

As Introduced

133rd General Assembly

Regular Session

2019-2020

S. B. No. 374

Senators Obhof, Peterson

Cosponsors: Senators Antonio, Blessing, Brenner, Burke, Coley, Eklund, Hackett, Hoagland, Huffman, M., Huffman, S., Maharath, Manning, McColley, Roegner, Rulli, Schaffer, Schuring, Thomas, Wilson, Yuko

A BILL

To reinstate the authorized hours of operation for 1
liquor permit premises that existed prior to the 2
state of emergency declared in response to 3
COVID-19 and to declare an emergency. 4

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

Section 1. (A) As used in this section: 5

(1) "Permitting authority" means a board of health, the 6
Department of Health, the Division of Liquor Control, or the 7
Liquor Control Commission. 8

(2) "Permit holder" means the holder of an A-1, A-1-A, A- 9
1c, A-2, A-2f, A-3a, E, or class C or D permit issued under 10
Chapter 4303. of the Revised Code. 11

(B) (1) During the state of emergency due to COVID-19 as 12
declared by Executive Order 2020-01D, issued on March 9, 2020, 13
and notwithstanding any rule adopted after January 1, 2020, to 14
the contrary, the hours of operation of a liquor permit premises 15
shall be the hours specified in rule 4301:1-1-49 of the 16

Administrative Code as that rule existed on January 1, 2020. 17

(2) Paragraph (A) of rule 4301:1-1-80 of the 18
Administrative Code that addresses hours of operation of a 19
liquor permit premises is hereby void and rescinded. Any 20
remaining portion of such rule that does not address the hours 21
of operation of a liquor permit premises remains in effect. 22

(C) Notwithstanding any provision of law to the contrary, 23
a permitting authority shall not take any disciplinary action 24
or, if disciplinary action has been initiated, shall cease 25
taking such action, against a permit holder if both of the 26
following apply: 27

(1) The disciplinary action is based on a violation of 28
paragraph (A) of rule 4301:1-1-80 of the Administrative Code and 29
the violation occurred on or after July 31, 2020. 30

(2) Other than violating paragraph (A) of rule 4301:1-1-80 31
of the Administrative Code, the permit holder operated in 32
compliance with the permit holder's liquor permit. 33

Section 2. This act is hereby declared to be an emergency 34
measure necessary for the immediate preservation of the public 35
peace, health, and safety. The reason for such necessity is to 36
provide economic relief to liquor permit holders as a result of 37
the COVID-19 outbreak. Therefore, this act shall go into 38
immediate effect. 39