

Larry Obhof
Senate President

Statehouse
1 Capitol Square
Columbus, Ohio 43215
Obhof@ohiosenate.gov
614-466-7505



Bob Peterson
Senate President Pro Tempore

Ohio Senate
1 Capitol Square
Columbus, Ohio 43215
Peterson@ohiosenate.gov
614-466-8156

Sponsor Testimony on Senate Bill 374

Senate Transportation, Commerce and Workforce Committee

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Chairman McColley, Vice-Chairman Johnson, Ranking Member Antonio, and members of the Senate Transportation, Commerce and Workforce Committee, thank you for the opportunity to provide testimony on Senate Bill 374.

This bill would repeal the Ohio Liquor Control Commission's Emergency Rule 4301:1-1-80, which was adopted on July 31st, 2020. This Rule purports to ban the sale of alcohol past 10:00 PM, and the consumption of alcohol past 11:00 PM, at bars and restaurants throughout Ohio. However, as you are probably aware, the appropriate timelines for such sales are set forth in Section 4303 of the Revised Code.

Hundreds of thousands of Ohioans are employed in the restaurant industry. Ohio's restaurants and bars have suffered immensely from the effects of the COVID-19 pandemic and the restrictions placed on their industry by the State's response. According to a recent survey by the Ohio Restaurant Association, more than half of all Ohio restaurants anticipate being forced to close down if current restrictions continue. Over eighty percent of such businesses anticipate being unable to break even for the year, and many have already been forced to permanently close down.

Like many Ohio industries, our State's food service establishments have stepped up during this crisis. We have seen countless examples of innovative solutions to promote social distancing and safe dining. The industry, however, is facing potentially irreparable harm from the continued application of the Liquor Control Commission's cutoff times for sales and consumption. These establishments have purchased liquor permits, which permit them to conduct sales within the timeframes already laid out in the Ohio Revised Code. Thus, this bill will protect the preexisting property rights and statutory rights of permitted establishments.

Additionally, the bill will cease any disciplinary actions that are based upon a permit holder's alleged violation of the July 31st Rule, so long as that business otherwise operated in compliance with the applicable liquor permit.

We would like to thank the Senators on both sides of the aisle who have signed on as co-sponsors of this legislation. Thank you again for the opportunity to testify today, we would be happy to answer any questions you may have.