

H. B. No. 160
As Passed by the House

_____ moved to amend as follows:

In line 2 of the title, after "cream" insert ", to expand the sales 1
area of liquor permit premises, and to declare an emergency" 2

After line 74, insert: 3

"Section 3. (A) As used in this section: 4

(1) "Alcoholic beverage" means beer, wine, mixed 5
beverages, or spirituous liquor as those terms are defined in 6
section 4301.01 of the Revised Code. 7

(2) "Personal consumer" means an individual who is at 8
least twenty-one years of age and intends to use a purchased 9
alcoholic beverage for personal consumption only and not for 10
resale or other commercial purposes. 11

(3) "Retail permit holder" means an A-1-A, A-1c, A-2, A- 12
2f, A-3a, or D class permit holder under Chapter 4303. of the 13
Revised Code. 14

(B) (1) Notwithstanding any other provision of law to the 15
contrary and in addition to areas in which a retail permit 16
holder is authorized to sell alcoholic beverages under the 17



retail permit holder's permit, a retail permit holder may sell 18
alcoholic beverages by the individual drink for consumption as 19
follows: 20

(a) In any area of the retail permit holder's property in 21
which sales are not currently authorized and that is outdoors, 22
including the retail permit holder's parking area; 23

(b) In any outdoor area of public property that is 24
immediately adjacent to the retail permit holder's premises, 25
provided that the permit holder obtains written consent in 26
accordance with division (C) of this section; 27

(c) In any outdoor area of private property that is 28
immediately adjacent to the retail permit holder's premises, 29
provided that the permit holder obtains the written consent of 30
the owner of the private property. 31

(2) If a retail permit holder sells alcoholic beverages in 32
an outdoor area, the retail permit holder shall clearly 33
delineate the area where personal consumers may consume 34
alcoholic beverages. 35

(C) For purposes of division (B) (1) (b) of this section, a 36
retail permit holder shall obtain the written consent of either 37
of the following: 38

(1) If the public property is located in a municipal 39
corporation, the executive officer of the municipal corporation 40
or the executive officer's designee. If the executive officer or 41
the executive officer's designee denies consent, the retail 42
permit holder may appeal the denial to the legislative authority 43
of the municipal corporation. The legislative authority may 44
adopt a resolution requesting the executive officer to 45
reconsider the executive officer's denial. 46

(2) If the public property is located in the 47
unincorporated area of a township, the fiscal officer of the 48
township or the fiscal officer's designee. If the fiscal officer 49
or the fiscal officer's designee denies consent, the retail 50
permit holder may appeal the denial to the legislative authority 51
of the township. The legislative authority may adopt a 52
resolution consenting to the sale of alcoholic beverages. 53

(D) Section 4301.62 of the Revised Code does not apply to 54
the consumption of an alcoholic beverage in an outdoor area 55
described in division (B)(1) of this section. 56

(E) A retail permit holder that sells alcoholic beverages 57
by the individual drink in an outdoor area under division (B)(1) 58
of this section shall notify the Division of Liquor Control of 59
the areas that the retail permit holder is selling the alcoholic 60
beverages. 61

(F) This section shall be operative during the period of 62
the emergency declared by Executive Order 2020-01D, issued on 63
March 9, 2020, but not beyond December 1, 2020, if the period of 64
the emergency continues beyond that date. 65

Section 4. This act is hereby declared to be an emergency 66
measure necessary for the immediate preservation of the public 67
peace, health, and safety. The reason for such necessity is to 68
provide economic relief to liquor permit holders as a result of 69
the COVID-19 outbreak. Therefore, this act shall go into 70
immediate effect." 71

The motion was _____ agreed to.

SYNOPSIS

	72
Expansion of sales area of liquor permit premises	73
Sections 3 and 4	74
Expands a retail permit holder's authority to sell	75
alcoholic beverages by the individual drink for on-premises	76
consumption as follows:	77
--In any area of the retail permit holder's property in	78
which sales are not currently authorized and that is outdoors,	79
including the retail permit holder's parking area;	80
--In any outdoor area of public property that is	81
immediately adjacent to the retail permit holder's premises, if	82
the permit holder obtains written consent from the appropriate	83
municipal corporation or township that owns the property;	84
--In any outdoor area of private property that is	85
immediately adjacent to the retail permit holder's premises, if	86
the permit holder obtains the written consent of the owner of	87
the private property.	88
Establishes a process for a municipal corporation or	89
township to provide written consent to a liquor permit holder.	90
Specifies that the bill's provisions governing expansion	91
of sales area of liquor permit premises is operative during the	92
period of the emergency declared by Executive Order 2020-01D,	93
issued on March 9, 2020, but not beyond December 1, 2020.	94
Requires a retail permit holder that sells alcoholic	95
beverages by the individual drink in an outdoor area under the	96
bill to notify the Division of Liquor Control of the areas that	97
the retail permit holder is selling the alcoholic beverages.	98

Declares an emergency.

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