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OHIO LEGISLATIVE SERVICE COMMISSION

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H.B. 219
133rd General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsors: Reps. Becker and Hoops

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SUMMARY

- Eliminates statutory limitations on Sunday sales of alcohol.
- Authorizes a retail liquor permit holder (A-1-A, A-2, A-2f, A-3a, E, or class C, D, or F liquor permit) or an agency store to sell beer or intoxicating liquor on Sunday during the same hours that the permit holder or contract holder may sell those products on Monday through Saturday.
- Eliminates local option elections concerning Sunday sales of beer or intoxicating liquor.
- Eliminates the D-6 liquor permit, which allows a retail liquor permit holder to sell beer or intoxicating liquor on Sunday between 10 a.m. or 11 a.m. and midnight.
- Eliminates authority of the Liquor Control Commission to adopt rules for sales of beer and intoxicating liquor on holidays.

DETAILED ANALYSIS

Background

Generally, a retail liquor permit holder (A-1-A, A-2, A-2f, A-3a, E, or class C, D, or F liquor permit, see "**Appendix**," below) only may sell beer and intoxicating liquor for on- or off-premises consumption on Sunday if:

1. The permit holder is authorized to do so by a local option election; and
2. For sales of intoxicating liquor, the permit holder is issued a D-6 liquor permit. Intoxicating liquor includes wine, mixed beverages, and spirituous liquor.

The D-6 permit allows a retail liquor permit holder to sell wine, mixed beverages, or spirituous liquor on Sunday between 10 a.m. or 11 a.m. and midnight. The D-6 permit is not required for the sale of beer on Sunday.

On Monday through Saturday, a retail liquor permit holder generally may sell beer and intoxicating liquor between 5:30 a.m. and 1:00 a.m. or 2:30 a.m., dependent on the type of permit. An agency store may sell spirituous liquor during hours specified in the store's contract with the Division of Liquor Control. According to a spokesperson for the Division, the agency store's hours of sale are generally authorized between 9 a.m. and 11 p.m. each day.

Sunday sales of alcohol

The bill eliminates statutory limitations on Sunday sales of beer and intoxicating liquor and, as a result, does all of the following:

1. Authorizes a retail liquor permit holder or an agency store to sell beer, wine, mixed beverages, or spirituous liquor on Sunday during the same hours that the permit holder or contract holder may sell those products on Monday through Saturday;
2. Eliminates local option elections authorizing Sunday sales of beer, wine, mixed beverages, or spirituous liquor; and
3. Eliminates the D-6 liquor permit.¹

Sales of alcohol on holidays

The bill eliminates the authority of the Liquor Control Commission to adopt rules for sales of beer and intoxicating liquor on holidays.² According to a spokesperson for the Division of Liquor Control, there have not been any rules for sales of beer and intoxicating liquor on holidays for at least ten years.

APPENDIX

Type of liquor permit	To whom a permit is issued
A-1-A	Brewery, winery, farm winery, or micro-distillery that operates a restaurant on or near the brewery, winery, or distillery
A-2	Winery
A-2f	Farm winery
A-3a	Micro-distillery

¹ R.C. 4303.182 (repealed and reenacted); makes conforming changes to R.C. 4301.03, 4301.22, 4301.24, 4301.32, 4301.322, 4301.33, 4301.332, 4301.333, 4301.334, 4301.351 (repealed), 4301.353, 4301.354 (repealed), 4301.355, 4301.356, 4301.361 (repealed), 4301.362, 4301.364 (repealed), 4301.365, 4301.366, 4301.37, 4301.39, 4301.403, 4301.404, 4301.99, 4303.184, 4303.19, 4303.202, 4303.203, 4303.204, 4303.205, 4303.30, and 4303.99.

² R.C. 4301.03(l).

Type of liquor permit	To whom a permit is issued
E	Railroad car or airline for on-premises consumption on car or aircraft
Class C	Generally convenience or grocery stores for off-premises consumption
Class D	Generally bars and restaurant/bars for the sale of beer or intoxicating liquor for on-premises consumption
Class F	Organizations that operate festivals that have a short duration to sell beer or intoxicating liquor

HISTORY

Action	Date
Introduced	04-24-19
