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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
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Legislative Budget
Office

H.B. 46
134th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsors: Reps. A. Miller and Carruthers

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SUMMARY

- Exempts bars and restaurants from the requirement to renew their permits in calendar year 2021.
- Eliminates a prohibition against the use of gift cards to purchase beer or intoxicating liquor for on-premises consumption.
- Declares an emergency.

DETAILED ANALYSIS

Liquor permit renewal period extension

Ohio law requires all liquor permit holders to renew their liquor permits annually. The date by which a permit holder must complete renewal is established by the Division of Liquor Control. Specifically, the Division requires renewal by February 1, June 1, or October 1, depending on the region where the permitted premises is located.¹ The bill exempts A-1-A and Class D liquor permit holders (see “**Background**,” below) from the requirement to renew their permits in calendar year 2021.² (Note: the February 1, 2021, renewal deadline has passed as of the writing of this analysis.)

A liquor permit remains valid until the 2022 renewal date, unless the permit is suspended or revoked. The bill requires the Division to adopt rules necessary to administer and enforce the extended renewal period provisions.³

¹ Map showing the regions of the state for liquor permit renewal purposes can be found at: https://www.com.ohio.gov/documents/LIQR_RenewalDistricts.pdf.

² Section 3(A).

³ Section 3(B) and (C).

Use of gift card for alcohol purchases

The bill revises provisions governing the use of gift cards for alcohol purchases. It allows a person to use *the total amount* of a restaurant gift card to purchase beer or intoxicating liquor drinks for on-premises consumption. Current law prohibits the use of more than 30% of a restaurant gift card for the purchase of beer or intoxicating liquor drinks for on-premises consumption. The bill eliminates the prohibition.

The bill retains current law that allows a retail liquor permit holder to sell a gift card for the purchase of beer, wine, or mixed beverages for off-premises consumption. It also allows the gift card to be used to purchase alcoholic beverages for on-premises consumption.⁴

Background

Below is a list of permits for which permit renewal deadlines are extended by the bill, along with a description of the authorized activity under the permit.

Class of liquor permit ⁵	Authorized activity
A-1-A	Brewery, winery, or distillery may sell beer and any intoxicating liquor by glass or from a container; and a brewery may sell beer for off-premises consumption.
D-1	Restaurant or other specified entity may sell beer for on- or off-premises consumption.
D-2	Restaurant or other specified entity may sell wine or certain mixed beverages for on- or off-premises consumption.
D-3	Restaurant or other specified entity may sell spirituous liquor for on-premises consumption until 1:00 a.m.
D-3a	D-3 permit holder may sell until 2:30 a.m.
D-4	Club may sell beer or intoxicating liquor to members only for on-premises consumption, until 1:00 a.m.
D-4a	D-4 permit holder may sell until 2:30 a.m.

⁴ R.C. 4301.22(G).

⁵ R.C. 4303.021 to 4303.183, not in the bill.

Class of liquor permit ⁵	Authorized activity
D-5	Restaurant or night club may sell beer or intoxicating liquor for on- or off-premises consumption until 2:30 a.m.
D-5a to D-5o	Various establishments may sell beer or intoxicating liquor for on- or off-premises consumption, depending on the circumstances until 1:00 or 2:30 a.m.
D-6	Various establishments may sell beer or intoxicating liquor for on-or off-premises consumption on Sundays if the electors in the precinct approve those sales.
D-7	Restaurant or other specified entity in a resort area may sell beer or intoxicating liquor for on-premises consumption until 2:30 a.m.

HISTORY

Action	Date
Introduced	02-03-21