A BILL

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

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

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

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

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

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

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4301:1-1-80 of the Administrative Code that addresses hours of operation of a liquor permit premises is hereby void and rescinded.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

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

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

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

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