



# Ohio Legislative Service Commission

## Sub. Bill Comparative Synopsis

Jeff Grim

### Sub. H.B. 47

131st General Assembly  
(H. Government Accountability & Oversight)

This table summarizes how the latest substitute version of the bill differs from the immediately preceding version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

Topic	Previous Version (LSC 131 0291-6)	Sub. Version (LSC 131 0291-7)
<b>Outdoor refreshment area – population requirements</b>	Limits the creation of outdoor refreshment areas as follows:  (1) A municipal corporation or township with a population of more than 275,000 must not create more than three areas;  (2) A municipal corporation or township with a population of more than 150,000 but less than or equal to 275,000 must not create more than two areas;  (3) A municipal corporation or township with a population of more than 25,000 but less than or equal to 150,000 must not create more than one area;	Instead limits the creation of outdoor refreshment areas as follows:  (1) A municipal corporation or township with a population of more than 50,000 must not create more than two areas;  (2) A municipal corporation or township with a population of more than 35,000 but less than or equal to 50,000 must not create more than one area;  (3) A municipal corporation or township with a population of 35,000 or less must not create an area ( <i>R.C. 4301.82(D)</i> ).

Topic	Previous Version (LSC 131 0291-6)	Sub. Version (LSC 131 0291-7)
	<p>(4) A municipal corporation or township with a population of 25,000 or less must not create an area (<i>R.C. 4301.82(D)</i>).</p> <p>Requires the Outdoor Refreshment Area Study Committee to study the utility and viability of allowing municipal corporations or townships that have a population of 25,000 or less to create an outdoor refreshment area (<i>Section 3</i>).</p>	<p>Instead, as a result of the changes specified above, requires the Study Committee to study the utility and viability of allowing municipal corporations or townships that have a population of 35,000 or less to create an outdoor refreshment area (<i>Section 3</i>).</p>
<p><b>Outdoor refreshment areas – public health and safety requirements</b></p>	<p>At the time of the creation of an outdoor refreshment area, requires the legislative authority of a municipal corporation or township, as applicable, in which such an area is located, to adopt an ordinance or resolution that establishes requirements the legislative authority determines necessary to ensure safety within the area (<i>R.C. 4301.82(F)(1)</i>).</p>	<p>Same as previous version, except requires the applicable legislative authority to include in the ordinance or resolution requirements to ensure <i>public health</i> and safety that include all of the following:</p> <ul style="list-style-type: none"> <li>(1) The specific boundaries of the area, including street addresses;</li> <li>(2) The number, spacing, and type of signage designating the area;</li> <li>(3) The hours of operation for the area;</li> <li>(4) The number of personnel needed to ensure public safety in the area;</li> <li>(5) A sanitation plan that will help maintain the appearance and public health of the area;</li> <li>(6) The number of personnel needed to execute the sanitation plan; and</li> <li>(7) A provision specifying that beer and intoxicating liquor must be served solely in plastic</li> </ul>



Topic	Previous Version (LSC 131 0291-6)	Sub. Version (LSC 131 0291-7)
		bottles or other plastic containers in the area (R.C. 4301.82(F)(1)(a) to (g)).
<b>Open Container Law – commercial quadricycle exemption</b>	<p>Exempts from the Opened Container Law any person who, pursuant to a prearranged contract, is a passenger riding on a commercial quadricycle when all of the following conditions apply:</p> <p>--The person is not occupying a seat in the front of the quadricycle where the operator is steering or braking;</p> <p>--The quadricycle is being operated on a street, highway, or other public or private property open to the public for purposes of vehicular traffic or parking; and</p> <p>--The person has in the person's possession on the quadricycle an opened container of beer or wine.</p>	<p>Generally same as previous version with the following two differences:</p> <p>(1) Adds a fourth condition to the exemption by limiting the person riding on a commercial quadricycle to the possession of not more than either 36 ounces of beer or 18 ounces of wine;</p> <p>(2) Allows the legislative authority of a municipal corporation or township to enact an ordinance or adopt a resolution, as applicable, that prohibits a passenger riding on a commercial quadricycle from possessing an opened container of beer or wine.</p>
<b>Creation of D-9 liquor permit</b>	<p>Creates the D-9 liquor permit to allow the owner or operator of an art gallery to serve beer or wine, without charge, for on-premises consumption.</p> <p>Authorizes the D-9 permit holder to serve beer or wine at not more than 20 events per year.</p> <p>Specifies that the fee for the D-9 permit is \$100. (R.C. 4303.185.)</p>	No provision.