



Ohio Legislative Service Commission

Bill Analysis

David M. Gold

H.B. 203

128th General Assembly
(As Introduced)

Reps. Bubp and, Martin, J. Adams, Amstutz, Blair, Combs, Hall, Huffman, Jones, Jordan, Maag, McGregor, Sears, Snitchler, Uecker, Wachtmann, Wagner, Zehringer

BILL SUMMARY

- Allows a person who is neither consuming liquor nor under the influence of alcohol or a drug of abuse and who is carrying a valid concealed-carry license to carry a concealed handgun in a retail food establishment or food service operation that has any class liquor permit.
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CONTENT AND OPERATION

Concealed carry in retail food establishment or food service operation that has liquor permit

Existing law generally prohibits a person from possessing a firearm in any room in which any person is consuming liquor on premises for which the Liquor Control Commission has issued a D permit or in an open air arena for which the Commission has issued a D permit. (Most types of D permits are issued to establishments where beer, wine, or spirituous liquor is sold for consumption on the premises, although some types authorize the sale of beer, wine, or certain prepackaged drinks in sealed containers for carryout.) However, there are various exceptions to the prohibition. One exception is for a person who (1) is neither consuming liquor nor under the influence of alcohol or a drug of abuse, (2) is carrying a valid license or temporary emergency license to carry a concealed handgun issued in Ohio or a license to carry a concealed handgun that was issued by another state with which the Attorney General has entered into a reciprocity agreement, and (3) possesses the firearm in a retail store with D-6 and D-8 liquor permits or a D-8 liquor permit. A D-6 permit authorizes the holder of any of various types of liquor permits to sell intoxicating liquor on Sunday between 10:00 a.m. and midnight or between 1:00 p.m. and midnight, depending on which hours are applicable in the permit holder's precinct. A D-8 permit authorizes the holder of a

liquor permit for retail store carryout to sell tasting samples of beer, wine, and mixed beverages, but not spirituous liquor, at retail for consumption on the store's premises in an amount not to exceed two ounces or another amount designated by rule of the Liquor Control Commission. (R.C. 2923.121(A) and (B)(1)(e), 4303.182(A), and 4303.184(C).)

The bill expands the exception described above to allow a person who is neither consuming liquor nor under the influence of alcohol or a drug of abuse and who is carrying a valid license, temporary emergency license, or reciprocity license to carry a concealed handgun in a retail food establishment or food service operation that has any class liquor permit. The bill, by reference to R.C. 3717.01, defines "retail food establishment" as a premises or part of a premises where food is stored, processed, prepared, manufactured, or otherwise held or handled for retail sale (that is, sale to the ultimate consumer) and defines "food service operation" as a place, location, site, or separate area where food intended to be served in individual portions is prepared or served for a charge or required donation. (R.C. 2923.121(B)(1)(e) and (F).)

HISTORY

ACTION	DATE
Introduced	06-02-09

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