

**As Reported by the Senate Insurance, Commerce and Labor  
Committee**

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

**Sub. S. B. No. 298**

**Senator Cafaro**

**Cosponsors: Senators Brown, Seitz, Kearney, Beagle, Hughes, Hite, Turner,  
Bacon**

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**A B I L L**

To amend section 4303.181 of the Revised Code to 1  
alter the conditions under which a D-51 liquor 2  
permit may be issued. 3

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

**Section 1.** That section 4303.181 of the Revised Code be 4  
amended to read as follows: 5

**Sec. 4303.181.** (A) Permit D-5a may be issued either to the 6  
owner or operator of a hotel or motel that is required to be 7  
licensed under section 3731.03 of the Revised Code, that contains 8  
at least fifty rooms for registered transient guests or is owned 9  
by a state institution of higher education as defined in section 10  
3345.011 of the Revised Code or a private college or university, 11  
and that qualifies under the other requirements of this section, 12  
or to the owner or operator of a restaurant specified under this 13  
section, to sell beer and any intoxicating liquor at retail, only 14  
by the individual drink in glass and from the container, for 15  
consumption on the premises where sold, and to registered guests 16  
in their rooms, which may be sold by means of a controlled access 17

alcohol and beverage cabinet in accordance with division (B) of 18  
section 4301.21 of the Revised Code; and to sell the same products 19  
in the same manner and amounts not for consumption on the premises 20  
as may be sold by holders of D-1 and D-2 permits. The premises of 21  
the hotel or motel shall include a retail food establishment or a 22  
food service operation licensed pursuant to Chapter 3717. of the 23  
Revised Code that operates as a restaurant for purposes of this 24  
chapter and that is affiliated with the hotel or motel and within 25  
or contiguous to the hotel or motel, and that serves food within 26  
the hotel or motel, but the principal business of the owner or 27  
operator of the hotel or motel shall be the accommodation of 28  
transient guests. In addition to the privileges authorized in this 29  
division, the holder of a D-5a permit may exercise the same 30  
privileges as the holder of a D-5 permit. 31

The owner or operator of a hotel, motel, or restaurant who 32  
qualified for and held a D-5a permit on August 4, 1976, may, if 33  
the owner or operator held another permit before holding a D-5a 34  
permit, either retain a D-5a permit or apply for the permit 35  
formerly held, and the division of liquor control shall issue the 36  
permit for which the owner or operator applies and formerly held, 37  
notwithstanding any quota. 38

A D-5a permit shall not be transferred to another location. 39  
No quota restriction shall be placed on the number of D-5a permits 40  
that may be issued. 41

The fee for this permit is two thousand three hundred 42  
forty-four dollars. 43

(B) Permit D-5b may be issued to the owner, operator, tenant, 44  
lessee, or occupant of an enclosed shopping center to sell beer 45  
and intoxicating liquor at retail, only by the individual drink in 46  
glass and from the container, for consumption on the premises 47  
where sold; and to sell the same products in the same manner and 48  
amount not for consumption on the premises as may be sold by 49

holders of D-1 and D-2 permits. In addition to the privileges 50  
authorized in this division, the holder of a D-5b permit may 51  
exercise the same privileges as a holder of a D-5 permit. 52

A D-5b permit shall not be transferred to another location. 53

One D-5b permit may be issued at an enclosed shopping center 54  
containing at least two hundred twenty-five thousand, but less 55  
than four hundred thousand, square feet of floor area. 56

Two D-5b permits may be issued at an enclosed shopping center 57  
containing at least four hundred thousand square feet of floor 58  
area. No more than one D-5b permit may be issued at an enclosed 59  
shopping center for each additional two hundred thousand square 60  
feet of floor area or fraction of that floor area, up to a maximum 61  
of five D-5b permits for each enclosed shopping center. The number 62  
of D-5b permits that may be issued at an enclosed shopping center 63  
shall be determined by subtracting the number of D-3 and D-5 64  
permits issued in the enclosed shopping center from the number of 65  
D-5b permits that otherwise may be issued at the enclosed shopping 66  
center under the formulas provided in this division. Except as 67  
provided in this section, no quota shall be placed on the number 68  
of D-5b permits that may be issued. Notwithstanding any quota 69  
provided in this section, the holder of any D-5b permit first 70  
issued in accordance with this section is entitled to its renewal 71  
in accordance with section 4303.271 of the Revised Code. 72

The holder of a D-5b permit issued before April 4, 1984, 73  
whose tenancy is terminated for a cause other than nonpayment of 74  
rent, may return the D-5b permit to the division of liquor 75  
control, and the division shall cancel that permit. Upon 76  
cancellation of that permit and upon the permit holder's payment 77  
of taxes, contributions, premiums, assessments, and other debts 78  
owing or accrued upon the date of cancellation to this state and 79  
its political subdivisions and a filing with the division of a 80  
certification of that payment, the division shall issue to that 81

person either a D-5 permit, or a D-1, a D-2, and a D-3 permit, as 82  
that person requests. The division shall issue the D-5 permit, or 83  
the D-1, D-2, and D-3 permits, even if the number of D-1, D-2, 84  
D-3, or D-5 permits currently issued in the municipal corporation 85  
or in the unincorporated area of the township where that person's 86  
proposed premises is located equals or exceeds the maximum number 87  
of such permits that can be issued in that municipal corporation 88  
or in the unincorporated area of that township under the 89  
population quota restrictions contained in section 4303.29 of the 90  
Revised Code. Any D-1, D-2, D-3, or D-5 permit so issued shall not 91  
be transferred to another location. If a D-5b permit is canceled 92  
under the provisions of this paragraph, the number of D-5b permits 93  
that may be issued at the enclosed shopping center for which the 94  
D-5b permit was issued, under the formula provided in this 95  
division, shall be reduced by one if the enclosed shopping center 96  
was entitled to more than one D-5b permit under the formula. 97

The fee for this permit is two thousand three hundred 98  
forty-four dollars. 99

(C) Permit D-5c may be issued to the owner or operator of a 100  
retail food establishment or a food service operation licensed 101  
pursuant to Chapter 3717. of the Revised Code that operates as a 102  
restaurant for purposes of this chapter and that qualifies under 103  
the other requirements of this section to sell beer and any 104  
intoxicating liquor at retail, only by the individual drink in 105  
glass and from the container, for consumption on the premises 106  
where sold, and to sell the same products in the same manner and 107  
amounts not for consumption on the premises as may be sold by 108  
holders of D-1 and D-2 permits. In addition to the privileges 109  
authorized in this division, the holder of a D-5c permit may 110  
exercise the same privileges as the holder of a D-5 permit. 111

To qualify for a D-5c permit, the owner or operator of a 112  
retail food establishment or a food service operation licensed 113

pursuant to Chapter 3717. of the Revised Code that operates as a 114  
restaurant for purposes of this chapter, shall have operated the 115  
restaurant at the proposed premises for not less than twenty-four 116  
consecutive months immediately preceding the filing of the 117  
application for the permit, have applied for a D-5 permit no later 118  
than December 31, 1988, and appear on the division's quota waiting 119  
list for not less than six months immediately preceding the filing 120  
of the application for the permit. In addition to these 121  
requirements, the proposed D-5c permit premises shall be located 122  
within a municipal corporation and further within an election 123  
precinct that, at the time of the application, has no more than 124  
twenty-five per cent of its total land area zoned for residential 125  
use. 126

A D-5c permit shall not be transferred to another location. 127  
No quota restriction shall be placed on the number of such permits 128  
that may be issued. 129

Any person who has held a D-5c permit for at least two years 130  
may apply for a D-5 permit, and the division of liquor control 131  
shall issue the D-5 permit notwithstanding the quota restrictions 132  
contained in section 4303.29 of the Revised Code or in any rule of 133  
the liquor control commission. 134

The fee for this permit is one thousand five hundred 135  
sixty-three dollars. 136

(D) Permit D-5d may be issued to the owner or operator of a 137  
retail food establishment or a food service operation licensed 138  
pursuant to Chapter 3717. of the Revised Code that operates as a 139  
restaurant for purposes of this chapter and that is located at an 140  
airport operated by a board of county commissioners pursuant to 141  
section 307.20 of the Revised Code, at an airport operated by a 142  
port authority pursuant to Chapter 4582. of the Revised Code, or 143  
at an airport operated by a regional airport authority pursuant to 144  
Chapter 308. of the Revised Code. The holder of a D-5d permit may 145

sell beer and any intoxicating liquor at retail, only by the 146  
individual drink in glass and from the container, for consumption 147  
on the premises where sold, and may sell the same products in the 148  
same manner and amounts not for consumption on the premises where 149  
sold as may be sold by the holders of D-1 and D-2 permits. In 150  
addition to the privileges authorized in this division, the holder 151  
of a D-5d permit may exercise the same privileges as the holder of 152  
a D-5 permit. 153

A D-5d permit shall not be transferred to another location. 154  
No quota restrictions shall be placed on the number of such 155  
permits that may be issued. 156

The fee for this permit is two thousand three hundred 157  
forty-four dollars. 158

(E) Permit D-5e may be issued to any nonprofit organization 159  
that is exempt from federal income taxation under the "Internal 160  
Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 501(c)(3), as 161  
amended, or that is a charitable organization under any chapter of 162  
the Revised Code, and that owns or operates a riverboat that meets 163  
all of the following: 164

(1) Is permanently docked at one location; 165

(2) Is designated as an historical riverboat by the Ohio 166  
historical society; 167

(3) Contains not less than fifteen hundred square feet of 168  
floor area; 169

(4) Has a seating capacity of fifty or more persons. 170

The holder of a D-5e permit may sell beer and intoxicating 171  
liquor at retail, only by the individual drink in glass and from 172  
the container, for consumption on the premises where sold. 173

A D-5e permit shall not be transferred to another location. 174  
No quota restriction shall be placed on the number of such permits 175

that may be issued. The population quota restrictions contained in 176  
section 4303.29 of the Revised Code or in any rule of the liquor 177  
control commission shall not apply to this division, and the 178  
division shall issue a D-5e permit to any applicant who meets the 179  
requirements of this division. However, the division shall not 180  
issue a D-5e permit if the permit premises or proposed permit 181  
premises are located within an area in which the sale of 182  
spirituous liquor by the glass is prohibited. 183

The fee for this permit is one thousand two hundred nineteen 184  
dollars. 185

(F) Permit D-5f may be issued to the owner or operator of a 186  
retail food establishment or a food service operation licensed 187  
under Chapter 3717. of the Revised Code that operates as a 188  
restaurant for purposes of this chapter and that meets all of the 189  
following: 190

(1) It contains not less than twenty-five hundred square feet 191  
of floor area. 192

(2) It is located on or in, or immediately adjacent to, the 193  
shoreline of, a navigable river. 194

(3) It provides docking space for twenty-five boats. 195

(4) It provides entertainment and recreation, provided that 196  
not less than fifty per cent of the business on the permit 197  
premises shall be preparing and serving meals for a consideration. 198

In addition, each application for a D-5f permit shall be 199  
accompanied by a certification from the local legislative 200  
authority that the issuance of the D-5f permit is not inconsistent 201  
with that political subdivision's comprehensive development plan 202  
or other economic development goal as officially established by 203  
the local legislative authority. 204

The holder of a D-5f permit may sell beer and intoxicating 205

liquor at retail, only by the individual drink in glass and from 206  
the container, for consumption on the premises where sold. 207

A D-5f permit shall not be transferred to another location. 208

The division of liquor control shall not issue a D-5f permit 209  
if the permit premises or proposed permit premises are located 210  
within an area in which the sale of spirituous liquor by the glass 211  
is prohibited. 212

A fee for this permit is two thousand three hundred 213  
forty-four dollars. 214

As used in this division, "navigable river" means a river 215  
that is also a "navigable water" as defined in the "Federal Power 216  
Act," 94 Stat. 770 (1980), 16 U.S.C. 796. 217

(G) Permit D-5g may be issued to a nonprofit corporation that 218  
is either the owner or the operator of a national professional 219  
sports museum. The holder of a D-5g permit may sell beer and any 220  
intoxicating liquor at retail, only by the individual drink in 221  
glass and from the container, for consumption on the premises 222  
where sold. The holder of a D-5g permit shall sell no beer or 223  
intoxicating liquor for consumption on the premises where sold 224  
after two-thirty a.m. A D-5g permit shall not be transferred to 225  
another location. No quota restrictions shall be placed on the 226  
number of D-5g permits that may be issued. The fee for this permit 227  
is one thousand eight hundred seventy-five dollars. 228

(H)(1) Permit D-5h may be issued to any nonprofit 229  
organization that is exempt from federal income taxation under the 230  
"Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 231  
501(c)(3), as amended, that owns or operates any of the following: 232

(a) A fine arts museum, provided that the nonprofit 233  
organization has no less than one thousand five hundred bona fide 234  
members possessing full membership privileges; 235



(b) A community arts center. As used in division (H)(1)(b) of 236  
this section, "community arts center" means a facility that 237  
provides arts programming to the community in more than one arts 238  
discipline, including, but not limited to, exhibits of works of 239  
art and performances by both professional and amateur artists. 240

(c) A community theater, provided that the nonprofit 241  
organization is a member of the Ohio arts council and the American 242  
community theatre association and has been in existence for not 243  
less than ten years. As used in division (H)(1)(c) of this 244  
section, "community theater" means a facility that contains at 245  
least one hundred fifty seats and has a primary function of 246  
presenting live theatrical performances and providing recreational 247  
opportunities to the community. 248

(2) The holder of a D-5h permit may sell beer and any 249  
intoxicating liquor at retail, only by the individual drink in 250  
glass and from the container, for consumption on the premises 251  
where sold. The holder of a D-5h permit shall sell no beer or 252  
intoxicating liquor for consumption on the premises where sold 253  
after one a.m. A D-5h permit shall not be transferred to another 254  
location. No quota restrictions shall be placed on the number of 255  
D-5h permits that may be issued. 256

(3) The fee for a D-5h permit is one thousand eight hundred 257  
seventy-five dollars. 258

(I) Permit D-5i may be issued to the owner or operator of a 259  
retail food establishment or a food service operation licensed 260  
under Chapter 3717. of the Revised Code that operates as a 261  
restaurant for purposes of this chapter and that meets all of the 262  
following requirements: 263

(1) It is located in a municipal corporation or a township 264  
with a population of one hundred thousand or less. 265

(2) It has inside seating capacity for at least one hundred 266

forty persons.	267
(3) It has at least four thousand square feet of floor area.	268
(4) It offers full-course meals, appetizers, and sandwiches.	269
(5) Its receipts from beer and liquor sales, excluding wine sales, do not exceed twenty-five per cent of its total gross receipts.	270 271 272
(6) It has at least one of the following characteristics:	273
(a) The value of its real and personal property exceeds seven hundred twenty-five thousand dollars.	274 275
(b) It is located on property that is owned or leased by the state or a state agency, and its owner or operator has authorization from the state or the state agency that owns or leases the property to obtain a D-5i permit.	276 277 278 279
The holder of a D-5i 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. The holder of a D-5i permit shall sell no beer or intoxicating liquor for consumption on the premises where sold after two-thirty a.m. In addition to the privileges authorized in this division, the holder of a D-5i permit may exercise the same privileges as the holder of a D-5 permit.	280 281 282 283 284 285 286 287 288 289 290
A D-5i permit shall not be transferred to another location. The division of liquor control shall not renew a D-5i permit unless the retail food establishment or food service operation for which it is issued continues to meet the requirements described in divisions (I)(1) to (6) of this section. No quota restrictions shall be placed on the number of D-5i permits that may be issued.	291 292 293 294 295 296

The fee for the D-5i permit is two thousand three hundred 297  
forty-four dollars. 298

(J) Permit D-5j may be issued to the owner or the operator of 299  
a retail food establishment or a food service operation licensed 300  
under Chapter 3717. of the Revised Code to sell beer and 301  
intoxicating liquor at retail, only by the individual drink in 302  
glass and from the container, for consumption on the premises 303  
where sold and to sell beer and intoxicating liquor in the same 304  
manner and amounts not for consumption on the premises where sold 305  
as may be sold by the holders of D-1 and D-2 permits. The holder 306  
of a D-5j permit may exercise the same privileges, and shall 307  
observe the same hours of operation, as the holder of a D-5 308  
permit. 309

The D-5j permit shall be issued only within a community 310  
entertainment district that is designated under section 4301.80 of 311  
the Revised Code and that meets one of the following 312  
qualifications: 313

(1) It is located in a municipal corporation with a 314  
population of at least one hundred thousand. 315

(2) It is located in a municipal corporation with a 316  
population of at least twenty thousand, and either of the 317  
following applies: 318

(a) It contains an amusement park the rides of which have 319  
been issued a permit by the department of agriculture under 320  
Chapter 1711. of the Revised Code. 321

(b) Not less than fifty million dollars will be invested in 322  
development and construction in the community entertainment 323  
district's area located in the municipal corporation. 324

(3) It is located in a township with a population of at least 325  
forty thousand. 326

(4) It is located in a township with a population of at least 327  
twenty thousand, and not less than seventy million dollars will be 328  
invested in development and construction in the community 329  
entertainment district's area located in the township. 330

(5) It is located in a municipal corporation with a 331  
population between ten thousand and twenty thousand, and both of 332  
the following apply: 333

(a) The municipal corporation was incorporated as a village 334  
prior to calendar year 1840 and currently has a historic downtown 335  
business district. 336

(b) The municipal corporation is located in the same county 337  
as another municipal corporation with at least one community 338  
entertainment district. 339

(6) It is located in a municipal corporation with a 340  
population of at least ten thousand, and not less than seventy 341  
million dollars will be invested in development and construction 342  
in the community entertainment district's area located in the 343  
municipal corporation. 344

(7) It is located in a municipal corporation with a 345  
population of at least five thousand, and not less than one 346  
hundred million dollars will be invested in development and 347  
construction in the community entertainment district's area 348  
located in the municipal corporation. 349

The location of a D-5j permit may be transferred only within 350  
the geographic boundaries of the community entertainment district 351  
in which it was issued and shall not be transferred outside the 352  
geographic boundaries of that district. 353

Not more than one D-5j permit shall be issued within each 354  
community entertainment district for each five acres of land 355  
located within the district. Not more than fifteen D-5j permits 356  
may be issued within a single community entertainment district. 357

Except as otherwise provided in division (J)(4) of this section, 358  
no quota restrictions shall be placed upon the number of D-5j 359  
permits that may be issued. 360

The fee for a D-5j permit is two thousand three hundred 361  
forty-four dollars. 362

(K)(1) Permit D-5k may be issued to any nonprofit 363  
organization that is exempt from federal income taxation under the 364  
"Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 365  
501(c)(3), as amended, that is the owner or operator of a 366  
botanical garden recognized by the American association of 367  
botanical gardens and arboreta, and that has not less than 368  
twenty-five hundred bona fide members. 369

(2) The holder of a D-5k permit may sell beer and any 370  
intoxicating liquor at retail, only by the individual drink in 371  
glass and from the container, on the premises where sold. 372

(3) The holder of a D-5k permit shall sell no beer or 373  
intoxicating liquor for consumption on the premises where sold 374  
after one a.m. 375

(4) A D-5k permit shall not be transferred to another 376  
location. 377

(5) No quota restrictions shall be placed on the number of 378  
D-5k permits that may be issued. 379

(6) The fee for the D-5k permit is one thousand eight hundred 380  
seventy-five dollars. 381

(L)(1) Permit D-5l may be issued to the owner or the operator 382  
of a retail food establishment or a food service operation 383  
licensed under Chapter 3717. of the Revised Code to sell beer and 384  
intoxicating liquor at retail, only by the individual drink in 385  
glass and from the container, for consumption on the premises 386  
where sold and to sell beer and intoxicating liquor in the same 387

manner and amounts not for consumption on the premises where sold 388  
as may be sold by the holders of D-1 and D-2 permits. The holder 389  
of a D-51 permit may exercise the same privileges, and shall 390  
observe the same hours of operation, as the holder of a D-5 391  
permit. 392

(2) The D-51 permit shall be issued only to a premises ~~that~~ 393  
to which all of the following apply: 394

(a) The premises has gross annual receipts from the sale of 395  
food and meals that constitute not less than seventy-five per cent 396  
of its total gross annual receipts, ~~that.~~ 397

(b) The premises is located within a revitalization district 398  
that is designated under section 4301.81 of the Revised Code, ~~that.~~ 399  
~~that.~~ 400

(c) The premises is located in a municipal corporation or 401  
township in which the number of D-5 permits issued equals or 402  
exceeds the number of those permits that may be issued in that 403  
municipal corporation or township under section 4303.29 of the 404  
Revised Code, ~~and that.~~ 405

(d) The premises meets either of the following 406  
qualifications: 407

(i) It is located in a county with a population of one 408  
hundred twenty-five thousand or less according to the population 409  
estimates certified by the department of development for calendar 410  
year 2006. 411

(ii) It is located in the municipal corporation that has the 412  
largest population in a county when the county has a population 413  
between two hundred fifteen thousand and two hundred twenty-five 414  
thousand according to the population estimates certified by the 415  
department for calendar year 2006. Division (L)(2)(b) of this 416  
section applies only to a municipal corporation that is wholly 417  
located in a county. 418

(3) The location of a D-5l permit may be transferred only 419  
within the geographic boundaries of the revitalization district in 420  
which it was issued and shall not be transferred outside the 421  
geographic boundaries of that district. 422

(4) Not more than one D-5l permit shall be issued within each 423  
revitalization district for each five acres of land located within 424  
the district. Not more than fifteen D-5l permits may be issued 425  
within a single revitalization district. Except as otherwise 426  
provided in division (L)(4) of this section, no quota restrictions 427  
shall be placed upon the number of D-5l permits that may be 428  
issued. 429

(5) No D-5l permit shall be issued to an adult entertainment 430  
establishment as defined in section 2907.39 of the Revised Code. 431

(6) The fee for a D-5l permit is two thousand three hundred 432  
forty-four dollars. 433

(M) Permit D-5m may be issued to either the owner or the 434  
operator of a retail food establishment or food service operation 435  
licensed under Chapter 3717. of the Revised Code that operates as 436  
a restaurant for purposes of this chapter and that is located in, 437  
or affiliated with, a center for the preservation of wild animals 438  
as defined in section 4301.404 of the Revised Code, to sell beer 439  
and any intoxicating liquor at retail, only by the glass and from 440  
the container, for consumption on the premises where sold, and to 441  
sell the same products in the same manner and amounts not for 442  
consumption on the premises as may be sold by the holders of D-1 443  
and D-2 permits. In addition to the privileges authorized by this 444  
division, the holder of a D-5m permit may exercise the same 445  
privileges as the holder of a D-5 permit. 446

A D-5m permit shall not be transferred to another location. 447  
No quota restrictions shall be placed on the number of D-5m 448  
permits that may be issued. The fee for a permit D-5m is two 449

thousand three hundred forty-four dollars. 450

(N) Permit D-5n shall be issued to either a casino operator 451  
or a casino management company licensed under Chapter 3772. of the 452  
Revised Code that operates a casino facility under that chapter, 453  
to sell beer and any intoxicating liquor at retail, only by the 454  
individual drink in glass and from the container, for consumption 455  
on the premises where sold, and to sell the same products in the 456  
same manner and amounts not for consumption on the premises as may 457  
be sold by the holders of D-1 and D-2 permits. In addition to the 458  
privileges authorized by this division, the holder of a D-5n 459  
permit may exercise the same privileges as the holder of a D-5 460  
permit. A D-5n permit shall not be transferred to another 461  
location. Only one D-5n permit may be issued per casino facility 462  
and not more than four D-5n permits shall be issued in this state. 463  
The fee for a permit D-5n shall be twenty thousand dollars. The 464  
holder of a D-5n permit may conduct casino gaming on the permit 465  
premises notwithstanding any provision of the Revised Code or 466  
Administrative Code. 467

(O) Permit D-5o may be issued to the owner or operator of a 468  
retail food establishment or a food service operation licensed 469  
under Chapter 3717. of the Revised Code that operates as a 470  
restaurant for purposes of this chapter and that is located within 471  
a casino facility for which a D-5n permit has been issued. The 472  
holder of a D-5o permit may sell beer and any intoxicating liquor 473  
at retail, only by the individual drink in glass and from the 474  
container, for consumption on the premises where sold, and may 475  
sell the same products in the same manner and amounts not for 476  
consumption on the premises where sold as may be sold by the 477  
holders of D-1 and D-2 permits. In addition to the privileges 478  
authorized by this division, the holder of a D-5o permit may 479  
exercise the same privileges as the holder of a D-5 permit. A D-5o 480  
permit shall not be transferred to another location. No quota 481



restrictions shall be placed on the number of such permits that 482  
may be issued. The fee for this permit is two thousand three 483  
hundred forty-four dollars. 484

**Section 2.** That existing section 4303.181 of the Revised Code 485  
is hereby repealed. 486