

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**H. B. No. 783**

**Representatives Becker, DeVitis**

**Cosponsors: Representatives Ramos, Lang, Hoops, Brinkman**

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**A BILL**

To amend sections 4301.22, 4301.24, 4301.32, 1  
4301.322, 4301.33, 4301.332, 4301.333, 4301.334, 2  
4301.353, 4301.355, 4301.356, 4301.362, 3  
4301.365, 4301.366, 4301.37, 4301.39, 4301.403, 4  
4301.404, 4301.99, 4303.184, 4303.19, 4303.202, 5  
4303.203, 4303.204, 4303.205, 4303.30, and 6  
4303.99, to enact new section 4303.182, and to 7  
repeal sections 4301.351, 4301.354, 4301.361, 8  
4301.364, and 4303.182 of the Revised Code to 9  
authorize sales of beer and intoxicating liquor 10  
on Sunday for liquor permit holders and liquor 11  
agency stores, and to eliminate provisions of 12  
law governing local option elections for such 13  
Sunday sales, and to name the bill the "Sunday 14  
Alcohol, Liquor, and Especially Spirits Act." 15

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

**Section 1.** That sections 4301.22, 4301.24, 4301.32, 16  
4301.322, 4301.33, 4301.332, 4301.333, 4301.334, 4301.353, 17  
4301.355, 4301.356, 4301.362, 4301.365, 4301.366, 4301.37, 18  
4301.39, 4301.403, 4301.404, 4301.99, 4303.184, 4303.19, 19

4303.202, 4303.203, 4303.204, 4303.205, 4303.30, and 4303.99 be 20  
amended and new section 4303.182 of the Revised Code be enacted 21  
to read as follows: 22

**Sec. 4301.22.** Sales of beer and intoxicating liquor under 23  
all classes of permits and from state liquor stores are subject 24  
to the following restrictions, in addition to those imposed by 25  
the rules or orders of the division of liquor control: 26

(A) (1) Except as otherwise provided in this chapter, no 27  
beer or intoxicating liquor shall be sold to any person under 28  
twenty-one years of age. 29

(2) No low-alcohol beverage shall be sold to any person 30  
under eighteen years of age. No permit issued by the division 31  
shall be suspended, revoked, or canceled because of a violation 32  
of division (A) (2) of this section. 33

(3) No intoxicating liquor shall be handled by any person 34  
under twenty-one years of age, except that a person eighteen 35  
years of age or older employed by a permit holder may handle or 36  
sell beer or intoxicating liquor in sealed containers in 37  
connection with wholesale or retail sales, and any person 38  
nineteen years of age or older employed by a permit holder may 39  
handle intoxicating liquor in open containers when acting in the 40  
capacity of a server in a hotel, restaurant, club, or night 41  
club, as defined in division (B) of section 4301.01 of the 42  
Revised Code, or in the premises of a D-7 permit holder. This 43  
section does not authorize persons under twenty-one years of age 44  
to sell intoxicating liquor across a bar. Any person employed by 45  
a permit holder may handle beer or intoxicating liquor in sealed 46  
containers in connection with manufacturing, storage, 47  
warehousing, placement, stocking, bagging, loading, or 48  
unloading, and may handle beer or intoxicating liquor in open 49

containers in connection with cleaning tables or handling empty 50  
bottles or glasses. 51

(B) No permit holder and no agent or employee of a permit 52  
holder shall sell or furnish beer or intoxicating liquor to an 53  
intoxicated person. 54

~~(C) No sales of intoxicating liquor shall be made after 55  
two thirty a.m. on Sunday except under either of the following 56  
circumstances: 57~~

~~(1) Intoxicating liquor may be sold on Sunday under 58  
authority of a permit that authorizes Sunday sale. 59~~

~~(2) Spirituous liquor may be sold on Sunday by any person 60  
awarded an agency contract under section 4301.17 of the Revised 61  
Code if the sale of spirituous liquor is authorized in the 62  
applicable precinct as the result of an election on question (B) 63  
(1) or (2) of section 4301.351 of the Revised Code and if the 64  
agency contract authorizes the sale of spirituous liquor on 65  
Sunday. 66~~

~~This section does not prevent a municipal corporation from 67  
adopting a closing hour for the sale of intoxicating liquor 68  
earlier than two thirty a.m. on Sunday or to provide that no 69  
intoxicating liquor may be sold prior to that hour on Sunday. 70~~

~~(D) No holder of a permit shall give away any beer or 71  
intoxicating liquor of any kind at any time in connection with 72  
the permit holder's business. However, with the exception of an 73  
A-1-A permit holder that also has been issued an A-2 or A-2f 74  
permit, an A-1-A, A-1c, or D permit holder may provide to a 75  
paying customer not more than a total of four tasting samples of 76  
beer, wine, or spirituous liquor, as authorized by the 77  
applicable permit, in any twenty-four-hour period. The permit 78~~

holder shall provide the tasting samples free of charge, at the 79  
permit holder's expense, only to a person who is twenty-one 80  
years of age or older. The person shall consume the tasting 81  
samples on the premises of the permit holder. A distributor is 82  
not responsible for the costs of providing tasting samples 83  
authorized under division ~~(D)~~(C) of this section. 84

As used in division ~~(D)~~(C) of this section: 85

(1) "Tasting sample" means one of the following, as 86  
applicable: 87

(a) An amount not to exceed two ounces of beer; 88

(b) An amount not to exceed two ounces of wine; 89

(c) An amount not to exceed a quarter ounce of spirituous 90  
liquor. 91

(2) "D permit holder" means a person that has been issued 92  
a D-1, D-2, D-2x, D-3, D-3a, D-3x, D-4, D-5, D-5a, D-5c, D-5d, 93  
D-5e, D-5f, D-5g, D-5h, D-5i, D-5j, D-5k, D-5l, D-5m, D-5n, D- 94  
5o, ~~D-6~~, or D-7 permit. 95

~~(E)~~(D) Except as otherwise provided in this division, no 96  
retail permit holder shall display or permit the display on the 97  
outside of any licensed retail premises, or on any lot of ground 98  
on which the licensed premises are situated, or on the exterior 99  
of any building of which the licensed premises are a part, any 100  
sign, illustration, or advertisement bearing the name, brand 101  
name, trade name, trade-mark, designation, or other emblem of or 102  
indicating the manufacturer, producer, distributor, place of 103  
manufacture, production, or distribution of any beer or 104  
intoxicating liquor. Signs, illustrations, or advertisements 105  
bearing the name, brand name, trade name, trade-mark, 106  
designation, or other emblem of or indicating the manufacturer, 107

producer, distributor, place of manufacture, production, or 108  
distribution of beer or intoxicating liquor may be displayed and 109  
permitted to be displayed on the interior or in the show windows 110  
of any licensed premises, if the particular brand or type of 111  
product so advertised is actually available for sale on the 112  
premises at the time of that display. The liquor control 113  
commission shall determine by rule the size and character of 114  
those signs, illustrations, or advertisements. 115

~~(F)~~ (E) No retail permit holder shall possess on the 116  
licensed premises any barrel or other container from which beer 117  
is drawn, unless there is attached to the spigot or other 118  
dispensing apparatus the name of the manufacturer of the product 119  
contained in the barrel or other container, provided that, if 120  
the beer is served at a bar, the manufacturer's name or brand 121  
shall appear in full view of the purchaser. The commission shall 122  
regulate the size and character of the devices provided for in 123  
this section. 124

~~(G)~~ (F) Except as otherwise provided in this division, no 125  
sale of any gift certificate shall be permitted whereby beer or 126  
intoxicating liquor of any kind is to be exchanged for the 127  
certificate, unless the gift certificate can be exchanged only 128  
for food, and beer or intoxicating liquor, for on-premises 129  
consumption and the value of the beer or intoxicating liquor for 130  
which the certificate can be exchanged does not exceed more than 131  
thirty per cent of the total value of the gift certificate. The 132  
sale of gift certificates for the purchase of beer, wine, or 133  
mixed beverages shall be permitted for the purchase of beer, 134  
wine, or mixed beverages for off-premises consumption. 135  
Limitations on the use of a gift certificate for the purchase of 136  
beer, wine, or mixed beverages for off-premises consumption may 137  
be expressed by clearly stamping or typing on the face of the 138

certificate that the certificate may not be used for the 139  
purchase of beer, wine, or mixed beverages. 140

**Sec. 4301.24.** (A) Except as provided in section 4301.242 141  
of the Revised Code, no manufacturer shall aid or assist the 142  
holder of any permit for sale at wholesale, and no manufacturer 143  
or wholesale distributor shall aid or assist the holder of any 144  
permit for sale at retail, by gift or loan of any money or 145  
property of any description or other valuable thing, or by 146  
giving premiums or rebates. Except as provided in section 147  
4301.242 of the Revised Code, no holder of any such permit shall 148  
accept the same, provided that the manufacturer or wholesale 149  
distributor may furnish to a retail permittee the inside signs 150  
or advertising and the tap signs or devices authorized by 151  
divisions ~~(E)~~(D) and ~~(F)~~(E) of section 4301.22 of the Revised 152  
Code. 153

(B) No manufacturer shall have any financial interest, 154  
directly or indirectly, by stock ownership, or through 155  
interlocking directors in a corporation, or otherwise, in the 156  
establishment, maintenance, or promotion in the business of any 157  
wholesale distributor. No retail permit holder shall have any 158  
interest, directly or indirectly, in the operation of, or any 159  
ownership in, the business of any wholesale distributor or 160  
manufacturer. 161

(C) (1) No manufacturer shall, except as authorized by 162  
section 4303.021 of the Revised Code, have any financial 163  
interest, directly or indirectly, by stock ownership, or through 164  
interlocking directors in a corporation, or otherwise, in the 165  
establishment, maintenance, or promotion of the business of any 166  
retail dealer. No wholesale distributor or employee of a 167  
wholesale distributor shall have any financial interest, 168

directly or indirectly, by stock ownership, interlocking 169  
directors in a corporation, or otherwise, in the establishment, 170  
maintenance, or promotion of the business of any retail dealer. 171  
No manufacturer or wholesale distributor or any stockholder of a 172  
manufacturer or wholesale distributor shall acquire, by 173  
ownership in fee, leasehold, mortgage, or otherwise, directly or 174  
indirectly, any interest in the premises on which the business 175  
of any other person engaged in the business of trafficking in 176  
beer or intoxicating liquor is conducted. 177

(2) All contracts, covenants, conditions, and limitations 178  
whereby any person engaged or proposing to engage in the sale of 179  
beer or intoxicating liquors promises to confine the person's 180  
sales of a particular kind or quality of beer or intoxicating 181  
liquor to one or more products, or the products of a specified 182  
manufacturer or wholesale distributor, or to give preference to 183  
those products, shall to the extent of that promise be void. The 184  
making of a promise in any such form shall be cause for the 185  
revocation or suspension of any permit issued to any party. 186

(D) No manufacturer shall sell or offer to sell to any 187  
wholesale distributor or retail permit holder, no wholesale 188  
distributor shall sell or offer to sell to any retail permit 189  
holder, and no wholesale distributor or retail permit holder 190  
shall purchase or receive from any manufacturer or wholesale 191  
distributor, any beer, brewed beverages, or wine manufactured in 192  
the United States except for cash. No right of action shall 193  
exist to collect any claims for credit extended contrary to this 194  
section. 195

This section does not prohibit a licensee from crediting 196  
to a purchaser the actual prices charged for packages or 197  
containers returned by the original purchaser as a credit on any 198

sale or from refunding to any purchaser the amount paid by that 199  
purchaser for containers or as a deposit on containers when 200  
title is retained by the vendor, if those containers or packages 201  
have been returned to the manufacturer or distributor. This 202  
section does not prohibit a manufacturer from extending usual 203  
and customary credit for beer, brewed beverages, or wine 204  
manufactured in the United States and sold to customers who live 205  
or maintain places of business outside this state when the 206  
beverages so sold are actually transported and delivered to 207  
points outside this state. 208

No wholesale or retail permit shall be issued to an 209  
applicant unless the applicant has paid in full all accounts for 210  
beer or wine, manufactured in the United States, outstanding as 211  
of September 6, 1939. No beer or wine manufactured in the United 212  
States shall be imported into the state unless the beer or wine 213  
has been paid for in cash, and no supplier registration for any 214  
such beer or wine manufactured in the United States shall be 215  
issued by the division of liquor control until the A-2, A-2f, B- 216  
1, or B-5 permit holder establishes to the satisfaction of the 217  
division that the beer or wine has been paid for in cash. 218

(E) This section does not prevent a manufacturer from 219  
securing and holding any financial interest, directly or 220  
indirectly, by stock ownership or through interlocking directors 221  
in a corporation, or otherwise, in the establishment, 222  
maintenance, or promotion of the business or premises of any C 223  
or D permit holder, provided that the following conditions are 224  
met: 225

(1) Either the manufacturer or one of its parent companies 226  
is listed on a national securities exchange. 227

(2) All purchases of alcoholic beverages by the C or D 228

permit holder are made from wholesale distributors in this state	229
or agency stores licensed by the division of liquor control.	230
(3) If the C or D permit holder sells brands of alcoholic	231
beverages that are produced or distributed by the manufacturer	232
that holds the financial interest, the C or D permit holder also	233
sells other competing brands of alcoholic beverages produced by	234
other manufacturers, no preference is given to the products of	235
the manufacturer, and there is no exclusion, in whole or in	236
part, of products sold or offered for sale by other	237
manufacturers, suppliers, or importers of alcoholic beverages	238
that constitutes a substantial impairment of commerce.	239
(4) The primary purpose of the C or D permit premises is a	240
purpose other than to sell alcoholic beverages, and the sale of	241
other goods and services exceeds fifty per cent of the total	242
gross receipts of the C or D permit holder at its premises.	243
(F) (1) This section does not prevent a manufacturer from	244
giving financial assistance to the holder of a B permit for the	245
purpose of the holder purchasing an ownership interest in the	246
business, existing inventory and equipment, or property of	247
another B permit holder, including, but not limited to,	248
participation in a limited liability partnership, limited	249
liability company, or any other legal entity authorized to do	250
business in this state.	251
(2) This section does not permit a manufacturer to give	252
financial assistance to the holder of a B permit to purchase	253
inventory or equipment used in the daily operation of a B permit	254
holder.	255
(G) This section does not prohibit a manufacturer or	256
subsidiary of a manufacturer from continuing to operate a	257

wholesale distribution franchise or distribute beer or wine 258  
within a designated territory if prior to ~~the effective date of~~ 259  
~~this amendment~~ July 30, 2013, the manufacturer either acquired 260  
the distribution franchise or territory, or awarded the 261  
franchise or territory to itself or a subsidiary. 262

(H) This section shall not prevent a manufacturer from 263  
securing and holding an A-1c or B-2a permit or permits and 264  
operating as a wholesale distributor pursuant to such permits. 265

**Sec. 4301.32.** The privilege of local option as to the sale 266  
of intoxicating liquors is hereby conferred upon the electors of 267  
an election precinct named by the petition authorized by section 268  
4301.33 of the Revised Code. 269

Upon the request of an elector, a board of elections of a 270  
county that encompasses an election precinct shall furnish to 271  
the elector a copy of the instructions prepared by the secretary 272  
of state under division (P) of section 3501.05 of the Revised 273  
Code and, within fifteen days after the request, with a 274  
certificate indicating the number of valid signatures that will 275  
be required upon a petition to hold a special election in that 276  
precinct on a question specified in section 4301.35 ~~or 4301.351~~ 277  
of the Revised Code. 278

**Sec. 4301.322.** The electors of an election precinct may 279  
exercise the privilege of local option under ~~sections~~ section 280  
4301.353 ~~and 4301.354~~ of the Revised Code on the sale of beer, 281  
the sale of wine and mixed beverages, or the sale of spirituous 282  
liquor, ~~on Sunday or on other days of the week,~~ in a portion of 283  
the precinct in which the status of such sales as allowed or 284  
prohibited is inconsistent with the status of such sales in the 285  
remainder of the precinct because of a change in precinct 286  
boundaries by the board of elections or an annexation of 287

territory to a municipal corporation. The privilege conferred by 288  
this section is in addition to the privilege conferred on the 289  
electors of an election precinct as specified in section 290  
4301.32, 4301.321, 4303.29, or 4305.14 of the Revised Code. 291

**Sec. 4301.33.** (A) The board of elections shall provide to 292  
a petitioner circulating a petition for an election for the 293  
submission of one or more of the questions specified in 294  
divisions (A) to (D) of section 4301.35 ~~or section 4301.351~~ of 295  
the Revised Code, at the time of taking out the petition, the 296  
names of the streets and, if appropriate, the address numbers of 297  
residences and business establishments within the precinct in 298  
which the election is sought, and a form prescribed by the 299  
secretary of state for notifying affected permit holders and 300  
liquor agency stores of the circulation of a petition for an 301  
election for the submission of one or more of the questions 302  
specified in divisions (A) to (D) of section 4301.35 ~~or section~~ 303  
~~4301.351~~ of the Revised Code. The petitioner shall, not less 304  
than fifty-five days before the petition-filing deadline for the 305  
election, as provided in this section, file with the division of 306  
liquor control the information regarding names of streets and, 307  
if appropriate, address numbers of residences and business 308  
establishments provided by the board of elections, and specify 309  
to the division the precinct that is concerned and that would be 310  
affected by the results of the election and the filing deadline. 311  
The division shall, within a reasonable period of time and not 312  
later than twenty-five days before the filing deadline, supply 313  
the petitioner with a list of the names and addresses of permit 314  
holders and liquor agency stores, if any, that would be affected 315  
by the election. The list shall contain a heading with the 316  
following words: "Liquor permit holders and liquor agency stores 317  
that would be affected by the question(s) set forth on petition 318

for a local option election." 319

Within five days after a petitioner has received from the 320  
division the list of liquor permit holders and liquor agency 321  
stores, if any, that would be affected by the question or 322  
questions set forth on a petition for local option election, the 323  
petitioner shall, using the form provided by the board of 324  
elections, notify by certified mail each permit holder and 325  
liquor agency store whose name appears on that list. The form 326  
for notifying affected permit holders and liquor agency stores 327  
shall require the petitioner to state the petitioner's name and 328  
street address and shall contain a statement that a petition is 329  
being circulated for an election for the submission of the 330  
question or questions specified in divisions (A) to (D) of 331  
section 4301.35 ~~or section 4301.351~~ of the Revised Code. The 332  
form shall require the petitioner to state the question or 333  
questions to be submitted as they appear on the petition. 334

The petitioner shall attach a copy of the list provided by 335  
the division to each petition paper. A part petition paper 336  
circulated at any time without the list of affected permit 337  
holders and liquor agency stores attached to it is invalid. 338

At the time the petitioner files the petition with the 339  
board of elections, the petitioner shall provide to the board 340  
the list supplied by the division and an affidavit certifying 341  
that the petitioner notified all affected permit holders and 342  
liquor agency stores, if any, on the list in the manner and 343  
within the time required in this section and that, at the time 344  
each signer of the petition affixed the signer's signature to 345  
the petition, the petition paper contained a copy of the list of 346  
affected permit holders and liquor agency stores. 347

Within five days after receiving a petition calling for an 348

election for the submission of one or more of the questions 349  
specified in divisions (A) to (D) of section 4301.35 ~~or section~~ 350  
~~4301.351~~ of the Revised Code, the board shall give notice by 351  
certified mail that it has received the petition to all liquor 352  
permit holders and liquor agency stores, if any, whose names 353  
appear on the list of affected permit holders and liquor agency 354  
stores filed by the petitioner. Failure of the petitioner to 355  
supply the affidavit required by this section and a complete and 356  
accurate list of liquor permit holders and liquor agency stores, 357  
if any, invalidates the entire petition. The board of elections 358  
shall provide to a permit holder or liquor agency store that 359  
would be affected by a proposed local option election, on the 360  
permit holder's or liquor agency store's request, the names of 361  
the streets, and, if appropriate, the address numbers of 362  
residences and business establishments within the precinct in 363  
which the election is sought that would be affected by the 364  
results of the election. The board may charge a reasonable fee 365  
for this information when provided to the petitioner and the 366  
permit holder or liquor agency store. 367

(B) Upon the presentation of a petition, not later than 368  
four p.m. of the ninetieth day before the day of a general 369  
election or a special election held on the day of a primary 370  
election, to the board of elections of the county where the 371  
precinct is located, ~~designating whether it is a petition for an~~ 372  
~~election for the submission of one or more of the questions~~ 373  
~~specified in section 4301.35 of the Revised Code, or a petition~~ 374  
~~for the submission of one or more of the questions specified in~~ 375  
~~section 4301.351 of the Revised Code,~~ designating the particular 376  
question or questions specified in section 4301.35 ~~or 4301.351~~ 377  
of the Revised Code that are to be submitted, and signed by the 378  
qualified electors of the precinct concerned, equal in number to 379

thirty-five per cent of the total number of votes cast in the 380  
precinct concerned for the office of governor at the preceding 381  
general election for that office, the board shall submit the 382  
question or questions specified in the petition to the electors 383  
of the precinct concerned, on the day of the next general 384  
election or special election held on the day of the next primary 385  
election, whichever occurs first and shall proceed as follows: 386

(1) Such board shall, not later than the seventy-eighth 387  
day before the day of the election for which the question or 388  
questions on the petition would qualify for submission to the 389  
electors of the precinct, examine and determine the sufficiency 390  
of the signatures and review, examine, and determine the 391  
validity of the petition and, in case of overlapping precinct 392  
petitions presented within that period, determine which of the 393  
petitions shall govern the further proceedings of the board. In 394  
the case where the board determines that two or more overlapping 395  
petitions are valid, the earlier filed petition shall govern. 396  
The board shall certify the sufficiency and validity of any 397  
petition determined to be valid. The board shall determine the 398  
validity of the petition as of the time of certification as 399  
described in this division. 400

(2) If a petition is sufficient, and, in case of 401  
overlapping precinct petitions, after the board has determined 402  
the governing petition, the board to which the petition has been 403  
presented shall order the holding of a special election in the 404  
precinct for the submission of whichever of the questions 405  
specified in section 4301.35 ~~or 4301.351~~ of the Revised Code are 406  
designated in the petition, on the day of the next general 407  
election or special election held on the day of the next primary 408  
election, whichever occurs first. 409

(3) All petitions filed with a board of elections under 410  
this section shall be open to public inspection under rules 411  
adopted by the board. 412

(4) Protest against local option petitions may be filed by 413  
any elector eligible to vote on the question or questions 414  
described in the petitions or by a permit holder or liquor 415  
agency store in the precinct as described in the petitions, not 416  
later than four p.m. of the seventy-fourth day before the day of 417  
the general election or special election held on the day of the 418  
primary election for which the petition qualified. The protest 419  
shall be in writing and shall be filed with the election 420  
officials with whom the petition was filed. Upon filing of the 421  
protest, the election officials with whom it is filed shall 422  
promptly fix the time for hearing it, and shall mail notice of 423  
the filing of the protest and the time and place for hearing it 424  
to the person who filed the petition and to the person who filed 425  
the protest. At the time and place fixed, the election officials 426  
shall hear the protest and determine the validity of the 427  
petition. 428

**Sec. 4301.332.** (A) The board of elections shall provide to 429  
a petitioner circulating a petition for an election for the 430  
submission of one or more of the questions specified in section 431  
4301.353 ~~or 4301.354~~ of the Revised Code, at the time of taking 432  
out the petition, the names of the streets and, if appropriate, 433  
the address numbers of residences and business establishments 434  
within the precinct that would be affected by the results of the 435  
election, and a form prescribed by the secretary of state for 436  
notifying affected permit holders of the circulation of a 437  
petition for an election for the submission of one or more of 438  
the questions specified in section 4301.353 ~~or 4301.354~~ of the 439  
Revised Code. The petitioner shall, not less than fifty-five 440

days before the petition-filing deadline for the election, as 441  
provided in this section, file with the division of liquor 442  
control the information regarding names of streets and, if 443  
appropriate, address numbers of residences and business 444  
establishments provided by the board of elections, and specify 445  
to the division the portion of the precinct that would be 446  
affected by the results of the election and the filing deadline. 447  
The division shall, within a reasonable period of time and not 448  
later than twenty-five days before the filing deadline, supply 449  
the petitioner with a list of the names and addresses of permit 450  
holders, if any, who would be affected by the election. The list 451  
shall contain a heading with the following words: "Liquor permit 452  
holders who would be affected by the question(s) set forth on 453  
petition for a local option election." 454

Within five days after a petitioner has received from the 455  
division the list of liquor permit holders, if any, who would be 456  
affected by the question or questions set forth on a petition 457  
for local option election, the petitioner, using the form 458  
provided by the board of elections, shall notify by certified 459  
mail each permit holder whose name appears on that list. The 460  
form for notifying affected permit holders shall require the 461  
petitioner to state the petitioner's name and street address and 462  
shall contain a statement that a petition is being circulated 463  
for an election for the submission of the question or questions 464  
specified in section 4301.353 ~~or 4301.354~~ of the Revised Code. 465  
The form shall require the petitioner to state the question or 466  
questions to be submitted as they appear on the petition. 467

The petitioner shall attach a copy of the list provided by 468  
the division to each petition paper. A part petition paper 469  
circulated at any time without the list of affected permit 470  
holders attached to it is invalid. 471

At the time the petitioner files the petition with the board of elections, the petitioner shall provide to the board the list supplied by the division and an affidavit certifying that the petitioner notified all affected permit holders, if any, on the list in the manner and within the time required in this section and that, at the time each signer of the petition affixed the signer's signature to the petition, the petition paper contained a copy of the list of affected permit holders.

Within five days after receiving a petition calling for an election for the submission of one or more of the questions specified in section 4301.353 ~~or 4301.354~~ of the Revised Code, the board shall give notice by certified mail that it has received the petition to all liquor permit holders, if any, whose names appear on the list of affected permit holders filed by the petitioner as furnished by the division. Failure of the petitioner to supply the affidavit required by this section and a complete and accurate list of liquor permit holders as furnished by the division invalidates the entire petition. The board of elections shall provide to a permit holder who would be affected by a proposed local option election, on the permit holder's request, the names of the streets, and, if appropriate, the address numbers of residences and business establishments within the portion of the precinct that would be affected by the results of the election. The board may charge a reasonable fee for this information when provided to the petitioner and the permit holder.

This division does not apply to an election held under section 4301.353 ~~or 4301.354~~ of the Revised Code if the results of the election would not affect any permit holder.

(B) Upon the presentation of a petition, not later than

four p.m. of the ninetieth day before the day of a general 502  
election or special election held on the day of a primary 503  
election, to the board of elections of the county where the 504  
precinct is located, ~~designating whether it is a petition for an~~ 505  
~~election for the submission of one or both of the questions~~ 506  
~~specified in section 4301.353 of the Revised Code, or a petition~~ 507  
~~for the submission of one or more of the questions specified in~~ 508  
~~section 4301.354 of the Revised Code,~~ designating the particular 509  
question or questions specified in section 4301.353 ~~or 4301.354~~ 510  
of the Revised Code that are to be submitted, and signed by the 511  
qualified electors of the precinct concerned, equal in number to 512  
thirty-five per cent of the total number of votes cast in the 513  
precinct concerned for the office of governor at the preceding 514  
general election for that office, the board shall submit the 515  
question or questions specified in the petition to the electors 516  
of the precinct concerned, on the day of the next general 517  
election or special election held on the day of the next primary 518  
election, whichever occurs first and shall proceed as follows: 519

(1) Such board shall, not later than the seventy-eighth 520  
day before the day of the election for which the question or 521  
questions on the petition would qualify for submission to the 522  
electors of the precinct, examine and determine the sufficiency 523  
of the signatures and review, examine, and determine the 524  
validity of the petition and, in case of overlapping precinct 525  
petitions presented within that period, determine which of the 526  
petitions shall govern the further proceedings of the board. In 527  
the case where the board determines that two or more overlapping 528  
petitions are valid, the earlier filed petition shall govern. 529  
The board shall certify the sufficiency and validity of any 530  
petition determined to be valid. The board shall determine the 531  
validity of the petition as of the time of certification as 532

described in this division. 533

(2) If a petition is sufficient, and, in case of 534  
overlapping precinct petitions, after the board has determined 535  
the governing petition, the board to which the petition has been 536  
presented shall order the holding of a special election in the 537  
precinct for the submission of whichever of the questions 538  
specified in section 4301.353 ~~or 4301.354~~ of the Revised Code 539  
are designated in the petition, on the day of the next general 540  
election or special election held on the day of the next primary 541  
election, whichever occurs first. 542

(C) All petitions filed with a board of elections under 543  
this section shall be open to public inspection under rules 544  
adopted by the board. 545

(D) Protest against local option petitions may be filed by 546  
any elector eligible to vote on the question or questions 547  
described in the petitions or by a permit holder in the precinct 548  
as described in the petitions, not later than four p.m. of the 549  
seventy-fourth day before the day of the general election or 550  
special election held on the day of the primary election for 551  
which the petition qualified. The protest shall be in writing 552  
and shall be filed with the election officials with whom the 553  
petition was filed. Upon filing of the protest, the election 554  
officials with whom it is filed shall promptly fix the time for 555  
hearing it, and shall mail notice of the filing of the protest 556  
and the time and place for hearing it to the person who filed 557  
the petition and to the person who filed the protest. At the 558  
time and place fixed, the election officials shall hear the 559  
protest and determine the validity of the petition. 560

**Sec. 4301.333.** (A) The privilege of local option conferred 561  
by section 4301.323 of the Revised Code may be exercised if, not 562

later than four p.m. of the ninetieth day before the day of a 563  
general election or special election held on the day of a 564  
primary election, a petition is presented to the board of 565  
elections of the county in which the precinct is situated by a 566  
petitioner who is one of the following: 567

(1) An applicant for the issuance or transfer of a liquor 568  
permit at, or to, a particular location within the precinct; 569

(2) The holder of a liquor permit at a particular location 570  
within the precinct; 571

(3) A person who operates or seeks to operate a liquor 572  
agency store at a particular location within the precinct; 573

(4) The designated agent for an applicant, liquor permit 574  
holder, or liquor agency store described in division (A) (1), 575  
(2), or (3) of this section. 576

(B) The petition shall be signed by the electors of the 577  
precinct equal in number to at least thirty-five per cent of the 578  
total number of votes cast in the precinct for the office of 579  
governor at the preceding general election for that office and 580  
shall contain all of the following: 581

(1) A notice that the petition is for the submission of 582  
the question ~~or questions~~ set forth in section 4301.355 of the 583  
Revised Code; 584

(2) The name of the applicant for the issuance or 585  
transfer, or the holder, of the liquor permit or, if applicable, 586  
the name of the liquor agency store, including any trade or 587  
fictitious names under which the applicant, holder, or liquor 588  
agency store either intends to do or does business at the 589  
particular location; 590

(3) The address and proposed use of the particular 591  
location within the election precinct to which the results of 592  
the question ~~or questions~~ specified in section 4301.355 of the 593  
Revised Code shall apply. For purposes of this division, "use" 594  
means all of the following: 595

(a) The type of each liquor permit applied for by the 596  
applicant or held by the liquor permit holder as described in 597  
sections 4303.11 to 4303.183 of the Revised Code, including a 598  
description of the type of beer or intoxicating liquor sales 599  
authorized by each permit as provided in those sections; 600

(b) If a liquor agency store, the fact that the business 601  
operated as a liquor agency store authorized to operate by this 602  
state; 603

(c) A description of the general nature of the business of 604  
the applicant, liquor permit holder, or liquor agency store. 605

~~(4) If the petition seeks approval of Sunday sales under 606  
question (B) (2) as set forth in section 4301.355 of the Revised 607  
Code, a statement indicating whether the hours of sale sought 608  
are between ten a.m. and midnight or between eleven a.m. and 609  
midnight. 610~~

(C) (1) At the time the petitioner files the petition with 611  
the board of elections, the petitioner shall provide to the 612  
board both of the following: 613

(a) An affidavit that is signed by the petitioner and that 614  
states the proposed use of the location following the election 615  
held to authorize the sale of beer or intoxicating liquor 616  
authorized by each permit as provided in sections 4303.11 to 617  
4303.183 of the Revised Code; 618

(b) Written evidence of the designation of an agent by the 619

applicant, liquor permit holder, or liquor agency store 620  
described in division (A) (1), (2), or (3) of this section for 621  
the purpose of petitioning for the local option election, if the 622  
petitioner is the designated agent of the applicant, liquor 623  
permit holder, or liquor agency store. 624

(2) Failure to supply the affidavit, or the written 625  
evidence of the designation of the agent if the petitioner for 626  
the local option election is the agent of the applicant, liquor 627  
permit holder, or liquor agency store described in division (A) 628  
(1), (2), or (3) of this section, at the time the petition is 629  
filed invalidates the entire petition. 630

(D) Not later than the seventy-eighth day before the day 631  
of the next general election or special election held on the day 632  
of the next primary election, whichever occurs first, the board 633  
shall examine and determine the sufficiency of the signatures 634  
and the validity of the petition. If the board finds that the 635  
petition contains sufficient signatures and in other respects is 636  
valid, it shall order the holding of an election in the precinct 637  
on the day of the next general election or special election held 638  
on the day of the next primary election, whichever occurs first, 639  
for the submission of the question ~~or questions~~ set forth in 640  
section 4301.355 of the Revised Code. 641

(E) A petition filed with the board of elections under 642  
this section shall be open to public inspection under rules 643  
adopted by the board. 644

(F) An elector who is eligible to vote on the question ~~or~~ 645  
~~questions~~ set forth in section 4301.355 of the Revised Code may 646  
file, not later than four p.m. of the seventy-fourth day before 647  
the day of the election at which the question ~~or questions~~ will 648  
be submitted to the electors, a protest against a local option 649

petition circulated and filed pursuant to this section. The 650  
protest shall be in writing and shall be filed with the election 651  
officials with whom the petition was filed. Upon the filing of 652  
the protest, the election officials with whom it is filed shall 653  
promptly establish a time and place for hearing the protest and 654  
shall mail notice of the time and place for the hearing to the 655  
applicant for, or the holder of, the liquor permit who is 656  
specified in the petition and to the elector who filed the 657  
protest. At the time and place established in the notice, the 658  
election officials shall hear the protest and determine the 659  
validity of the petition. 660

**Sec. 4301.334.** (A) The privilege of local option conferred 661  
by section 4301.324 of the Revised Code may be exercised if, not 662  
later than four p.m. of the ninetieth day before the day of a 663  
general election or special election held on the day of a 664  
primary election, a petition and other information required by 665  
division (B) of this section are presented to the board of 666  
elections of the county in which the community facility named in 667  
the petition is located. The petition shall be signed by 668  
electors of the municipal corporation or unincorporated area of 669  
the township in which the community facility is located equal in 670  
number to at least ten per cent of the total number of votes 671  
cast in the municipal corporation or unincorporated area of the 672  
township in which the community facility is located for the 673  
office of governor at the most recent general election for that 674  
office and shall contain both of the following: 675

(1) A notice that the petition is for the submission of 676  
the question set forth in section 4301.356 of the Revised Code 677  
~~and a statement indicating whether the hours of Sunday sales~~ 678  
~~sought in the local option election are between ten a.m. and~~ 679  
~~midnight or between eleven a.m. and midnight;~~ 680

(2) The name and address of the community facility for 681  
which the local option election is sought and, if the community 682  
facility is a community entertainment district, the boundaries 683  
of the district. 684

(B) Upon the request of a petitioner, a board of elections 685  
of a county shall furnish to the petitioner a copy of the 686  
instructions prepared by the secretary of state under division 687  
(P) of section 3501.05 of the Revised Code and, within fifteen 688  
days after the request, a certificate indicating the number of 689  
valid signatures that will be required on a petition to hold an 690  
election in the municipal corporation or unincorporated area of 691  
the township in which the community facility is located on the 692  
question specified in section 4301.356 of the Revised Code. 693

The petitioner shall, not less than thirty days before the 694  
petition-filing deadline for an election on the question 695  
specified in section 4301.356 of the Revised Code, specify to 696  
the division of liquor control the name and address of the 697  
community facility for which the election is sought and, if the 698  
community facility is a community entertainment district, the 699  
boundaries of the district, the municipal corporation or 700  
unincorporated area of a township in which the election is 701  
sought, and the filing deadline. The division shall, within a 702  
reasonable period of time and not later than ten days before the 703  
filing deadline, supply the petitioner with the name and address 704  
of any permit holder for or within the community facility. 705

The petitioner shall file the name and address of any 706  
permit holder who would be affected by the election at the time 707  
the petitioner files the petition with the board of elections. 708  
Within five days after receiving the petition, the board shall 709  
give notice by certified mail to any permit holder within the 710

community facility that it has received the petition. Failure of 711  
the petitioner to supply the name and address of any permit 712  
holder for or within the community facility as furnished to the 713  
petitioner by the division invalidates the petition. 714

(C) Not later than the seventy-eighth day before the day 715  
of the next general election or special election held on the day 716  
of the next primary election, whichever occurs first, the board 717  
shall examine and determine the sufficiency of the signatures on 718  
the petition. If the board finds that the petition is valid, it 719  
shall order the holding of an election in the municipal 720  
corporation or unincorporated area of a township on the day of 721  
the next general election or special election held on the day of 722  
the next primary election, whichever occurs first, for the 723  
submission of the question set forth in section 4301.356 of the 724  
Revised Code. 725

(D) A petition filed with a board of elections under this 726  
section shall be open to public inspection under rules adopted 727  
by the board. 728

(E) An elector who is eligible to vote on the question set 729  
forth in section 4301.356 of the Revised Code or any permit 730  
holder for or within the community facility may, not later than 731  
four p.m. of the seventy-fourth day before the day of the 732  
election at which the question will be submitted to the 733  
electors, file a written protest against the local option 734  
petition with the board of elections with which the petition was 735  
filed. Upon the filing of the protest, the board shall promptly 736  
fix a time and place for hearing the protest and shall mail 737  
notice of the time and place to the person who filed the 738  
petition and to the person who filed the protest. At the time 739  
and place fixed, the board shall hear the protest and determine 740

the validity of the petition. 741

**Sec. 4301.353.** If a petition is filed under section 742  
4301.332 of the Revised Code for the submission of the one or 743  
more questions set forth in this section, a special election 744  
shall be held in the precinct as ordered by the board of 745  
elections under that section. The expense of holding the special 746  
election shall be charged to the municipal corporation or 747  
township of which the precinct is a part. 748

At the election, one or both of the following questions as 749  
designated in a valid petition shall be submitted to the 750  
electors of the precinct ~~concerning sales on days of the week~~ 751  
~~other than Sunday:~~ 752

(A) "Shall the sales of (insert one or both of the 753  
following: beer, or wine and mixed beverages) by the package, 754  
under permits that authorize sale for off-premises consumption 755  
only, be permitted in a portion of this precinct in which the 756  
status of the sale of (insert one or both of the following: 757  
beer, or wine and mixed beverages) as allowed or prohibited is 758  
inconsistent with the status of such sale in the remainder of 759  
the precinct?" 760

(B) "Shall the sale of (insert one or more of the 761  
following: beer, wine and mixed beverages, or spirituous 762  
liquor), under permits that authorize sale for on-premises 763  
consumption only, and under permits that authorize sale for both 764  
on-premises and off-premises consumption, be permitted in a 765  
portion of this precinct in which the status of the sale of 766  
(insert one or more of the following: beer, wine and mixed 767  
beverages, or spirituous liquor) as allowed or prohibited is 768  
inconsistent with the status of such sale in the remainder of 769  
the precinct?" 770

The board of elections shall furnish printed ballots at 771  
the special election as provided under section 3505.06 of the 772  
Revised Code, except that a separate ballot shall be used for 773  
the special election. One or both of the questions set forth in 774  
this section shall be printed on each ballot and the board shall 775  
insert in the question and statement appropriate words to 776  
complete each and a description of the portion of the precinct 777  
that would be affected by the results of the election. 778

The description of the portion of the precinct shall 779  
include either the complete listing of street addresses in that 780  
portion or a condensed text that accurately describes the 781  
boundaries of the portion of the precinct by street name or by 782  
another name generally known by the residents of the portion of 783  
the precinct. If other than a full street listing is used, the 784  
full street listing also shall be posted in each polling place 785  
in a location that is easily accessible to all voters. Failure 786  
of the board of elections to completely and accurately list all 787  
street addresses in the affected area of the precinct does not 788  
affect the validity of the election at which the failure 789  
occurred and is not grounds for contesting an election under 790  
section 3515.08 of the Revised Code. Votes shall be cast as 791  
provided under section 3505.06 of the Revised Code. 792

**Sec. 4301.355.** (A) If a petition is filed under section 793  
4301.333 of the Revised Code for the submission of the question 794  
~~or questions~~ set forth in this section, it shall be held in the 795  
precinct as ordered by the board of elections under that 796  
section. The expense of holding the election shall be charged to 797  
the municipal corporation or township of which the precinct is a 798  
part. 799

(B) At the election, ~~one or more of~~ the following 800

~~questions~~ question, as designated in a valid petition, shall be 801  
submitted to the electors of the precinct: 802

~~(1)~~ "Shall the sale of ..... (insert beer, wine and 803  
mixed beverages, or spirituous liquor) be permitted 804  
by ..... (insert name of applicant, liquor permit holder, 805  
or liquor agency store, including trade or fictitious name under 806  
which applicant for, or holder of, liquor permit or liquor 807  
agency store either intends to do, or does, business at the 808  
particular location), an ..... (insert "applicant for" or 809  
"holder of" or "operator of") a ..... (insert class name of 810  
liquor permit or permits followed by the words "liquor 811  
permit(s)" or, if appropriate, the words "liquor agency store 812  
for the State of Ohio"), who is engaged in the business 813  
of ..... (insert general nature of the business in which 814  
applicant or liquor permit holder is engaged or will be engaged 815  
in at the particular location, as described in the petition) 816  
at ..... (insert address of the particular location within 817  
the precinct as set forth in the petition) in this precinct?" 818

~~(2) "Shall the sale of ..... (insert beer, wine and 819  
mixed beverages, or spirituous liquor) be permitted for sale on 820  
Sunday between the hours of ..... (insert "ten a.m. and 821  
midnight" or "eleven a.m. and midnight") by ..... (insert 822  
name of applicant, liquor permit holder, or liquor agency store, 823  
including trade or fictitious name under which applicant for, or 824  
holder of, liquor permit or liquor agency store either intends 825  
to do, or does, business at the particular location), an ..... 826  
(insert "applicant for a D-6 liquor permit," "holder of a D-6 827  
liquor permit," "applicant for or holder of an A-1 A, A-2, A-2f, 828  
A-3a, C-1, C-2x, D-1, D-2x, D-3, D-3x, D-4, D-5, D-5b, D-5c, D- 829  
5e, D-5f, D-5g, D-5h, D-5i, D-5j, D-5k, D-5l, D-5m, D-5n, D-5o, 830  
or D-7 liquor permit," if only the approval of beer sales is 831~~

~~sought, or "liquor agency store") who is engaged in the business— 832  
of ..... (insert general nature of the business in which— 833  
applicant or liquor permit holder is engaged or will be engaged— 834  
in at the particular location, as described in the petition)— 835  
at ..... (insert address of the particular location within— 836  
the precinct) in this precinct?" 837~~

(C) The board of elections shall furnish printed ballots 838  
at the election as provided under section 3505.06 of the Revised 839  
Code, except that a separate ballot shall be used for the 840  
election under this section. The question set forth in this 841  
section shall be printed on each ballot, and the board shall 842  
insert in the question appropriate words to complete it. Votes 843  
shall be cast as provided under section 3505.06 of the Revised 844  
Code. 845

**Sec. 4301.356.** If a petition is filed under section 846  
4301.334 of the Revised Code for the submission of the question 847  
set forth in this section, an election shall be held in the 848  
municipal corporation or unincorporated area of a township as 849  
ordered by the board of elections under that section. 850

Except as otherwise provided in this section, if the 851  
legislative authority of a municipal corporation in whose 852  
territory, or the board of township trustees of a township in 853  
whose unincorporated area, a community facility is located 854  
submits, not later than four p.m. of the ninetieth day before 855  
the day of a special election held on the day of a primary 856  
election or general election, to the board of elections of the 857  
county in which the community facility is located an ordinance 858  
or resolution requesting the submission of the question set 859  
forth in this section to the electors of the municipal 860  
corporation or unincorporated area of the township, the board of 861

elections shall order that an election be held on that question 862  
in the municipal corporation or the unincorporated area of the 863  
township on the day of the next special election held on the day 864  
of a primary election or next general election, whichever occurs 865  
first. The legislative authority or board of township trustees 866  
shall submit the name and address of any permit holder who would 867  
be affected by the results of the election to the board of 868  
elections at the same time it submits the ordinance or 869  
resolution. The board of elections, within five days after 870  
receiving the name and address, shall give notice by certified 871  
mail to each permit holder that it has received the ordinance or 872  
resolution. Failure of the legislative authority or board of 873  
township trustees to supply the name and address of each permit 874  
holder to the board of elections invalidates the effect of the 875  
ordinance or resolution. 876

At the election, the following question shall be submitted 877  
to the electors of the municipal corporation or unincorporated 878  
area of a township: 879

"Shall the sale of beer and intoxicating liquor be 880  
permitted ~~on days of the week other than Sunday and between the~~ 881  
~~hours of ..... (insert "ten a.m." or "eleven a.m.") and~~ 882  
~~midnight on Sunday,~~ at ..... (insert name of community 883  
facility), a community facility as defined by section 4301.01 of 884  
the Revised Code, and located at ..... (insert the address of 885  
the community facility and, if the community facility is a 886  
community entertainment district, the boundaries of the 887  
district, as set forth in the petition)?" 888

The board of elections shall furnish printed ballots at 889  
the election as provided under section 3505.06 of the Revised 890  
Code, except that a separate ballot shall be used for the 891

election under this section. The question set forth in this 892  
section shall be printed on each ballot, and the board shall 893  
insert in the question appropriate words to complete it, subject 894  
to the approval of the secretary of state. Votes shall be cast 895  
as provided under section 3505.06 of the Revised Code. 896

**Sec. 4301.362.** If a majority of the electors voting on the 897  
question set forth in section 4301.352 of the Revised Code vote 898  
"yes," the sale of beer or intoxicating liquor by a class C or D 899  
permit holder at the specified premises shall only be subject to 900  
Chapters 4301. and 4303. of the Revised Code. 901

If a majority of the electors voting on the question set 902  
forth in section 4301.352 of the Revised Code vote "no," the 903  
board of elections shall notify the division of liquor control 904  
of the final result of the election by certified mail. When the 905  
division receives notice of the final result of the election, it 906  
shall cancel and pick up the permit holder's permit within seven 907  
days. 908

The results of a local option election that is held in a 909  
precinct pursuant to section 4301.352 of the Revised Code shall 910  
not affect the results of a local option election that is held 911  
in the same precinct under section 4301.35, ~~4301.351,~~ 4301.353, 912  
~~4301.354,~~ 4303.29, or 4305.14 of the Revised Code. 913

**Sec. 4301.365.** (A) If a majority of the electors in a 914  
precinct vote "yes" on ~~questions (B) (1) and (2) as the question~~ 915  
set forth in section 4301.355 of the Revised Code, the sale of 916  
beer, wine and mixed beverages, or spirituous liquor, whichever 917  
was the subject of the election, shall be allowed at the 918  
particular location and for the use specified in the ~~questions~~ 919  
question under each permit applied for by the petitioner or at 920  
the address listed for the liquor agency store, ~~and, in relation~~ 921

~~to question (B) (2), during the hours on Sunday specified in~~ 922  
~~division (A) of section 4303.182 of the Revised Code, subject~~ 923  
~~only to this chapter and Chapter 4303. of the Revised Code.~~ 924  
Failure to continue to use the particular location for any 925  
proposed or stated use set forth in the petition is grounds for 926  
the denial of a renewal of the liquor permit under division (A) 927  
of section 4303.271 of the Revised Code or is grounds for the 928  
nonrenewal or cancellation of the liquor agency store contract 929  
by the division of liquor control, ~~except in the case where the~~ 930  
~~liquor permit holder or liquor agency store decides to cease the~~ 931  
~~sale of beer, wine and mixed beverages, or spirituous liquor,~~ 932  
~~whichever was the subject of the election, on Sundays.~~ 933

(B) ~~Except as otherwise provided in division (H) of this~~ 934  
~~section, if a majority of the electors in a precinct vote "yes"~~ 935  
~~on question (B) (1) and "no" on question (B) (2) as set forth in~~ 936  
~~section 4301.355 of the Revised Code, the sale of beer, wine and~~ 937  
~~mixed beverages, or spirituous liquor, whichever was the subject~~ 938  
~~of the election, shall be allowed at the particular location for~~ 939  
~~the use specified in question (B) (1) of section 4301.355 of the~~ 940  
~~Revised Code and under each permit applied for by the~~ 941  
~~petitioner, except for a D-6 permit, subject only to this~~ 942  
~~chapter and Chapter 4303. of the Revised Code.~~ 943

~~(C)~~ If a majority of the electors in a precinct vote "no" 944  
on the question ~~(B) (1)~~ as set forth in section 4301.355 of the 945  
Revised Code, no sales of beer, wine and mixed beverages, or 946  
spirituous liquor, whichever was the subject of the election, 947  
shall be allowed at the particular location for the use 948  
specified in the petition during the period the election is in 949  
effect as defined in section 4301.37 of the Revised Code. 950

~~(D) If a majority of the electors in a precinct vote only~~ 951

~~on question (B) (2) as set forth in section 4301.355 of the~~ 952  
~~Revised Code and that vote results in a majority "yes" vote,~~ 953  
~~sales of beer, wine and mixed beverages, or spirituous liquor,~~ 954  
~~whichever was the subject of the election, shall be allowed at~~ 955  
~~the particular location for the use specified in the petition on~~ 956  
~~Sunday during the hours specified in division (A) of section~~ 957  
~~4303.182 of the Revised Code and during the period the election~~ 958  
~~is in effect as defined in section 4301.37 of the Revised Code.~~ 959

~~(E) Except as otherwise provided in division (H) of this~~ 960  
~~section, if a majority of the electors in a precinct vote only~~ 961  
~~on question (B) (2) as set forth in section 4301.355 of the~~ 962  
~~Revised Code and that vote results in a majority "no" vote, no~~ 963  
~~sales of beer, wine and mixed beverages, or spirituous liquor,~~ 964  
~~whichever was the subject of the election, shall be allowed at~~ 965  
~~the particular location for the use and during the hours~~ 966  
~~specified in the petition on Sunday during the period the~~ 967  
~~election is in effect as defined in section 4301.37 of the~~ 968  
~~Revised Code.~~ 969

~~(F) (C) In case of elections in the same precinct for the~~ 970  
~~question or questions set forth in section 4301.355 of the~~ 971  
~~Revised Code and for a question or questions set forth in~~ 972  
~~section 4301.35, 4301.351, 4301.353, 4301.354, 4303.29, or~~ 973  
~~4305.14 of the Revised Code, the results of the election held on~~ 974  
~~the question or questions set forth in section 4301.355 of the~~ 975  
~~Revised Code shall apply to the particular location~~ 976  
~~notwithstanding the results of the election held on the question~~ 977  
~~or questions set forth in section 4301.35, 4301.351, 4301.353,~~ 978  
~~4301.354, 4303.29, or 4305.14 of the Revised Code.~~ 979

~~(G) (D) Sections 4301.32 to 4301.41 of the Revised Code do~~ 980  
~~not prohibit the transfer of ownership of a permit that was~~ 981

issued to a particular location as the result of an election 982  
held on sales of beer, wine and mixed beverages, spirituous 983  
liquor, or intoxicating liquor at that particular location as 984  
long as the general nature of the business at that particular 985  
location described in the petition for that election remains the 986  
same after the transfer. 987

~~(H) If question (B) (2) as set forth in section 4301.355 of~~ 988  
~~the Revised Code is submitted to the electors of a precinct~~ 989  
~~proposing to authorize the sale of beer, wine and mixed~~ 990  
~~beverages, or spirituous liquor between the hours of ten a.m.~~ 991  
~~and midnight at a particular location at which the sale of beer,~~ 992  
~~wine and mixed beverages, spirituous liquor, or intoxicating~~ 993  
~~liquor is already allowed between the hours of eleven a.m. and~~ 994  
~~midnight or one p.m. and midnight and the question submitted is~~ 995  
~~defeated, the sale of beer, wine and mixed beverages, spirituous~~ 996  
~~liquor, or intoxicating liquor between the hours of eleven a.m.~~ 997  
~~and midnight or one p.m. and midnight, as applicable, shall~~ 998  
~~continue at that particular location.~~ 999

**Sec. 4301.366.** If a majority of the electors voting on the 1000  
question specified in section 4301.356 of the Revised Code vote 1001  
"yes," the sale of beer and intoxicating liquor shall be allowed 1002  
at the community facility ~~on days of the week other than Sunday~~ 1003  
~~and during the hours on Sunday specified in division (A) of~~ 1004  
~~section 4303.182 of the Revised Code,~~ for the use specified in 1005  
the question, subject only to this chapter and Chapter 4303. of 1006  
the Revised Code. Failure to continue to use the location as a 1007  
community facility constitutes good cause for rejection of the 1008  
renewal of the liquor permit under division (A) of section 1009  
4303.271 of the Revised Code. 1010

If a majority of the electors voting on the question 1011

specified in section 4301.356 of the Revised Code vote "no," no 1012  
sales of beer or intoxicating liquor shall be made at or within 1013  
the community facility during the period the election is in 1014  
effect as defined in section 4301.37 of the Revised Code. 1015

**Sec. 4301.37.** (A) When a local option election, other than 1016  
an election under section ~~4301.351~~, 4301.352, 4301.353, 1017  
~~4301.354~~, 4301.355, or 4301.356 of the Revised Code, is held in 1018  
any precinct, except as provided in divisions (G) and (H) of 1019  
section 4301.39 of the Revised Code, the result of the election 1020  
shall be effective in the precinct until another election is 1021  
called and held pursuant to sections 4301.32 to 4301.36 of the 1022  
Revised Code, but no such election shall be held in the precinct 1023  
on the same question more than once in each four years. 1024

~~(B) When a local option election under section 4301.351 of~~ 1025  
~~the Revised Code is held in any precinct, except as provided in~~ 1026  
~~divisions (G) and (H) of section 4301.39 of the Revised Code,~~ 1027  
~~the result of the election shall be effective in the precinct~~ 1028  
~~until another election is called and held pursuant to sections~~ 1029  
~~4301.32 to 4301.361 of the Revised Code, but no such election~~ 1030  
~~shall be held under section 4301.351 of the Revised Code in the~~ 1031  
~~precinct on the same question more than once in each four years.~~ 1032

~~(C)~~ When a local option election is held in a precinct 1033  
under section 4301.352 of the Revised Code and a majority of the 1034  
electors voting on the question vote "yes," no subsequent local 1035  
option election shall be held in the precinct upon the sale of 1036  
beer or intoxicating liquor by the class C or D permit holder at 1037  
the specified premises for a period of at least four years from 1038  
the date of the most recent local option election, except that 1039  
this division shall not be construed to prohibit the holding or 1040  
affect the results of a local option election under section 1041

4301.35, ~~4301.351~~, 4301.353, ~~4301.354~~, 4303.29, or 4305.14 of 1042  
the Revised Code. 1043

~~(D)~~ (C) When a local option election is held in a precinct 1044  
under section 4301.353 ~~or 4301.354~~ of the Revised Code, except 1045  
as provided in divisions (G) and (H) of section 4301.39 of the 1046  
Revised Code, the results of the election shall be effective 1047  
until another election is held under that section on the same 1048  
question, but no such election shall be held in a precinct under 1049  
that section on the same question for a period of at least four 1050  
years from the date of the most recent election on that 1051  
question. This division shall not be construed to prohibit the 1052  
future holding of, or affect the future results of, a local 1053  
option election held under section 4301.35, ~~4301.351~~, 4301.355, 1054  
4303.29, or 4305.14 of the Revised Code. 1055

~~(E)~~ (D) When a local option election is held in a precinct 1056  
under section 4301.355 of the Revised Code, the results of that 1057  
election shall be effective at the particular location 1058  
designated in the petition until another election is held 1059  
pursuant to section 4301.355 of the Revised Code or until such 1060  
time as an election is held pursuant to section 4301.352 of the 1061  
Revised Code, but no election shall be held under section 1062  
4301.355 of the Revised Code regarding the same use at that 1063  
particular location for a period of at least four years from the 1064  
date of the most recent election on that question. The results 1065  
of a local option election held in a precinct under section 1066  
4301.355 of the Revised Code shall not prohibit the holding of, 1067  
and shall be affected by the results of, a local option election 1068  
held under section 4301.35, ~~4301.351~~, 4301.353, ~~4301.354~~, 1069  
4303.29, or 4305.14 of the Revised Code. 1070

~~(F)~~ (E) When a local option election is held in a 1071

municipal corporation or unincorporated area of a township under 1072  
section 4301.356 of the Revised Code, the results of the 1073  
election shall be effective at the community facility that was 1074  
the subject of the election until another such election is held 1075  
regarding that community facility, but no such election shall be 1076  
held for a period of at least four years from the date of the 1077  
election. The results of a local option election held in a 1078  
municipal corporation or unincorporated area of a township under 1079  
section 4301.356 of the Revised Code shall not prohibit the 1080  
holding of, or affect or be affected by the results of, a local 1081  
option election held under section 4301.35, ~~4301.351,~~ 4301.353, 1082  
~~4301.354,~~ 4303.29, or 4305.14 of the Revised Code. 1083

~~(G)~~ (F) If a community facility is located in an election 1084  
precinct in which a previous local option election in the 1085  
precinct resulted in approval of the sale of beer or 1086  
intoxicating liquor in the precinct, the community facility 1087  
shall sell beer or intoxicating liquor only to the extent 1088  
permitted by the previous local option election until an 1089  
election is held pursuant to section 4301.356 of the Revised 1090  
Code. 1091

~~(H)~~ (G) A community facility shall not be affected by a 1092  
local option election held on or after March 30, 1999, unless 1093  
the election is held under section 4301.356 of the Revised Code. 1094

**Sec. 4301.39.** (A) When the board of elections of any 1095  
county determines that a petition for a local option election 1096  
presented pursuant to section 4301.33, 4301.331, 4301.332, 1097  
4301.333, 4303.29, or 4305.14 of the Revised Code is sufficient, 1098  
it shall forthwith, by mail, notify the division of liquor 1099  
control of the fact that the petition has been filed and 1100  
approved by it. Upon the determination of the results of any 1101

such election, the board shall forthwith notify the division by 1102  
mail of the result and shall forward with the notice a plat of 1103  
the precinct in which the election was held and, if applicable, 1104  
shall separately identify the portion of the precinct affected 1105  
by the election. 1106

(B) On the plat of a precinct forwarded with the results 1107  
of an election that was held under section 4301.35, ~~4301.351,~~ 1108  
4301.353, ~~4301.354,~~ or 4303.29 of the Revised Code, the board 1109  
shall show and designate all of the streets and highways in the 1110  
precinct or relevant portion of the precinct. 1111

(C) On the plat of a precinct forwarded with the results 1112  
of an election that was held under section 4301.352 of the 1113  
Revised Code, the board shall show and designate all of the 1114  
following: 1115

(1) All of the streets and highways in the precinct; 1116

(2) The permit premises designated in the petition that 1117  
was filed under section 4301.331 of the Revised Code; 1118

(3) A class C or D permit holder's personal or corporate 1119  
name and, if it is different from the permit holder's personal 1120  
or corporate name, the name of the business conducted by the 1121  
permit holder on the designated premises; 1122

(4) The address of the designated premises. 1123

(D) On the plat of a precinct forwarded with the results 1124  
of an election that was held under section 4301.355 of the 1125  
Revised Code, the board shall show and designate all of the 1126  
following: 1127

(1) All streets and highways in the precinct; 1128

(2) The address of the particular location within the 1129

precinct to which the election results will apply as designated 1130  
in the petition that was filed under section 4301.333 of the 1131  
Revised Code; 1132

(3) The name of the applicant for the issuance or transfer 1133  
of the liquor permit, of the holder of the liquor permit, or of 1134  
the liquor agency store, including any trade or fictitious names 1135  
under which the applicant, holder, or operator intends to, or 1136  
does, do business at the particular location, as designated in 1137  
the petition that was filed under section 4301.333 of the 1138  
Revised Code. 1139

(E) With the results of an election that was held under 1140  
section 4301.356 of the Revised Code, the board shall designate 1141  
both of the following: 1142

(1) Each permit premises designated in the petition; 1143

(2) Each class C or D permit holder's personal or 1144  
corporate name and, if it is different from the personal or 1145  
corporate name, the name of the business conducted by the permit 1146  
holder on the designated premises. 1147

(F) If an application for recount is filed with the board 1148  
pursuant to section 3515.02 of the Revised Code or if an 1149  
election contest is commenced pursuant to section 3515.09 of the 1150  
Revised Code, the board shall send written notice of the recount 1151  
or contest to the superintendent of liquor control within two 1152  
days from the date of the filing of the application for recount 1153  
or the commencement of an election contest either by certified 1154  
mail or, if the board has record of an internet identifier of 1155  
record associated with the superintendent, by ordinary mail and 1156  
by that internet identifier of record. Upon the final 1157  
determination of an election recount or contest, the board shall 1158

send notice of the final determination to the superintendent and 1159  
the liquor control commission either by certified mail or, if 1160  
the board has record of an internet identifier of record 1161  
associated with the superintendent or commission, by ordinary 1162  
mail and an internet identifier of record associated with the 1163  
superintendent or commission. 1164

(G) If, as the result of a local option election held 1165  
pursuant to section 4301.35, ~~4301.351,~~4301.353, ~~4301.354,~~ 1166  
4303.29, or 4305.14 of the Revised Code, the use of a permit is 1167  
made partially unlawful, the division shall, within thirty days 1168  
after receipt of the final notice of the result of the election, 1169  
pick up the permit, amend it by inserting appropriate 1170  
restrictions on it, and forthwith reissue it without charge or 1171  
refund to the permit holder, unless, prior to thirty days after 1172  
receipt of the final notice of the result of the election, both 1173  
of the following occur: 1174

(1) A petition is filed with the board pursuant to section 1175  
4301.333 of the Revised Code; 1176

(2) A copy of the petition filed with the board pursuant 1177  
to section 4301.333 of the Revised Code, bearing the file stamp 1178  
of the board, is filed with the superintendent of liquor 1179  
control. 1180

If both of those conditions are met, the results of the 1181  
election held pursuant to section 4301.35, ~~4301.351,~~4301.353, 1182  
~~4301.354,~~4303.29, or 4305.14 of the Revised Code shall not take 1183  
effect as to the liquor permit holder specified in the petition 1184  
filed pursuant to section 4301.333 of the Revised Code until the 1185  
earlier of a determination by the board and receipt of 1186  
notification by the superintendent of liquor control of notice 1187  
that the petition is invalid or receipt by the superintendent of 1188

final notice of the result of an election held pursuant to 1189  
section 4301.355 of the Revised Code concerning the holder of 1190  
the liquor permit that resulted in a majority "no" vote. 1191

(H) If, as the result of a local option election, except a 1192  
local option election held pursuant to section 4301.352 of the 1193  
Revised Code, the use of a permit is made wholly unlawful, the 1194  
permit holder may, within thirty days after the certification of 1195  
that final result by the board to the division, deliver the 1196  
permit holder's permit to the division for safekeeping as 1197  
provided in section 4303.272 of the Revised Code, or the permit 1198  
holder may avail itself of the remedy set forth in divisions (G) 1199  
(1) and (2) of this section. In such event, the results of the 1200  
election shall not take effect as to the liquor permit holder 1201  
specified in the petition pursuant to section 4301.333 of the 1202  
Revised Code until the earlier of a determination by the board 1203  
and receipt by the superintendent of liquor control of notice 1204  
that the petition is invalid or receipt by the superintendent of 1205  
the final notice of the result of an election held pursuant to 1206  
section 4301.355 of the Revised Code concerning the holder of 1207  
the liquor permit that resulted in a majority "no" vote. 1208

(I) As used in this section, "internet identifier of 1209  
record" has the same meaning as in section 9.312 of the Revised 1210  
Code. 1211

**Sec. 4301.403.** (A) As used in this section, "exhibition 1212  
premises" means a premises at the site where an exhibition 1213  
sanctioned by the U.S. Christopher Columbus quincentenary 1214  
jubilee commission is being or has been held, if the exhibition 1215  
is or was sponsored by an organization that also is sponsoring 1216  
or has sponsored an exhibition sanctioned by the international 1217  
association of horticulture producers. 1218

(B) Sections 4301.32 to 4301.391 and 4305.14 of the Revised Code and the provisions for local option elections and the election on the question of the repeal of Section 9 of Article XV, Ohio Constitution, in section 4303.29 of the Revised Code do not affect or prohibit the sale of beer or intoxicating liquor at an exhibition premises if the permit holder for the premises operates pursuant to the authority of a D liquor permit issued pursuant to Chapter 4303. of the Revised Code.

~~Permit D-6 shall be issued to the holder of any D permit that authorizes the sale of intoxicating liquor and that is issued for an exhibition premises to allow the sale of intoxicating liquor under the permit at the premises between the hours of one p.m. and midnight on Sunday, whether or not such sale has been authorized in an election held under section 4301.351 of the Revised Code. Notwithstanding section 4301.351 of the revised code, the holder of a D permit issued for an exhibition premises may sell beer on Sunday whether or not the sale of intoxicating liquor has been authorized in an election held under that section.~~

(C) Nothing in section 4303.29 of the Revised Code shall be construed to restrict the issuance of a D permit for an exhibition premises. An application for a D permit for an exhibition premises is exempt from the population quota restrictions contained in section 4303.29 of the Revised Code and from the population quota restrictions contained in any rule of the liquor control commission. The location of a D permit issued for an exhibition premises shall not be transferred. An applicant applying for a D-1, D-2, D-3, D-4, or D-5 permit for an exhibition premises is not subject to section 4303.31 of the Revised Code.

**Sec. 4301.404.** (A) As used in this section, "center for 1249  
the preservation of wild animals" means a conservation center 1250  
located on not less than five thousand acres of land that 1251  
provides scientific, educational, and recreational resources to 1252  
advance the conservation of animal populations and habitats. 1253

(B) Sections 4301.32 to 4301.391 and 4305.14 of the 1254  
Revised Code and the provisions for local option elections and 1255  
the election on the repeal of Ohio Constitution, Article XV, 1256  
Section 9 in section 4303.29 of the Revised Code do not affect 1257  
or prohibit the sale of beer or intoxicating liquor at a center 1258  
for the preservation of wild animals if any permit holder for 1259  
the premises operates pursuant to the authority of a D liquor 1260  
permit issued pursuant to Chapter 4303. of the Revised Code. 1261

~~(C) Permit D-6 shall be issued to the holder of any D- 1262  
permit that authorizes the sale of intoxicating liquor and that 1263  
is issued for a center for the preservation of wild animals to 1264  
allow the sale of intoxicating liquor under the permit at the 1265  
premises between the hours of one p.m. and midnight on Sunday, 1266  
whether or not such sale has been authorized in an election held 1267  
under section 4301.351 of the Revised Code. Notwithstanding 1268  
section 4301.351 of the Revised Code, the holder of a D permit 1269  
issued for a center for the preservation of wild animals may 1270  
sell beer on Sunday whether or not the sale of intoxicating 1271  
liquor has been authorized in an election held under that 1272  
section. 1273~~

**Sec. 4301.99.** (A) Whoever violates section 4301.47, 1274  
4301.48, 4301.49, 4301.62, or 4301.70 or division (C) of section 1275  
4301.65 or division (B) of section 4301.691 of the Revised Code 1276  
is guilty of a minor misdemeanor. 1277

(B) Whoever violates section 4301.15, division (A) (2) ~~or~~ 1278

~~(C)~~ of section 4301.22, division (C), (D), (E), (F), (G), (H), 1279  
or (I) of section 4301.631, or section 4301.64 or 4301.67 of the 1280  
Revised Code is guilty of a misdemeanor of the fourth degree. 1281

If an offender who violates section 4301.64 of the Revised 1282  
Code was under the age of eighteen years at the time of the 1283  
offense, the court, in addition to any other penalties it 1284  
imposes upon the offender, may suspend the offender's temporary 1285  
instruction permit, probationary driver's license, or driver's 1286  
license for a period of not less than six months and not more 1287  
than one year. In lieu of suspending the offender's temporary 1288  
instruction permit, probationary driver's license, or driver's 1289  
license, the court instead may require the offender to perform 1290  
community service for a number of hours determined by the court. 1291  
If the offender is fifteen years and six months of age or older 1292  
and has not been issued a temporary instruction permit or 1293  
probationary driver's license, the offender shall not be 1294  
eligible to be issued such a license or permit for a period of 1295  
six months. If the offender has not attained the age of fifteen 1296  
years and six months, the offender shall not be eligible to be 1297  
issued a temporary instruction permit until the offender attains 1298  
the age of sixteen years. 1299

(C) Whoever violates division (D) of section 4301.21, 1300  
section 4301.251, 4301.58, 4301.59, 4301.60, 4301.633, 4301.66, 1301  
4301.68, or 4301.74, division (B), (C), (D), (E)(1), or (F) of 1302  
section 4301.69, or division (C), (D), (E), (F), (G), or (I) of 1303  
section 4301.691 of the Revised Code is guilty of a misdemeanor 1304  
of the first degree. 1305

If an offender who violates division (E)(1) of section 1306  
4301.69 of the Revised Code was under the age of eighteen years 1307  
at the time of the offense and the offense occurred while the 1308

offender was the operator of or a passenger in a motor vehicle, 1309  
the court, in addition to any other penalties it imposes upon 1310  
the offender, shall suspend the offender's temporary instruction 1311  
permit or probationary driver's license for a period of not less 1312  
than six months and not more than one year. If the offender is 1313  
fifteen years and six months of age or older and has not been 1314  
issued a temporary instruction permit or probationary driver's 1315  
license, the offender shall not be eligible to be issued such a 1316  
license or permit for a period of six months. If the offender 1317  
has not attained the age of fifteen years and six months, the 1318  
offender shall not be eligible to be issued a temporary 1319  
instruction permit until the offender attains the age of sixteen 1320  
years. 1321

(D) Whoever violates division (B) of section 4301.14, or 1322  
division (A) (1) or (3) or (B) of section 4301.22 of the Revised 1323  
Code is guilty of a misdemeanor of the third degree. 1324

(E) Whoever violates section 4301.63 or division (B) of 1325  
section 4301.631 of the Revised Code shall be fined not less 1326  
than twenty-five nor more than one hundred dollars. The court 1327  
imposing a fine for a violation of section 4301.63 or division 1328  
(B) of section 4301.631 of the Revised Code may order that the 1329  
fine be paid by the performance of public work at a reasonable 1330  
hourly rate established by the court. The court shall designate 1331  
the time within which the public work shall be completed. 1332

(F) (1) Whoever violates section 4301.634 of the Revised 1333  
Code is guilty of a misdemeanor of the first degree. If, in 1334  
committing a first violation of that section, the offender 1335  
presented to the permit holder or the permit holder's employee 1336  
or agent a false, fictitious, or altered identification card, a 1337  
false or fictitious driver's license purportedly issued by any 1338

state, or a driver's license issued by any state that has been 1339  
altered, the offender is guilty of a misdemeanor of the first 1340  
degree and shall be fined not less than two hundred fifty and 1341  
not more than one thousand dollars, and may be sentenced to a 1342  
term of imprisonment of not more than six months. 1343

(2) On a second violation in which, for the second time, 1344  
the offender presented to the permit holder or the permit 1345  
holder's employee or agent a false, fictitious, or altered 1346  
identification card, a false or fictitious driver's license 1347  
purportedly issued by any state, or a driver's license issued by 1348  
any state that has been altered, the offender is guilty of a 1349  
misdemeanor of the first degree and shall be fined not less than 1350  
five hundred nor more than one thousand dollars, and may be 1351  
sentenced to a term of imprisonment of not more than six months. 1352  
The court also may impose a class seven suspension of the 1353  
offender's driver's or commercial driver's license or permit or 1354  
nonresident operating privilege from the range specified in 1355  
division (A) (7) of section 4510.02 of the Revised Code. 1356

(3) On a third or subsequent violation in which, for the 1357  
third or subsequent time, the offender presented to the permit 1358  
holder or the permit holder's employee or agent a false, 1359  
fictitious, or altered identification card, a false or 1360  
fictitious driver's license purportedly issued by any state, or 1361  
a driver's license issued by any state that has been altered, 1362  
the offender is guilty of a misdemeanor of the first degree and 1363  
shall be fined not less than five hundred nor more than one 1364  
thousand dollars, and may be sentenced to a term of imprisonment 1365  
of not more than six months. Except as provided in this 1366  
division, the court also may impose a class six suspension of 1367  
the offender's driver's or commercial driver's license or permit 1368  
or nonresident operating privilege from the range specified in 1369

division (A) (6) of section 4510.02 of the Revised Code, and the 1370  
court may order that the suspension or denial remain in effect 1371  
until the offender attains the age of twenty-one years. The 1372  
court, in lieu of suspending the offender's temporary 1373  
instruction permit, probationary driver's license, or driver's 1374  
license, instead may order the offender to perform a determinate 1375  
number of hours of community service, with the court determining 1376  
the actual number of hours and the nature of the community 1377  
service the offender shall perform. 1378

(G) Whoever violates section 4301.636 of the Revised Code 1379  
is guilty of a felony of the fifth degree. 1380

(H) Whoever violates division (A) (1) of section 4301.22 of 1381  
the Revised Code is guilty of a misdemeanor, shall be fined not 1382  
less than five hundred and not more than one thousand dollars, 1383  
and, in addition to the fine, may be imprisoned for a definite 1384  
term of not more than sixty days. 1385

(I) Whoever violates division (A) of section 4301.69 or 1386  
division (H) of section 4301.691 of the Revised Code is guilty 1387  
of a misdemeanor, shall be fined not less than five hundred and 1388  
not more than one thousand dollars, and, in addition to the 1389  
fine, may be imprisoned for a definite term of not more than six 1390  
months. 1391

(J) Whoever violates division (B) of section 4301.65 of 1392  
the Revised Code is guilty of a misdemeanor of the third degree. 1393  
For a second or subsequent violation occurring within a period 1394  
of five consecutive years after the first violation, a person is 1395  
guilty of a misdemeanor of the first degree. 1396

**Sec. 4303.182.** (A) As used in this section, "retail permit 1397  
holder" means an A-1-A, A-2, A-2f, A-3a, E, or class C, D, or F 1398

permit. 1399

(B) A retail permit holder or an agency store may sell 1400  
beer, wine, mixed beverages, or spirituous liquor, as 1401  
applicable, on Sunday during the same hours that the permit 1402  
holder or contract holder may sell those products on Monday 1403  
through Saturday. 1404

**Sec. 4303.184.** (A) Subject to division (B) of this 1405  
section, a D-8 permit may be issued to any of the following: 1406

(1) An agency store; 1407

(2) The holder of a C-1, C-2, or C-2x permit issued to a 1408  
retail store that has any of the following characteristics: 1409

(a) The store has at least five thousand five hundred 1410  
square feet of floor area, and it generates more than sixty per 1411  
cent of its sales in general merchandise items and food for 1412  
consumption off the premises where sold. 1413

(b) The store is located in a municipal corporation or 1414  
township with a population of five thousand or less, has at 1415  
least four thousand five hundred square feet of floor area, and 1416  
generates more than sixty per cent of its sales in general 1417  
merchandise items and food for consumption off the premises 1418  
where sold. 1419

(c) Wine constitutes at least sixty per cent of the value 1420  
of the store's inventory. 1421

(3) The holder of both a C-1 and C-2 permit, or the holder 1422  
of a C-2x permit, issued to a retail store that is located 1423  
within a municipal corporation or township with a population of 1424  
fifteen thousand or less. 1425

(B) A D-8 permit may be issued to the holder of a C-1, C- 1426

2, or C-2x permit only if the premises of the permit holder are 1427  
located in a precinct, or at a particular location in a 1428  
precinct, in which the sale of beer, wine, or mixed beverages is 1429  
permitted for consumption off the premises where sold. Sales 1430  
under a D-8 permit are not affected by whether sales for 1431  
consumption on the premises where sold are permitted in the 1432  
precinct or at the particular location where the D-8 premises 1433  
are located. 1434

(C) (1) The holder of a D-8 permit described in division 1435  
(A) (2) or (3) of this section may sell tasting samples of beer, 1436  
wine, and mixed beverages, but not spirituous liquor, at retail, 1437  
for consumption on the premises where sold in an amount not to 1438  
exceed two ounces or another amount designated by rule of the 1439  
liquor control commission. A tasting sample shall not be sold 1440  
for general consumption. 1441

(2) The holder of a D-8 permit described in division (A) 1442  
(1) of this section may allow the sale of tasting samples of 1443  
spirituous liquor in accordance with section 4301.171 of the 1444  
Revised Code. 1445

(3) No D-8 permit holder described in division (A) (2) or 1446  
(3) of this section shall allow any authorized purchaser to 1447  
consume more than four tasting samples of beer, wine, or mixed 1448  
beverages, or any combination of beer, wine, or mixed beverages, 1449  
per day. 1450

(D) (1) Notwithstanding sections 4303.11 and 4303.121 of 1451  
the Revised Code, the holder of a D-8 permit described in 1452  
division (A) (2) or (3) of this section may sell beer that is 1453  
dispensed from containers that have a capacity equal to or 1454  
greater than five and one-sixth gallons if all of the following 1455  
conditions are met: 1456

(a) A product registration fee for the beer has been paid 1457  
as required in division (A) (8) (b) of section 4301.10 of the 1458  
Revised Code. 1459

(b) The beer is dispensed only in glass containers whose 1460  
capacity does not exceed one gallon and not for consumption on 1461  
the premises where sold. 1462

(c) The containers are sealed, marked, and transported in 1463  
accordance with division (E) of section 4301.62 of the Revised 1464  
Code. 1465

(d) The containers have been cleaned immediately before 1466  
being filled in accordance with rule 4301:1-1-28 of the 1467  
Administrative Code. 1468

(2) Beer that is sold and dispensed under division (D) (1) 1469  
of this section is subject to both of the following: 1470

(a) All applicable rules adopted by the liquor control 1471  
commission, including, but not limited to, rule 4301:1-1-27 and 1472  
rule 4301:1-1-72 of the Administrative Code; 1473

(b) All applicable federal laws and regulations. 1474

(E) The privileges authorized for the holder of a D-8 1475  
permit described in division (A) (2) or (3) of this section may 1476  
only be exercised in conjunction with and during the hours of 1477  
operation authorized by a C-1, C-2, or C-2x, ~~or D-6~~ permit. 1478

(F) A D-8 permit shall not be transferred to another 1479  
location. 1480

(G) The fee for the D-8 permit is five hundred dollars. 1481

**Sec. 4303.19.** Permit E may be issued to the owner or 1482  
operator of any railroad, a sleeping car company operating 1483

dining cars, buffet cars, club cars, lounge cars, or similar 1484  
equipment, or an airline providing charter or regularly 1485  
scheduled aircraft transportation service with dining, buffet, 1486  
club, lounge, or similar facilities, to sell beer or any 1487  
intoxicating liquor in any such car or aircraft to bona fide 1488  
passengers at retail in glass and from the container for 1489  
consumption in such car or aircraft, ~~including sale on Sunday~~ 1490  
~~between the hours of one p.m. and midnight.~~ The fee for this 1491  
permit is five hundred dollars. 1492

**Sec. 4303.202.** (A) The division of liquor control may 1493  
issue an F-2 permit to an association or corporation, or to a 1494  
recognized subordinate lodge, chapter, or other local unit of an 1495  
association or corporation, to sell beer or intoxicating liquor 1496  
by the individual drink at an event to be held on premises 1497  
located in a political subdivision or part thereof where the 1498  
sale of beer or intoxicating liquor, but not spirituous liquor, 1499  
on that day is otherwise permitted by law. However, the division 1500  
may issue the F-2 permit only if the association, corporation, 1501  
or recognized subordinate lodge, chapter, or other local unit of 1502  
an association or corporation meets all of the following: 1503

(1) It is organized not for profit; 1504

(2) It is operated for a charitable, cultural, 1505  
educational, fraternal, or political purpose; 1506

(3) It is not affiliated with the holder of any class of 1507  
liquor permit, other than a D-4 permit. 1508

(B) ~~Sales under an F 2 permit on Sundays are not affected~~ 1509  
~~by whether Sunday sales of beer or intoxicating liquor for~~ 1510  
~~consumption on the premises where sold are allowed to be made by~~ 1511  
~~persons holding another type of permit in the precinct or at the~~ 1512

~~particular location where the event is to be held, provided that~~ 1513  
~~the F-2 permit is issued for other days of the week in addition~~ 1514  
~~to Sunday.~~ 1515

~~(C)~~The premises on which the permit is to be used shall 1516  
be clearly defined and sufficiently restricted to allow proper 1517  
supervision of the permit use by state and local law enforcement 1518  
personnel. An F-2 permit may be issued for the same premises for 1519  
which another class of permit is issued. 1520

~~(D)~~(C) (1) No F-2 permit shall be effective for more than 1521  
four consecutive days, and sales shall be confined to the same 1522  
hours permitted to the holder of a D-3 permit. The division 1523  
shall not issue more than one F-2 permit in a thirty-day period 1524  
to the same association, corporation, or local unit of an 1525  
association or corporation. The fee for an F-2 permit is one 1526  
hundred fifty dollars. 1527

(2) No association, corporation, local unit of an 1528  
association or corporation, or D-permit holder who holds an F-2 1529  
permit shall sell beer or intoxicating liquor beyond the hours 1530  
of sale allowed by the permit. Division (D) (2) of this section 1531  
imposes strict liability on the holder of such permit and on any 1532  
officer, agent, or employee of such permit holder. 1533

~~(E)~~(D) If an applicant wishes the holder of a D permit 1534  
issued under sections 4303.13 to 4303.181 of the Revised Code to 1535  
conduct the sale of beer and intoxicating liquor at the event, 1536  
the applicant may request that the F-2 permit be issued jointly 1537  
to the association, corporation, or local unit and the D-permit 1538  
holder. If a permit is issued jointly, the association, 1539  
corporation, or local unit and the D-permit holder shall both be 1540  
held responsible for any conduct that violates laws pertaining 1541  
to the sale of alcoholic beverages, including sales by the D- 1542

permit holder; otherwise, the association, corporation, or local unit shall be held responsible. In addition to the permit fee paid by the association, corporation, or local unit, the D-permit holder shall pay a fee of ten dollars. A D-permit holder may receive an unlimited number of joint F-2 permits.

~~(F)~~(E) (1) Any association, corporation, or local unit applying for an F-2 permit shall file with the application a statement of the organizational purpose of the association, corporation, or local unit, the location and purpose of the event, and a list of its officers. The application form shall contain a notice that a person who knowingly makes a false statement on the application or statement is guilty of the crime of falsification, a misdemeanor of the first degree. In ruling on an application, the division shall consider, among other things, the past activities of the association, corporation, or local unit and any D-permit holder while operating under other F-2 permits, the location of the event for which the current application is made, and any objections of local residents or law enforcement authorities. If the division approves the application, it shall send copies of the approved application to the proper law enforcement authorities prior to the scheduled event.

(2) Notwithstanding section 1711.09 of the Revised Code, this section applies to any association or corporation or a recognized subordinate lodge, chapter, or other local unit of an association or corporation.

~~(G)~~(F) Using the procedures of Chapter 119. of the Revised Code, the liquor control commission may adopt such rules as are necessary to administer this section.

**Sec. 4303.203.** (A) As used in this section:

(1) "Convention facility" and "nonprofit corporation" have 1573  
the same meanings as in section 4303.201 of the Revised Code. 1574

(2) "Hotel" means a hotel described in section 3731.01 of 1575  
the Revised Code that has at least fifty rooms for registered 1576  
transient guests and that is required to be licensed pursuant to 1577  
section 3731.03 of the Revised Code. 1578

(B) An F-3 permit may be issued to an organization whose 1579  
primary purpose is to support, promote, and educate members of 1580  
the beer, wine, or mixed beverage industries, to allow the 1581  
organization to bring beer, wine, or mixed beverages in their 1582  
original packages or containers into a convention facility or 1583  
hotel for consumption in the facility or hotel, if all of the 1584  
following requirements are met: 1585

(1) The superintendent of liquor control is satisfied that 1586  
the organization is a nonprofit organization and that the 1587  
organization's membership is in excess of two hundred fifty 1588  
persons. 1589

(2) The general manager or the equivalent officer of the 1590  
convention facility or hotel provides a written consent for the 1591  
use of a portion of the facility or hotel by the organization 1592  
and a written statement that the facility's or hotel's permit 1593  
privileges will be suspended in the portion of the facility or 1594  
hotel in which the F-3 permit is in force. 1595

(3) The organization provides a written description that 1596  
clearly sets forth the portion of the convention facility or 1597  
hotel in which the F-3 permit will be used. 1598

(4) The organization provides a written statement as to 1599  
its primary purpose and the purpose of its event at the 1600  
convention facility or hotel. 1601

(5) Division (C) of this section does not apply. 1602

(C) No F-3 permit shall be issued to any nonprofit 1603  
organization that is created by or for a specific manufacturer, 1604  
supplier, distributor, or retailer of beer, wine, or mixed 1605  
beverages. 1606

(D) Notwithstanding division ~~(D)~~ (C) of section 4301.22 of 1607  
the Revised Code, a holder of an F-3 permit may obtain by 1608  
donation beer, wine, or mixed beverages from any manufacturer or 1609  
producer of beer, wine, or mixed beverages. 1610

(E) Nothing in this chapter prohibits the holder of an F-3 1611  
permit from bringing into the portion of the convention facility 1612  
or hotel covered by the permit beer, wine, or mixed beverages 1613  
otherwise not approved for sale in this state. 1614

(F) Notwithstanding division ~~(D)~~ (C) of section 4301.22 of 1615  
the Revised Code, no holder of an F-3 permit shall make any 1616  
charge for any beer, wine, or mixed beverage served by the 1617  
drink, or in its original package or container, in connection 1618  
with the use of the portion of the convention facility or hotel 1619  
covered by the permit. 1620

(G) The division of liquor control shall prepare and make 1621  
available an F-3 permit application form and may require 1622  
applicants for the permit to provide information, in addition to 1623  
that required by this section, that is necessary for the 1624  
administration of this section. 1625

(H) An F-3 permit shall be effective for a period not to 1626  
exceed five consecutive days. The division of liquor control 1627  
shall not issue more than three F-3 permits per calendar year to 1628  
the same nonprofit organization. The fee for an F-3 permit is 1629  
three hundred dollars. 1630

**Sec. 4303.204.** (A) The division of liquor control may 1631  
issue an F-4 permit to an organization or corporation organized 1632  
not-for-profit in this state to conduct an event that includes 1633  
the introduction, showcasing, or promotion of Ohio wines, if the 1634  
event has all of the following characteristics: 1635

(1) It is coordinated by that organization or corporation, 1636  
and the organization or corporation is responsible for the 1637  
activities at it. 1638

(2) It has as one of its purposes the intent to introduce, 1639  
showcase, or promote Ohio wines to persons who attend it. 1640

(3) It includes the sale of food for consumption on the 1641  
premises where sold. 1642

(4) It features any combination of at least three A-2 or 1643  
A-2f permit holders who sell Ohio wine at it. 1644

(B) The holder of an F-4 permit may furnish, with or 1645  
without charge, wine that it has obtained from the A-2 or A-2f 1646  
permit holders that are participating in the event for which the 1647  
F-4 permit is issued, in two-ounce samples for consumption on 1648  
the premises where furnished and may sell such wine by the glass 1649  
for consumption on the premises where sold. The holder of an A-2 1650  
or A-2f permit that is participating in the event for which the 1651  
F-4 permit is issued may sell wine that it has manufactured, in 1652  
sealed containers for consumption off the premises where sold. 1653  
Wine may be furnished or sold on the premises of the event for 1654  
which the F-4 permit is issued only where and when the sale of 1655  
wine is otherwise permitted by law. 1656

(C) The premises of the event for which the F-4 permit is 1657  
issued shall be clearly defined and sufficiently restricted to 1658  
allow proper enforcement of the permit by state and local law 1659

enforcement officers. If an F-4 permit is issued for all or a 1660  
portion of the same premises for which another class of permit 1661  
is issued, that permit holder's privileges will be suspended in 1662  
that portion of the premises in which the F-4 permit is in 1663  
effect. 1664

(D) No F-4 permit shall be effective for more than 1665  
seventy-two consecutive hours. No sales or furnishing of wine 1666  
shall take place under an F-4 permit after one a.m. 1667

(E) The division shall not issue more than six F-4 permits 1668  
to the same not-for-profit organization or corporation in any 1669  
one calendar year. 1670

(F) An applicant for an F-4 permit shall apply for the 1671  
permit not later than thirty days prior to the first day of the 1672  
event for which the permit is sought. The application for the 1673  
permit shall list all of the A-2 and A-2f permit holders that 1674  
will participate in the event for which the F-4 permit is 1675  
sought. The fee for the F-4 permit is sixty dollars per day. 1676

The division shall prepare and make available an F-4 1677  
permit application form and may require applicants for and 1678  
holders of the F-4 permit to provide information that is in 1679  
addition to that required by this section and that is necessary 1680  
for the administration of this section. 1681

(G) (1) The holder of an F-4 permit is responsible for, and 1682  
is subject to penalties for, any violations of this chapter or 1683  
Chapter 4301. of the Revised Code or the rules adopted under 1684  
this and that chapter. 1685

(2) An F-4 permit holder shall not allow an A-2 or A-2f 1686  
permit holder to participate in the event for which the F-4 1687  
permit is issued if the A-2 or A-2f or the A-1-A permit of that 1688

A-2 or A-2f permit holder is under suspension. 1689

(3) The division may refuse to issue an F-4 permit to an 1690  
applicant who has violated any provision of this chapter or 1691  
Chapter 4301. of the Revised Code during the applicant's 1692  
previous operation under an F-4 permit, for a period of up to 1693  
two years after the date of the violation. 1694

(H) (1) Notwithstanding division ~~(D)~~ (C) of section 4301.22 1695  
of the Revised Code, an A-2 or A-2f permit holder that 1696  
participates in an event for which an F-4 permit is issued may 1697  
donate wine that it has manufactured to the holder of that F-4 1698  
permit. The holder of an F-4 permit may return unused and sealed 1699  
containers of wine to the A-2 or A-2f permit holder that donated 1700  
the wine at the conclusion of the event for which the F-4 permit 1701  
was issued. 1702

(2) The participation by an A-2 or A-2f permit holder or 1703  
its employees in an event for which an F-4 permit is issued does 1704  
not violate section 4301.24 of the Revised Code. 1705

**Sec. 4303.205.** (A) As used in this section: 1706

(1) "Festival" means an event organized by a nonprofit 1707  
organization that includes food, music, and entertainment and 1708  
the participation of at least five riverboats. 1709

(2) "Nonprofit organization" has the same meaning as in 1710  
section 4303.201 of the Revised Code. 1711

(B) The division of liquor control may issue an F-5 permit 1712  
to the owner or operator of a riverboat that has a capacity in 1713  
excess of fifty-five persons, that is not regularly docked in 1714  
this state, and whose owner or operator has entered into a 1715  
written contract with a nonprofit organization for the riverboat 1716  
to participate in a festival. 1717

(C) The holder of an F-5 permit may sell beer and any 1718  
intoxicating liquor, only by the individual drink in glass and 1719  
from the container, for consumption on the premises where sold 1720  
until one a.m., on any day of the week, ~~including Sunday~~. 1721

(D) The division shall prepare and make available an F-5 1722  
permit application form and may require applicants for the 1723  
permit to provide information, in addition to that required by 1724  
this section, that is necessary for the administration of this 1725  
section. 1726

(E) Sales under an F-5 permit are not affected by whether 1727  
sales of beer or intoxicating liquor for consumption on the 1728  
premises where sold are permitted to be made by persons holding 1729  
another type of permit in the precinct or at the particular 1730  
location where the riverboat is located. 1731

(F) No F-5 permit shall be in effect for more than six 1732  
consecutive days. 1733

(G) The division shall not issue more than one F-5 permit 1734  
in any one calendar year for the same riverboat. 1735

(H) The fee for an F-5 permit is one hundred eighty 1736  
dollars. 1737

**Sec. 4303.30.** The rights granted by any D-2, D-3, D-3a, D- 1738  
4, D-4a, D-5, D-5a, D-5b, D-5e, D-5f, D-5g, D-5h, D-5i, D-5j, D- 1739  
5k, D-5l, D-5m, D-5n, or D-5o, ~~or D-6~~ permit shall be exercised 1740  
at not more than two fixed counters, commonly known as bars, in 1741  
rooms or places on the permit premises, where beer, mixed 1742  
beverages, wine, or spirituous liquor is sold to the public for 1743  
consumption on the premises. For each additional fixed counter 1744  
on the permit premises where those beverages are sold for 1745  
consumption on the premises, the permit holder shall obtain a 1746

duplicate D-2, D-3, D-3a, D-4, D-4a, D-5, D-5a, D-5b, D-5e, D- 1747  
5f, D-5g, D-5h, D-5i, D-5j, D-5k, D-5l, D-5m, D-5n, or D-5o, ~~or~~ 1748  
~~D-6~~ permit. 1749

The holder of any D-2, D-3, D-3a, D-4, D-4a, D-5, D-5a, D- 1750  
5b, D-5e, D-5f, D-5g, D-5h, D-5i, D-5j, D-5k, D-5l, D-5m, D-5n, 1751  
or D-5o, ~~or~~ ~~D-6~~ permit shall be granted, upon application to the 1752  
division of liquor control, a duplicate D-2, D-3, D-3a, D-4, D- 1753  
4a, D-5, D-5a, D-5b, D-5e, D-5f, D-5g, D-5h, D-5i, D-5j, D-5k, 1754  
D-5l, D-5m, D-5n, or D-5o, ~~or~~ ~~D-6~~ permit for each additional 1755  
fixed counter on the permit premises at which beer, mixed 1756  
beverages, wine, or spirituous liquor is sold for consumption on 1757  
the premises, provided the application is made in the same 1758  
manner as an application for an original permit. The application 1759  
shall be identified with DUPLICATE printed on the permit 1760  
application form furnished by the department, in boldface type. 1761  
The application shall identify by name, or otherwise amply 1762  
describe, the room or place on the premises where the duplicate 1763  
permit is to be operative. Each duplicate permit shall be issued 1764  
only to the same individual, firm, or corporation as that of the 1765  
original permit and shall be an exact duplicate in size and word 1766  
content as the original permit, except that it shall show on it 1767  
the name or other ample identification of the room, or place, 1768  
for which it is issued and shall have DUPLICATE printed on it in 1769  
boldface type. A duplicate permit shall bear the same number as 1770  
the original permit. The fee for a duplicate permit is: D-1, one 1771  
hundred dollars; D-2, one hundred dollars; D-3, four hundred 1772  
dollars; D-3a, four hundred dollars; D-4, two hundred dollars; 1773  
D-5, one thousand dollars; D-5a, one thousand dollars; D-5b, one 1774  
thousand dollars; D-5c, four hundred dollars; D-5e, six hundred 1775  
fifty dollars; D-5f, one thousand dollars; D-5o, one thousand 1776  
dollars; ~~D-6, one hundred dollars when issued to the holder of a~~ 1777

~~D-4a permit~~, and in all other cases one hundred dollars or an amount which is twenty per cent of the fees payable for the A-1-A, D-2, D-3, D-3a, D-4, D-5, D-5a, D-5b, D-5e, D-5f, D-5g, D-5h, D-5i, D-5j, D-5k, D-5l, D-5m, D-5n, and D-5o, ~~and D-6~~ permits issued to the same premises, whichever is higher. Application for a duplicate permit may be filed any time during the life of an original permit. The fee for each duplicate D-2, D-3, D-3a, D-4, D-4a, D-5, D-5a, D-5b, D-5e, D-5f, D-5g, D-5h, D-5i, D-5j, D-5k, D-5l, D-5m, D-5n, or D-5o, ~~or D-6~~ permit shall be paid in accordance with section 4303.24 of the Revised Code.

**Sec. 4303.99.** (A) Whoever violates section 4303.28 of the Revised Code shall be fined not less than one thousand nor more than twenty-five hundred dollars or imprisoned not less than six months nor more than one year.

(B) Whoever violates section 4303.36 of the Revised Code shall be fined not less than twenty-five nor more than one hundred dollars.

(C) Whoever violates section 4303.37 of the Revised Code shall be fined not less than twenty-five nor more than fifty dollars.

(D) Whoever violates division ~~(D)~~(C) (2) of section 4303.202 or division (C) of section 4303.208 of the Revised Code is guilty of a misdemeanor of the fourth degree.

**Section 2.** That existing sections 4301.22, 4301.24, 4301.32, 4301.322, 4301.33, 4301.332, 4301.333, 4301.334, 4301.353, 4301.355, 4301.356, 4301.362, 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 and sections 4301.351, 4301.354, 4301.361, 4301.364, and

4303.182 of the Revised Code are hereby repealed. 1807

**Section 3.** (A) As used in this section, "petition" means a 1808  
petition for a local option election authorizing the sale of 1809  
beer, wine, mixed beverages, or spirituous liquor on Sundays 1810  
that has been filed with a board of elections under section 1811  
4301.33, 4301.332, 4301.333, or 4301.334 of the Revised Code, as 1812  
amended by this act. 1813

(B) On the effective date of this act, if a board of 1814  
elections is in the process of reviewing a petition calling for 1815  
the submission of a question or questions authorizing Sunday 1816  
sales of beer, wine, mixed beverages, or spirituous liquor on 1817  
the ballot of the next general election or a special election 1818  
conducted on the day of the next primary election, the board 1819  
shall do either of the following, as applicable: 1820

(1) If ballots have not been printed, remove the question 1821  
or questions submitted to the board for placement on the ballot 1822  
of the next general election or a special election conducted on 1823  
the day of the next primary election; 1824

(2) If ballots have been printed with the question or 1825  
questions on them, post a notice at each polling place on the 1826  
day of the election, and enclose with each absent voter's ballot 1827  
given or mailed after the question or questions are to be 1828  
removed, a notice that votes for the removed question or 1829  
questions will be void and will not be counted. If the question 1830  
or questions are not removed from all ballots before the day of 1831  
the election, the votes for the removed question or questions 1832  
are void and shall not be counted. 1833

**Section 4.** This act is hereby entitled the "Sunday 1834  
Alcohol, Liquor, and Especially Spirits Act" or "SALES Act." 1835