303  
two thousand population or part of that population, in each 304  
municipal corporation and in the unincorporated area of each 305  
township. 306

Subject to division (B)(2)(b) of this section, not more than 307  
one D-3, D-4, or D-5 permit shall be issued for each two thousand 308  
population or part of that population in any municipal corporation 309  
and in the unincorporated area of any township, except that, in 310  
any city of a population of fifty-five thousand or more, one D-3 311  
permit may be issued for each fifteen hundred population or part 312  
of that population. 313

(b)(i) Division (B)(2)(a) of this section does not prohibit 314  
the transfer of location or the transfer of ownership and location 315  
of a C-1, C-2, D-1, D-2, D-3, or D-5 permit from a municipal 316  
corporation or the unincorporated area of a township in which the 317  
number of permits of that class exceeds the number of such permits 318  
authorized to be issued under division (B)(2)(a) of this section 319  
to an economic development project located in another municipal 320  
corporation or the unincorporated area of another township in 321  
which no additional permits of that class may be issued to the 322  
applicant under division (B)(2)(a) of this section, but the 323  
transfer of location or transfer of ownership and location of the 324

permit may occur only if the applicant notifies the municipal 325  
corporation or township to which the location of the permit will 326  
be transferred regarding the transfer and that municipal 327  
corporation or township acknowledges in writing to the division of 328  
liquor control, at the time the application for the transfer of 329  
location or transfer of ownership and location of the permit is 330  
filed, that the transfer will be to an economic development 331  
project. This acknowledgment by the municipal corporation or 332  
township does not prohibit it from requesting a hearing under 333  
section 4303.26 of the Revised Code. The applicant is eligible to 334  
apply for and receive the transfer of location of the permit under 335  
division (B)(2)(b) of this section if all permits of that class 336  
that may be issued under division (B)(2)(a) of this section in the 337  
applicable municipal corporation or unincorporated area of the 338  
township have already been issued or if the number of applications 339  
filed for permits of that class in that municipal corporation or 340  
the unincorporated area of that township exceed the number of 341  
permits of that class that may be issued there under division 342  
(B)(2)(a) of this section. 343

A permit transferred under division (B)(2)(b) of this section 344  
may be subsequently transferred to a different owner at the same 345  
location, or to the same owner or a different owner at a different 346  
location in the same municipal corporation or in the 347  
unincorporated area of the same township, as long as the same or 348  
new location meets the economic development project criteria set 349  
forth in this section. 350

(ii) Factors that shall be used to determine the designation 351  
of an economic development project include, but are not limited 352  
to, architectural certification of the plans and the cost of the 353  
project, the number of jobs that will be created by the project, 354  
projected earnings of the project, projected tax revenues for the 355  
political subdivisions in which the project will be located, and 356

the amount of financial investment in the project. The 357  
superintendent of liquor control shall determine whether the 358  
existing or proposed business that is seeking a permit described 359  
in division (B)(2)(b) of this section qualifies as an economic 360  
development project and, if the superintendent determines that it 361  
so qualifies, shall designate the business as an economic 362  
development project. 363

(3) Nothing in this section shall be construed to restrict 364  
the issuance of a permit to a municipal corporation for use at a 365  
municipally owned airport at which commercial airline companies 366  
operate regularly scheduled flights on which space is available to 367  
the public. A municipal corporation applying for a permit for such 368  
a municipally owned airport is exempt, in regard to that 369  
application, from the population restrictions contained in this 370  
section and from population quota restrictions contained in any 371  
rule of the liquor control commission. A municipal corporation 372  
applying for a D-1, D-2, D-3, D-4, or D-5 permit for such a 373  
municipally owned airport is subject to section 4303.31 of the 374  
Revised Code. 375

(4) Nothing in this section shall be construed to prohibit 376  
the issuance of a D permit to the board of trustees of a soldiers' 377  
memorial for a premises located at a soldiers' memorial 378  
established pursuant to Chapter 345. of the Revised Code. An 379  
application for a D permit by the board for those premises is 380  
exempt from the population restrictions contained in this section 381  
and from the population quota restrictions contained in any rule 382  
of the liquor control commission. The location of a D permit 383  
issued to the board for those premises shall not be transferred. A 384  
board of trustees of a soldiers' memorial applying for a D-1, D-2, 385  
D-3, D-4, or D-5 permit for the soldiers' memorial is subject to 386  
section 4303.31 of the Revised Code. 387

(5) Nothing in this section shall be construed to restrict 388

the issuance of a permit for a premises located at a golf course 389  
owned by a municipal corporation, township, or county, owned by a 390  
park district created under Chapter 1545. of the Revised Code, or 391  
owned by the state. The location of such a permit issued on or 392  
after September 26, 1984, for a premises located at such a golf 393  
course shall not be transferred. Any application for such a permit 394  
is exempt from the population quota restrictions contained in this 395  
section and from the population quota restrictions contained in 396  
any rule of the liquor control commission. A municipal 397  
corporation, township, county, park district, or state agency 398  
applying for a D-1, D-2, D-3, D-4, or D-5 permit for such a golf 399  
course is subject to section 4303.31 of the Revised Code. 400

(6) As used in division (B)(6) of this section, "fair" has 401  
the same meaning as in section 991.01 of the Revised Code; "state 402  
fairgrounds" means the property that is held by the state for the 403  
purpose of conducting fairs, expositions, and exhibits and that is 404  
maintained and managed by the Ohio expositions commission under 405  
section 991.03 of the Revised Code; "capitol square" has the same 406  
meaning as in section 105.41 of the Revised Code; and "Ohio 407  
judicial center" means the site of the Ohio supreme court and its 408  
grounds. 409

Nothing in this section shall be construed to restrict the 410  
issuance of one or more D permits to one or more applicants for 411  
all or a part of the state fairgrounds, capitol square, or the 412  
Ohio judicial center. An application for a D permit for the state 413  
fairgrounds, capitol square, or the Ohio judicial center is exempt 414  
from the population quota restrictions contained in this section 415  
and from the population quota restrictions contained in any rule 416  
of the liquor control commission. The location of a D permit 417  
issued for the state fairgrounds, capitol square, or the Ohio 418  
judicial center shall not be transferred. An applicant for a D-1, 419  
D-2, D-3, or D-5 permit for the state fairgrounds is not subject 420

to section 4303.31 of the Revised Code. 421

Pursuant to section 1711.09 of the Revised Code, the holder 422  
of a D permit issued for the state fairgrounds shall not deal in 423  
spirituous liquor at the state fairgrounds during, or for one week 424  
before or for three days after, any fair held at the state 425  
fairgrounds. 426

(7) Nothing in this section shall be construed to prohibit 427  
the issuance of a D permit for a premises located at a zoological 428  
park at which sales have been approved in an election held under 429  
former section 4301.356 of the Revised Code. An application for a 430  
D permit for such a premises is exempt from the population 431  
restrictions contained in this section, from the population quota 432  
restrictions contained in any rule of the liquor control 433  
commission, and from section 4303.31 of the Revised Code. The 434  
location of a D permit issued for a premises at such a zoological 435  
park shall not be transferred, and no quota or other restrictions 436  
shall be placed on the number of D permits that may be issued for 437  
a premises at such a zoological park. 438

(8) As used in division (B)(8) of this section, "local 439  
entertainment district" has the same meaning as in section 4301.82 440  
of the Revised Code. 441

Nothing in this section shall be construed to prohibit the 442  
issuance of a D-1, D-2, or D-5 permit for a premises located in a 443  
local entertainment district, provided that all of the following 444  
apply: 445

(a) The applicant for the permit is the owner or operator of 446  
a retail food establishment or a food service operation licensed 447  
under Chapter 3717. of the Revised Code. 448

(b) The applicant for the permit has not been issued a D-1, 449  
D-2, or D-5 permit in the six months prior to filing the 450  
application for a D-1, D-2, or D-5 permit for a premises located 451

in a local entertainment district. 452

(c) The premises for which a permit is proposed to be issued 453  
has gross annual receipts from the sale of food and meals for 454  
consumption on the premises that constitute not less than 455  
seventy-five per cent of its total gross annual receipts. 456

An application for a D-1, D-2, or D-5 permit for a premises 457  
located in a local entertainment district is exempt from the 458  
population restrictions established in this section, from the 459  
population quota restrictions established in any rule of the 460  
liquor control commission, and from section 4303.31 of the Revised 461  
Code. Such a D-1, D-2, or D-5 permit shall not be transferred out 462  
of the local entertainment district. Not more than one D-1, D-2, 463  
or D-5 permit shall be issued within a local entertainment 464  
district for each five acres of land located within the district. 465  
Not more than ten D-1, D-2, or D-5 permits, or any combination of 466  
those permits, may be issued within a single local entertainment 467  
district. 468

(C)(1) No D-3, D-4, D-5, or D-5a permit shall be issued in 469  
any election precinct in any municipal corporation or in any 470  
election precinct in the unincorporated area of any township, in 471  
which at the November, 1933, election a majority of the electors 472  
voting thereon in the municipal corporation or in the 473  
unincorporated area of the township voted against the repeal of 474  
Section 9 of Article XV, Ohio Constitution, unless the sale of 475  
spirituous liquor by the glass is authorized by a majority vote of 476  
the electors voting on the question in the precinct at an election 477  
held pursuant to this section or by a majority vote of the 478  
electors of the precinct voting on question (C) at a special local 479  
option election held in the precinct pursuant to section 4301.35 480  
of the Revised Code. Upon the request of an elector, the board of 481  
elections of the county that encompasses the precinct shall 482  
furnish the elector with a copy of the instructions prepared by 483



the secretary of state under division (P) of section 3501.05 of 484  
the Revised Code and, within fifteen days after the request, a 485  
certificate of the number of signatures required for a valid 486  
petition under this section. 487

Upon the petition of thirty-five per cent of the total number 488  
of voters voting in any such precinct for the office of governor 489  
at the preceding general election, filed with the board of 490  
elections of the county in which such precinct is located not 491  
later than ninety days before a general election, the board shall 492  
prepare ballots and hold an election at such general election upon 493  
the question of allowing spirituous liquor to be sold by the glass 494  
in such precinct. The ballots shall be approved in form by the 495  
secretary of state. The results of the election shall be certified 496  
by the board to the secretary of state, who shall certify the 497  
results to the division. 498

(2) No holder of a class D-3 permit issued for a boat or 499  
vessel shall sell spirituous liquor in any precinct, in which the 500  
election provided for in this section may be held, unless the sale 501  
of spirituous liquor by the drink has been authorized by vote of 502  
the electors as provided in this section or in section 4301.35 of 503  
the Revised Code. 504

(D) Any holder of a C or D permit whose permit premises were 505  
purchased in 1986 or 1987 by the state or any state agency for 506  
highway purposes shall be issued the same permit at another 507  
location notwithstanding any quota restrictions contained in this 508  
chapter or in any rule of the liquor control commission. 509

**Section 2.** That existing sections 4301.62 and 4303.29 of the 510  
Revised Code are hereby repealed. 511