



*Phil Mullin*

## ***Bill Analysis***

*Legislative Service Commission*

### **S.B. 150**

127th General Assembly  
(As Passed by the Senate)

**Sens. Roberts, Fedor, Bocchieri, D. Miller, Kearney, Schuler, Austria, Cafaro, Cates, Clancy, Faber, Gardner, Grendell, Harris, Mason, Morano, Niehaus, Padgett, Sawyer, Schuring, Spada, Stivers, Wilson, Carey**

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### **BILL SUMMARY**

- Authorizes liquor permit holders to accept military identification cards as proof of a purchaser's age in order to qualify for an affirmative defense to a violation of the liquor law in which age is an element.
- Requires a driver's or commercial driver's license, identification card issued under the Driver's License Law, or military identification card that is used to show proof of a purchaser's age to display a picture of the individual for whom the license or card was issued.
- Requires the Division of Liquor Control to provide retail permit holders with a notice of permissible forms of identification for purposes of qualifying for the affirmative defense.

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### **CONTENT AND OPERATION**

Under current law, no permit holder, agent or employee of a permit holder, or any other person may be found guilty of a violation of the Liquor Control Law or any rule of the Liquor Control Commission in which age is an element of the offense if the Commission or any court of record finds that certain conditions are met. One of those conditions is that the person buying, at the time of so doing, exhibited to the permit holder, the agent, or employee of the permit holder, or the other person a driver's license or commercial driver's license or an identification card issued under the Driver's License Law showing that the person buying was then at least 21 years of age if the person was buying beer or intoxicating liquor or

that the person was then at least 18 years of age if the person was buying any low-alcohol beverage.<sup>1</sup>

The bill modifies the above condition by specifying that a person buying, at the time of so doing, as an alternative to exhibiting a driver's or commercial driver's license or identification card, also may exhibit to the permit holder, the agent or employee of the permit holder, or the other person a military identification card issued by the United States Department of Defense. In addition, the bill requires the driver's or commercial driver's license, identification card, or military identification card to display a picture of the individual for whom the license or card was issued.<sup>2</sup> The bill retains the requirement that the license or card show that the person buying was then at least 21 years of age if the person was buying beer or intoxicating liquor or that the person was then at least 18 years of age if the person was buying any low-alcohol beverage and applies the requirement to military identification cards. (Sec. 4301.639(A)(1).)

Under the bill, the Division of Liquor Control must notify all holders of retail permits of the forms of permissible identification for the purposes of qualifying for an affirmative defense under the bill not later than 90 days after the bill's effective date (sec. 4301.10(A)(10) and Section 3).

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## HISTORY

ACTION	DATE
Introduced	04-24-07
Reported, S. Agriculture	06-20-07
Passed Senate (32-0)	06-27-07

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<sup>1</sup> "Beer" includes all beverages brewed or fermented wholly or in part from malt products and containing one-half of 1% or more, but not more than 12%, of alcohol by volume. "Intoxicating liquor" is wine, mixed beverages, and spirituous liquor. "Spirituous liquor" is defined to include all intoxicating liquors containing more than 21% of alcohol by volume. (Sec. 4301.01, not in the bill.)

<sup>2</sup> Current law requires that a driver's license, commercial driver's license, and identification card contain a photograph of the license or card holder (R.C. 4506.11(A)(2), 4507.13, and 4507.52).