

**As Introduced**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**H. B. No. 219**

**Representatives Becker, Hoops**

**Cosponsors: Representatives DeVitis, Smith, T., Butler, Lang, Miller, J., Riedel,  
Seitz, Jones, Kent, Stein, Scherer, Roemer, Rogers, Arndt, O'Brien**

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**A BILL**

To amend sections 4301.03, 4301.22, 4301.24, 1  
4301.32, 4301.322, 4301.33, 4301.332, 4301.333, 2  
4301.334, 4301.353, 4301.355, 4301.356, 3  
4301.362, 4301.365, 4301.366, 4301.37, 4301.39, 4  
4301.403, 4301.404, 4301.99, 4303.184, 4303.19, 5  
4303.202, 4303.203, 4303.204, 4303.205, 4303.30, 6  
and 4303.99, to enact new section 4303.182, and 7  
to repeal sections 4301.351, 4301.354, 4301.361, 8  
4301.364, and 4303.182 of the Revised Code to 9  
alter the law relative to Sunday sales of beer 10  
and intoxicating liquor and to name the act the 11  
"Sunday Alcohol, Liquor, and Especially Spirits 12  
Act" or "SALES Act." 13

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

**Section 1.** That sections 4301.03, 4301.22, 4301.24, 14  
4301.32, 4301.322, 4301.33, 4301.332, 4301.333, 4301.334, 15  
4301.353, 4301.355, 4301.356, 4301.362, 4301.365, 4301.366, 16  
4301.37, 4301.39, 4301.403, 4301.404, 4301.99, 4303.184, 17  
4303.19, 4303.202, 4303.203, 4303.204, 4303.205, 4303.30, and 18

4303.99 be amended and new section 4303.182 of the Revised Code 19  
be enacted to read as follows: 20

**Sec. 4301.03.** The liquor control commission may adopt and 21  
promulgate, repeal, rescind, and amend, in the manner required 22  
by this section, rules, standards, requirements, and orders 23  
necessary to carry out this chapter and Chapter 4303. of the 24  
Revised Code, but all rules of the board of liquor control that 25  
were in effect immediately prior to April 17, 1963, shall remain 26  
in full force and effect as rules of the liquor control 27  
commission until and unless amended or repealed by the liquor 28  
control commission. The rules of the commission may include the 29  
following: 30

(A) Rules with reference to applications for and the 31  
issuance of permits for the manufacture, distribution, 32  
transportation, and sale of beer and intoxicating liquor, and 33  
the sale of alcohol; and rules governing the procedure of the 34  
division of liquor control in the suspension, revocation, and 35  
cancellation of those permits; 36

(B) Rules and orders providing in detail for the conduct 37  
of any retail business authorized under permits issued pursuant 38  
to this chapter and Chapter 4303. of the Revised Code, with a 39  
view to ensuring compliance with those chapters and laws 40  
relative to them, and the maintenance of public decency, 41  
sobriety, and good order in any place licensed under the 42  
permits. No rule or order shall prohibit the operation of video 43  
lottery terminal games at a commercial race track where live 44  
horse racing and simulcasting are conducted in accordance with 45  
Chapter 3769. of the Revised Code or the sale of lottery tickets 46  
issued pursuant to Chapter 3770. of the Revised Code by any 47  
retail business authorized under permits issued pursuant to that 48

chapter. 49

No rule or order shall prohibit pari-mutuel wagering on 50  
simulcast horse races at a satellite facility that has been 51  
issued a D liquor permit under Chapter 4303. of the Revised 52  
Code. No rule or order shall prohibit a charitable organization 53  
that holds a D-4 permit from selling or serving beer or 54  
intoxicating liquor under its permit in a portion of its 55  
premises merely because that portion of its premises is used at 56  
other times for the conduct of a bingo game, as described in 57  
division (O) of section 2915.01 of the Revised Code. However, 58  
such an organization shall not sell or serve beer or 59  
intoxicating liquor or permit beer or intoxicating liquor to be 60  
consumed or seen in the same location in its premises where a 61  
bingo game, as described in division (O) (1) of section 2915.01 62  
of the Revised Code, is being conducted while the game is being 63  
conducted. As used in this division, "charitable organization" 64  
has the same meaning as in division (H) of section 2915.01 of 65  
the Revised Code. No rule or order pertaining to visibility into 66  
the premises of a permit holder after the legal hours of sale 67  
shall be adopted or maintained by the commission. 68

(C) Standards, not in conflict with those prescribed by 69  
any law of this state or the United States, to secure the use of 70  
proper ingredients and methods in the manufacture of beer, mixed 71  
beverages, and wine to be sold within this state; 72

(D) Rules determining the nature, form, and capacity of 73  
all packages and bottles to be used for containing beer or 74  
intoxicating liquor, except for spirituous liquor to be kept or 75  
sold, and governing the form of all seals and labels to be used 76  
on those packages and bottles; 77

(E) Rules requiring the label on every package, bottle, 78

and container to state all of the following, as applicable:	79
(1) The ingredients in the contents;	80
(2) Except for beer, the terms of weight, volume, or proof spirits;	81 82
(3) Except for spirituous liquor, whether the product is beer, wine, alcohol, or any intoxicating liquor;	83 84
(4) Regarding beer that contains more than twelve per cent of alcohol by volume, the percentage of alcohol by volume and that the beer is a "high alcohol beer."	85 86 87
(F) Uniform rules governing all advertising with reference to the sale of beer and intoxicating liquor throughout the state and advertising upon and in the premises licensed for the sale of beer or intoxicating liquor;	88 89 90 91
(G) Rules restricting and placing conditions upon the transfer of permits;	92 93
(H) Rules and orders limiting the number of permits of any class within the state or within any political subdivision of the state; and, for that purpose, adopting reasonable classifications of persons or establishments to which any authorized class of permits may be issued within any political subdivision;	94 95 96 97 98 99
(I) Rules and orders <del>with reference to sales of beer and intoxicating liquor on Sundays and holidays and</del> with reference to the hours of the day during which and the persons to whom intoxicating liquor of any class may be sold, and rules with reference to the manner of sale;	100 101 102 103 104
(J) Rules requiring permit holders buying beer to pay and permit holders selling beer to collect minimum cash deposits for	105 106

kegs, cases, bottles, or other returnable containers of the 107  
beer; requiring the repayment, or credit, of the minimum cash 108  
deposit charges upon the return of the empty containers; and 109  
requiring the posting of such form of indemnity or such other 110  
conditions with respect to the charging, collection, and 111  
repayment of minimum cash deposit charges for returnable 112  
containers of beer as are necessary to ensure the return of the 113  
empty containers or the repayment upon that return of the 114  
minimum cash deposits paid; 115

(K) Rules establishing the method by which alcohol 116  
products may be imported for sale by wholesale distributors and 117  
the method by which manufacturers and suppliers may sell alcohol 118  
products to wholesale distributors. 119

Every rule, standard, requirement, or order of the 120  
commission and every repeal, amendment, or rescission of them 121  
shall be posted for public inspection in the principal office of 122  
the commission and the principal office of the division of 123  
liquor control, and a certified copy of them shall be filed in 124  
the office of the secretary of state. An order applying only to 125  
persons named in it shall be served on the persons affected by 126  
personal delivery of a certified copy, or by mailing a certified 127  
copy to each person affected by it or, in the case of a 128  
corporation, to any officer or agent of the corporation upon 129  
whom a service of summons may be served in a civil action. The 130  
posting and filing required by this section constitutes 131  
sufficient notice to all persons affected by such rule or order 132  
which is not required to be served. General rules of the 133  
commission promulgated pursuant to this section shall be 134  
published in the manner the commission determines. 135

**Sec. 4301.22.** Sales of beer and intoxicating liquor under 136

all classes of permits and from state liquor stores are subject 137  
to the following restrictions, in addition to those imposed by 138  
the rules or orders of the division of liquor control: 139

(A) (1) Except as otherwise provided in this chapter, no 140  
beer or intoxicating liquor shall be sold to any person under 141  
twenty-one years of age. 142

(2) No low-alcohol beverage shall be sold to any person 143  
under eighteen years of age. No permit issued by the division 144  
shall be suspended, revoked, or canceled because of a violation 145  
of division (A) (2) of this section. 146

(3) No intoxicating liquor shall be handled by any person 147  
under twenty-one years of age, except that a person eighteen 148  
years of age or older employed by a permit holder may handle or 149  
sell beer or intoxicating liquor in sealed containers in 150  
connection with wholesale or retail sales, and any person 151  
nineteen years of age or older employed by a permit holder may 152  
handle intoxicating liquor in open containers when acting in the 153  
capacity of a server in a hotel, restaurant, club, or night 154  
club, as defined in division (B) of section 4301.01 of the 155  
Revised Code, or in the premises of a D-7 permit holder. This 156  
section does not authorize persons under twenty-one years of age 157  
to sell intoxicating liquor across a bar. Any person employed by 158  
a permit holder may handle beer or intoxicating liquor in sealed 159  
containers in connection with manufacturing, storage, 160  
warehousing, placement, stocking, bagging, loading, or 161  
unloading, and may handle beer or intoxicating liquor in open 162  
containers in connection with cleaning tables or handling empty 163  
bottles or glasses. 164

(B) No permit holder and no agent or employee of a permit 165  
holder shall sell or furnish beer or intoxicating liquor to an 166

intoxicated person. 167

~~(C) No sales of intoxicating liquor shall be made after  
two thirty a.m. on Sunday except under either of the following  
circumstances:—~~ 168  
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~~(1) Intoxicating liquor may be sold on Sunday under  
authority of a permit that authorizes Sunday sale.—~~ 171  
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~~(2) Spirituous liquor may be sold on Sunday by any person  
awarded an agency contract under section 4301.17 of the Revised  
Code if the sale of spirituous liquor is authorized in the  
applicable precinct as the result of an election on question (B)  
(1) or (2) of section 4301.351 of the Revised Code and if the  
agency contract authorizes the sale of spirituous liquor on  
Sunday.—~~ 173  
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~~This section does not prevent a municipal corporation from  
adopting a closing hour for the sale of intoxicating liquor  
earlier than two thirty a.m. on Sunday or to provide that no  
intoxicating liquor may be sold prior to that hour on Sunday.—~~ 180  
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~~(D) No holder of a permit shall give away any beer or  
intoxicating liquor of any kind at any time in connection with  
the permit holder's business. However, with the exception of an  
A-1-A permit holder that also has been issued an A-2 or A-2f  
permit, an A-1-A, A-1c, or D permit holder may provide to a  
paying customer not more than a total of four tasting samples of  
beer, wine, or spirituous liquor, as authorized by the  
applicable permit, in any twenty-four-hour period. The permit  
holder shall provide the tasting samples free of charge, at the  
permit holder's expense, only to a person who is twenty-one  
years of age or older. The person shall consume the tasting  
samples on the premises of the permit holder. A distributor is~~ 184  
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not responsible for the costs of providing tasting samples	196
authorized under division <del>(D)</del> <u>(C)</u> of this section.	197
As used in division <del>(D)</del> <u>(C)</u> of this section:	198
(1) "Tasting sample" means one of the following, as applicable:	199
(a) An amount not to exceed two ounces of beer;	201
(b) An amount not to exceed two ounces of wine;	202
(c) An amount not to exceed a quarter ounce of spirituous liquor.	203
(2) "D permit holder" means a person that has been issued a D-1, D-2, D-2x, D-3, D-3a, D-3x, D-4, D-5, D-5a, D-5c, D-5d, D-5e, D-5f, D-5g, D-5h, D-5i, D-5j, D-5k, D-5l, D-5m, D-5n, D-5o, <del>D-6</del> , or D-7 permit.	205
<del>(E)</del> <u>(D)</u> Except as otherwise provided in this division, no retail permit holder shall display or permit the display on the outside of any licensed retail premises, or on any lot of ground on which the licensed premises are situated, or on the exterior of any building of which the licensed premises are a part, any sign, illustration, or advertisement bearing the name, brand name, trade name, trade-mark, designation, or other emblem of or indicating the manufacturer, producer, distributor, place of manufacture, production, or distribution of any beer or intoxicating liquor. Signs, illustrations, or advertisements bearing the name, brand name, trade name, trade-mark, designation, or other emblem of or indicating the manufacturer, producer, distributor, place of manufacture, production, or distribution of beer or intoxicating liquor may be displayed and permitted to be displayed on the interior or in the show windows of any licensed premises, if the particular brand or type of	209
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product so advertised is actually available for sale on the 225  
premises at the time of that display. The liquor control 226  
commission shall determine by rule the size and character of 227  
those signs, illustrations, or advertisements. 228

~~(F)~~ (E) No retail permit holder shall possess on the 229  
licensed premises any barrel or other container from which beer 230  
is drawn, unless there is attached to the spigot or other 231  
dispensing apparatus the name of the manufacturer of the product 232  
contained in the barrel or other container, provided that, if 233  
the beer is served at a bar, the manufacturer's name or brand 234  
shall appear in full view of the purchaser. The commission shall 235  
regulate the size and character of the devices provided for in 236  
this section. 237

~~(G)~~ (F) Except as otherwise provided in this division, no 238  
sale of any gift certificate shall be permitted whereby beer or 239  
intoxicating liquor of any kind is to be exchanged for the 240  
certificate, unless the gift certificate can be exchanged only 241  
for food, and beer or intoxicating liquor, for on-premises 242  
consumption and the value of the beer or intoxicating liquor for 243  
which the certificate can be exchanged does not exceed more than 244  
thirty per cent of the total value of the gift certificate. The 245  
sale of gift certificates for the purchase of beer, wine, or 246  
mixed beverages shall be permitted for the purchase of beer, 247  
wine, or mixed beverages for off-premises consumption. 248  
Limitations on the use of a gift certificate for the purchase of 249  
beer, wine, or mixed beverages for off-premises consumption may 250  
be expressed by clearly stamping or typing on the face of the 251  
certificate that the certificate may not be used for the 252  
purchase of beer, wine, or mixed beverages. 253

**Sec. 4301.24.** (A) Except as provided in section 4301.242 254

of the Revised Code, no manufacturer shall aid or assist the 255  
holder of any permit for sale at wholesale, and no manufacturer 256  
or wholesale distributor shall aid or assist the holder of any 257  
permit for sale at retail, by gift or loan of any money or 258  
property of any description or other valuable thing, or by 259  
giving premiums or rebates. Except as provided in section 260  
4301.242 of the Revised Code, no holder of any such permit shall 261  
accept the same, provided that the manufacturer or wholesale 262  
distributor may furnish to a retail permittee the inside signs 263  
or advertising and the tap signs or devices authorized by 264  
divisions ~~(E)~~(D) and ~~(F)~~(E) of section 4301.22 of the Revised 265  
Code. 266

(B) No manufacturer shall have any financial interest, 267  
directly or indirectly, by stock ownership, or through 268  
interlocking directors in a corporation, or otherwise, in the 269  
establishment, maintenance, or promotion in the business of any 270  
wholesale distributor. No retail permit holder shall have any 271  
interest, directly or indirectly, in the operation of, or any 272  
ownership in, the business of any wholesale distributor or 273  
manufacturer. 274

(C) (1) No manufacturer shall, except as authorized by 275  
section 4303.021 of the Revised Code, have any financial 276  
interest, directly or indirectly, by stock ownership, or through 277  
interlocking directors in a corporation, or otherwise, in the 278  
establishment, maintenance, or promotion of the business of any 279  
retail dealer. No wholesale distributor or employee of a 280  
wholesale distributor shall have any financial interest, 281  
directly or indirectly, by stock ownership, interlocking 282  
directors in a corporation, or otherwise, in the establishment, 283  
maintenance, or promotion of the business of any retail dealer. 284  
No manufacturer or wholesale distributor or any stockholder of a 285

manufacturer or wholesale distributor shall acquire, by 286  
ownership in fee, leasehold, mortgage, or otherwise, directly or 287  
indirectly, any interest in the premises on which the business 288  
of any other person engaged in the business of trafficking in 289  
beer or intoxicating liquor is conducted. 290

(2) All contracts, covenants, conditions, and limitations 291  
whereby any person engaged or proposing to engage in the sale of 292  
beer or intoxicating liquors promises to confine the person's 293  
sales of a particular kind or quality of beer or intoxicating 294  
liquor to one or more products, or the products of a specified 295  
manufacturer or wholesale distributor, or to give preference to 296  
those products, shall to the extent of that promise be void. The 297  
making of a promise in any such form shall be cause for the 298  
revocation or suspension of any permit issued to any party. 299

(D) No manufacturer shall sell or offer to sell to any 300  
wholesale distributor or retail permit holder, no wholesale 301  
distributor shall sell or offer to sell to any retail permit 302  
holder, and no wholesale distributor or retail permit holder 303  
shall purchase or receive from any manufacturer or wholesale 304  
distributor, any beer, brewed beverages, or wine manufactured in 305  
the United States except for cash. No right of action shall 306  
exist to collect any claims for credit extended contrary to this 307  
section. 308

This section does not prohibit a licensee from crediting 309  
to a purchaser the actual prices charged for packages or 310  
containers returned by the original purchaser as a credit on any 311  
sale or from refunding to any purchaser the amount paid by that 312  
purchaser for containers or as a deposit on containers when 313  
title is retained by the vendor, if those containers or packages 314  
have been returned to the manufacturer or distributor. This 315

section does not prohibit a manufacturer from extending usual 316  
and customary credit for beer, brewed beverages, or wine 317  
manufactured in the United States and sold to customers who live 318  
or maintain places of business outside this state when the 319  
beverages so sold are actually transported and delivered to 320  
points outside this state. 321

No wholesale or retail permit shall be issued to an 322  
applicant unless the applicant has paid in full all accounts for 323  
beer or wine, manufactured in the United States, outstanding as 324  
of September 6, 1939. No beer or wine manufactured in the United 325  
States shall be imported into the state unless the beer or wine 326  
has been paid for in cash, and no supplier registration for any 327  
such beer or wine manufactured in the United States shall be 328  
issued by the division of liquor control until the A-2, A-2f, B- 329  
1, or B-5 permit holder establishes to the satisfaction of the 330  
division that the beer or wine has been paid for in cash. 331

(E) This section does not prevent a manufacturer from 332  
securing and holding any financial interest, directly or 333  
indirectly, by stock ownership or through interlocking directors 334  
in a corporation, or otherwise, in the establishment, 335  
maintenance, or promotion of the business or premises of any C 336  
or D permit holder, provided that the following conditions are 337  
met: 338

(1) Either the manufacturer or one of its parent companies 339  
is listed on a national securities exchange. 340

(2) All purchases of alcoholic beverages by the C or D 341  
permit holder are made from wholesale distributors in this state 342  
or agency stores licensed by the division of liquor control. 343

(3) If the C or D permit holder sells brands of alcoholic 344

beverages that are produced or distributed by the manufacturer 345  
that holds the financial interest, the C or D permit holder also 346  
sells other competing brands of alcoholic beverages produced by 347  
other manufacturers, no preference is given to the products of 348  
the manufacturer, and there is no exclusion, in whole or in 349  
part, of products sold or offered for sale by other 350  
manufacturers, suppliers, or importers of alcoholic beverages 351  
that constitutes a substantial impairment of commerce. 352

(4) The primary purpose of the C or D permit premises is a 353  
purpose other than to sell alcoholic beverages, and the sale of 354  
other goods and services exceeds fifty per cent of the total 355  
gross receipts of the C or D permit holder at its premises. 356

(F) (1) This section does not prevent a manufacturer from 357  
giving financial assistance to the holder of a B permit for the 358  
purpose of the holder purchasing an ownership interest in the 359  
business, existing inventory and equipment, or property of 360  
another B permit holder, including, but not limited to, 361  
participation in a limited liability partnership, limited 362  
liability company, or any other legal entity authorized to do 363  
business in this state. 364

(2) This section does not permit a manufacturer to give 365  
financial assistance to the holder of a B permit to purchase 366  
inventory or equipment used in the daily operation of a B permit 367  
holder. 368

(G) This section does not prohibit a manufacturer or 369  
subsidiary of a manufacturer from continuing to operate a 370  
wholesale distribution franchise or distribute beer or wine 371  
within a designated territory if prior to ~~the effective date of~~ 372  
~~this amendment~~ July 30, 2013, the manufacturer either acquired 373  
the distribution franchise or territory, or awarded the 374

franchise or territory to itself or a subsidiary. 375

(H) This section shall not prevent a manufacturer from 376  
securing and holding an A-1c or B-2a permit or permits and 377  
operating as a wholesale distributor pursuant to such permits. 378

**Sec. 4301.32.** The privilege of local option as to the sale 379  
of intoxicating liquors is hereby conferred upon the electors of 380  
an election precinct named by the petition authorized by section 381  
4301.33 of the Revised Code. 382

Upon the request of an elector, a board of elections of a 383  
county that encompasses an election precinct shall furnish to 384  
the elector a copy of the instructions prepared by the secretary 385  
of state under division (P) of section 3501.05 of the Revised 386  
Code and, within fifteen days after the request, with a 387  
certificate indicating the number of valid signatures that will 388  
be required upon a petition to hold a special election in that 389  
precinct on a question specified in section 4301.35 ~~or 4301.351~~ 390  
of the Revised Code. 391

**Sec. 4301.322.** The electors of an election precinct may 392  
exercise the privilege of local option under ~~sections~~ section 393  
4301.353 ~~and 4301.354~~ of the Revised Code on the sale of beer, 394  
the sale of wine and mixed beverages, or the sale of spirituous 395  
liquor, ~~on Sunday or on other days of the week,~~ in a portion of 396  
the precinct in which the status of such sales as allowed or 397  
prohibited is inconsistent with the status of such sales in the 398  
remainder of the precinct because of a change in precinct 399  
boundaries by the board of elections or an annexation of 400  
territory to a municipal corporation. The privilege conferred by 401  
this section is in addition to the privilege conferred on the 402  
electors of an election precinct as specified in section 403  
4301.32, 4301.321, 4303.29, or 4305.14 of the Revised Code. 404

**Sec. 4301.33.** (A) The board of elections shall provide to 405  
a petitioner circulating a petition for an election for the 406  
submission of one or more of the questions specified in 407  
divisions (A) to (D) of section 4301.35 ~~or section 4301.351~~ of 408  
the Revised Code, at the time of taking out the petition, the 409  
names of the streets and, if appropriate, the address numbers of 410  
residences and business establishments within the precinct in 411  
which the election is sought, and a form prescribed by the 412  
secretary of state for notifying affected permit holders and 413  
liquor agency stores of the circulation of a petition for an 414  
election for the submission of one or more of the questions 415  
specified in divisions (A) to (D) of section 4301.35 ~~or section-~~ 416  
~~4301.351~~ of the Revised Code. The petitioner shall, not less 417  
than fifty-five days before the petition-filing deadline for the 418  
election, as provided in this section, file with the division of 419  
liquor control the information regarding names of streets and, 420  
if appropriate, address numbers of residences and business 421  
establishments provided by the board of elections, and specify 422  
to the division the precinct that is concerned and that would be 423  
affected by the results of the election and the filing deadline. 424  
The division shall, within a reasonable period of time and not 425  
later than twenty-five days before the filing deadline, supply 426  
the petitioner with a list of the names and addresses of permit 427  
holders and liquor agency stores, if any, that would be affected 428  
by the election. The list shall contain a heading with the 429  
following words: "Liquor permit holders and liquor agency stores 430  
that would be affected by the question(s) set forth on petition 431  
for a local option election." 432

Within five days after a petitioner has received from the 433  
division the list of liquor permit holders and liquor agency 434  
stores, if any, that would be affected by the question or 435

questions set forth on a petition for local option election, the 436  
petitioner shall, using the form provided by the board of 437  
elections, notify by certified mail each permit holder and 438  
liquor agency store whose name appears on that list. The form 439  
for notifying affected permit holders and liquor agency stores 440  
shall require the petitioner to state the petitioner's name and 441  
street address and shall contain a statement that a petition is 442  
being circulated for an election for the submission of the 443  
question or questions specified in divisions (A) to (D) of 444  
section 4301.35 ~~or section 4301.351~~ of the Revised Code. The 445  
form shall require the petitioner to state the question or 446  
questions to be submitted as they appear on the petition. 447

The petitioner shall attach a copy of the list provided by 448  
the division to each petition paper. A part petition paper 449  
circulated at any time without the list of affected permit 450  
holders and liquor agency stores attached to it is invalid. 451

At the time the petitioner files the petition with the 452  
board of elections, the petitioner shall provide to the board 453  
the list supplied by the division and an affidavit certifying 454  
that the petitioner notified all affected permit holders and 455  
liquor agency stores, if any, on the list in the manner and 456  
within the time required in this section and that, at the time 457  
each signer of the petition affixed the signer's signature to 458  
the petition, the petition paper contained a copy of the list of 459  
affected permit holders and liquor agency stores. 460

Within five days after receiving a petition calling for an 461  
election for the submission of one or more of the questions 462  
specified in divisions (A) to (D) of section 4301.35 ~~or section~~ 463  
~~4301.351~~ of the Revised Code, the board shall give notice by 464  
certified mail that it has received the petition to all liquor 465



permit holders and liquor agency stores, if any, whose names 466  
appear on the list of affected permit holders and liquor agency 467  
stores filed by the petitioner. Failure of the petitioner to 468  
supply the affidavit required by this section and a complete and 469  
accurate list of liquor permit holders and liquor agency stores, 470  
if any, invalidates the entire petition. The board of elections 471  
shall provide to a permit holder or liquor agency store that 472  
would be affected by a proposed local option election, on the 473  
permit holder's or liquor agency store's request, the names of 474  
the streets, and, if appropriate, the address numbers of 475  
residences and business establishments within the precinct in 476  
which the election is sought that would be affected by the 477  
results of the election. The board may charge a reasonable fee 478  
for this information when provided to the petitioner and the 479  
permit holder or liquor agency store. 480

(B) Upon the presentation of a petition, not later than 481  
four p.m. of the ninetieth day before the day of a general 482  
election or a special election held on the day of a primary 483  
election, to the board of elections of the county where the 484  
precinct is located, ~~designating whether it is a petition for an~~ 485  
~~election for the submission of one or more of the questions~~ 486  
~~specified in section 4301.35 of the Revised Code, or a petition~~ 487  
~~for the submission of one or more of the questions specified in~~ 488  
~~section 4301.351 of the Revised Code,~~ designating the particular 489  
question or questions specified in section 4301.35 ~~or 4301.351~~ 490  
of the Revised Code that are to be submitted, and signed by the 491  
qualified electors of the precinct concerned, equal in number to 492  
thirty-five per cent of the total number of votes cast in the 493  
precinct concerned for the office of governor at the preceding 494  
general election for that office, the board shall submit the 495  
question or questions specified in the petition to the electors 496

of the precinct concerned, on the day of the next general 497  
election or special election held on the day of the next primary 498  
election, whichever occurs first and shall proceed as follows: 499

(1) Such board shall, not later than the seventy-eighth 500  
day before the day of the election for which the question or 501  
questions on the petition would qualify for submission to the 502  
electors of the precinct, examine and determine the sufficiency 503  
of the signatures and review, examine, and determine the 504  
validity of the petition and, in case of overlapping precinct 505  
petitions presented within that period, determine which of the 506  
petitions shall govern the further proceedings of the board. In 507  
the case where the board determines that two or more overlapping 508  
petitions are valid, the earlier filed petition shall govern. 509  
The board shall certify the sufficiency and validity of any 510  
petition determined to be valid. The board shall determine the 511  
validity of the petition as of the time of certification as 512  
described in this division. 513

(2) If a petition is sufficient, and, in case of 514  
overlapping precinct petitions, after the board has determined 515  
the governing petition, the board to which the petition has been 516  
presented shall order the holding of a special election in the 517  
precinct for the submission of whichever of the questions 518  
specified in section 4301.35 or ~~4301.351~~ of the Revised Code are 519  
designated in the petition, on the day of the next general 520  
election or special election held on the day of the next primary 521  
election, whichever occurs first. 522

(3) All petitions filed with a board of elections under 523  
this section shall be open to public inspection under rules 524  
adopted by the board. 525

(4) Protest against local option petitions may be filed by 526

any elector eligible to vote on the question or questions 527  
described in the petitions or by a permit holder or liquor 528  
agency store in the precinct as described in the petitions, not 529  
later than four p.m. of the seventy-fourth day before the day of 530  
the general election or special election held on the day of the 531  
primary election for which the petition qualified. The protest 532  
shall be in writing and shall be filed with the election 533  
officials with whom the petition was filed. Upon filing of the 534  
protest, the election officials with whom it is filed shall 535  
promptly fix the time for hearing it, and shall mail notice of 536  
the filing of the protest and the time and place for hearing it 537  
to the person who filed the petition and to the person who filed 538  
the protest. At the time and place fixed, the election officials 539  
shall hear the protest and determine the validity of the 540  
petition. 541

**Sec. 4301.332.** (A) The board of elections shall provide to 542  
a petitioner circulating a petition for an election for the 543  
submission of one or more of the questions specified in section 544  
4301.353 ~~or 4301.354~~ of the Revised Code, at the time of taking 545  
out the petition, the names of the streets and, if appropriate, 546  
the address numbers of residences and business establishments 547  
within the precinct that would be affected by the results of the 548  
election, and a form prescribed by the secretary of state for 549  
notifying affected permit holders of the circulation of a 550  
petition for an election for the submission of one or more of 551  
the questions specified in section 4301.353 ~~or 4301.354~~ of the 552  
Revised Code. The petitioner shall, not less than fifty-five 553  
days before the petition-filing deadline for the election, as 554  
provided in this section, file with the division of liquor 555  
control the information regarding names of streets and, if 556  
appropriate, address numbers of residences and business 557

establishments provided by the board of elections, and specify 558  
to the division the portion of the precinct that would be 559  
affected by the results of the election and the filing deadline. 560  
The division shall, within a reasonable period of time and not 561  
later than twenty-five days before the filing deadline, supply 562  
the petitioner with a list of the names and addresses of permit 563  
holders, if any, who would be affected by the election. The list 564  
shall contain a heading with the following words: "Liquor permit 565  
holders who would be affected by the question(s) set forth on 566  
petition for a local option election." 567

Within five days after a petitioner has received from the 568  
division the list of liquor permit holders, if any, who would be 569  
affected by the question or questions set forth on a petition 570  
for local option election, the petitioner, using the form 571  
provided by the board of elections, shall notify by certified 572  
mail each permit holder whose name appears on that list. The 573  
form for notifying affected permit holders shall require the 574  
petitioner to state the petitioner's name and street address and 575  
shall contain a statement that a petition is being circulated 576  
for an election for the submission of the question or questions 577  
specified in section 4301.353 ~~or 4301.354~~ of the Revised Code. 578  
The form shall require the petitioner to state the question or 579  
questions to be submitted as they appear on the petition. 580

The petitioner shall attach a copy of the list provided by 581  
the division to each petition paper. A part petition paper 582  
circulated at any time without the list of affected permit 583  
holders attached to it is invalid. 584

At the time the petitioner files the petition with the 585  
board of elections, the petitioner shall provide to the board 586  
the list supplied by the division and an affidavit certifying 587

that the petitioner notified all affected permit holders, if 588  
any, on the list in the manner and within the time required in 589  
this section and that, at the time each signer of the petition 590  
affixed the signer's signature to the petition, the petition 591  
paper contained a copy of the list of affected permit holders. 592

Within five days after receiving a petition calling for an 593  
election for the submission of one or more of the questions 594  
specified in section 4301.353 ~~or 4301.354~~ of the Revised Code, 595  
the board shall give notice by certified mail that it has 596  
received the petition to all liquor permit holders, if any, 597  
whose names appear on the list of affected permit holders filed 598  
by the petitioner as furnished by the division. Failure of the 599  
petitioner to supply the affidavit required by this section and 600  
a complete and accurate list of liquor permit holders as 601  
furnished by the division invalidates the entire petition. The 602  
board of elections shall provide to a permit holder who would be 603  
affected by a proposed local option election, on the permit 604  
holder's request, the names of the streets, and, if appropriate, 605  
the address numbers of residences and business establishments 606  
within the portion of the precinct that would be affected by the 607  
results of the election. The board may charge a reasonable fee 608  
for this information when provided to the petitioner and the 609  
permit holder. 610

This division does not apply to an election held under 611  
section 4301.353 ~~or 4301.354~~ of the Revised Code if the results 612  
of the election would not affect any permit holder. 613

(B) Upon the presentation of a petition, not later than 614  
four p.m. of the ninetieth day before the day of a general 615  
election or special election held on the day of a primary 616  
election, to the board of elections of the county where the 617

precinct is located, ~~designating whether it is a petition for an~~ 618  
~~election for the submission of one or both of the questions~~ 619  
~~specified in section 4301.353 of the Revised Code, or a petition~~ 620  
~~for the submission of one or more of the questions specified in~~ 621  
~~section 4301.354 of the Revised Code,~~ designating the particular 622  
question or questions specified in section 4301.353 ~~or 4301.354~~ 623  
of the Revised Code that are to be submitted, and signed by the 624  
qualified electors of the precinct concerned, equal in number to 625  
thirty-five per cent of the total number of votes cast in the 626  
precinct concerned for the office of governor at the preceding 627  
general election for that office, the board shall submit the 628  
question or questions specified in the petition to the electors 629  
of the precinct concerned, on the day of the next general 630  
election or special election held on the day of the next primary 631  
election, whichever occurs first and shall proceed as follows: 632

(1) Such board shall, not later than the seventy-eighth 633  
day before the day of the election for which the question or 634  
questions on the petition would qualify for submission to the 635  
electors of the precinct, examine and determine the sufficiency 636  
of the signatures and review, examine, and determine the 637  
validity of the petition and, in case of overlapping precinct 638  
petitions presented within that period, determine which of the 639  
petitions shall govern the further proceedings of the board. In 640  
the case where the board determines that two or more overlapping 641  
petitions are valid, the earlier filed petition shall govern. 642  
The board shall certify the sufficiency and validity of any 643  
petition determined to be valid. The board shall determine the 644  
validity of the petition as of the time of certification as 645  
described in this division. 646

(2) If a petition is sufficient, and, in case of 647  
overlapping precinct petitions, after the board has determined 648

the governing petition, the board to which the petition has been 649  
presented shall order the holding of a special election in the 650  
precinct for the submission of whichever of the questions 651  
specified in section 4301.353 ~~or 4301.354~~ of the Revised Code 652  
are designated in the petition, on the day of the next general 653  
election or special election held on the day of the next primary 654  
election, whichever occurs first. 655

(C) All petitions filed with a board of elections under 656  
this section shall be open to public inspection under rules 657  
adopted by the board. 658

(D) Protest against local option petitions may be filed by 659  
any elector eligible to vote on the question or questions 660  
described in the petitions or by a permit holder in the precinct 661  
as described in the petitions, not later than four p.m. of the 662  
seventy-fourth day before the day of the general election or 663  
special election held on the day of the primary election for 664  
which the petition qualified. The protest shall be in writing 665  
and shall be filed with the election officials with whom the 666  
petition was filed. Upon filing of the protest, the election 667  
officials with whom it is filed shall promptly fix the time for 668  
hearing it, and shall mail notice of the filing of the protest 669  
and the time and place for hearing it to the person who filed 670  
the petition and to the person who filed the protest. At the 671  
time and place fixed, the election officials shall hear the 672  
protest and determine the validity of the petition. 673

**Sec. 4301.333.** (A) The privilege of local option conferred 674  
by section 4301.323 of the Revised Code may be exercised if, not 675  
later than four p.m. of the ninetieth day before the day of a 676  
general election or special election held on the day of a 677  
primary election, a petition is presented to the board of 678

elections of the county in which the precinct is situated by a petitioner who is one of the following:

- (1) An applicant for the issuance or transfer of a liquor permit at, or to, a particular location within the precinct;
- (2) The holder of a liquor permit at a particular location within the precinct;
- (3) A person who operates or seeks to operate a liquor agency store at a particular location within the precinct;
- (4) The designated agent for an applicant, liquor permit holder, or liquor agency store described in division (A) (1), (2), or (3) of this section.

(B) The petition shall be signed by the electors of the precinct equal in number to at least thirty-five per cent of the total number of votes cast in the precinct for the office of governor at the preceding general election for that office and shall contain all of the following:

- (1) A notice that the petition is for the submission of the question ~~or questions~~ set forth in section 4301.355 of the Revised Code;
- (2) The name of the applicant for the issuance or transfer, or the holder, of the liquor permit or, if applicable, the name of the liquor agency store, including any trade or fictitious names under which the applicant, holder, or liquor agency store either intends to do or does business at the particular location;
- (3) The address and proposed use of the particular location within the election precinct to which the results of the question ~~or questions~~ specified in section 4301.355 of the



Revised Code shall apply. For purposes of this division, "use" 707  
means all of the following: 708

(a) The type of each liquor permit applied for by the 709  
applicant or held by the liquor permit holder as described in 710  
sections 4303.11 to 4303.183 of the Revised Code, including a 711  
description of the type of beer or intoxicating liquor sales 712  
authorized by each permit as provided in those sections; 713

(b) If a liquor agency store, the fact that the business 714  
operated as a liquor agency store authorized to operate by this 715  
state; 716

(c) A description of the general nature of the business of 717  
the applicant, liquor permit holder, or liquor agency store. 718

~~(4) If the petition seeks approval of Sunday sales under 719  
question (B) (2) as set forth in section 4301.355 of the Revised 720  
Code, a statement indicating whether the hours of sale sought 721  
are between ten a.m. and midnight or between eleven a.m. and 722  
midnight. 723~~

(C) (1) At the time the petitioner files the petition with 724  
the board of elections, the petitioner shall provide to the 725  
board both of the following: 726

(a) An affidavit that is signed by the petitioner and that 727  
states the proposed use of the location following the election 728  
held to authorize the sale of beer or intoxicating liquor 729  
authorized by each permit as provided in sections 4303.11 to 730  
4303.183 of the Revised Code; 731

(b) Written evidence of the designation of an agent by the 732  
applicant, liquor permit holder, or liquor agency store 733  
described in division (A) (1), (2), or (3) of this section for 734  
the purpose of petitioning for the local option election, if the 735

petitioner is the designated agent of the applicant, liquor 736  
permit holder, or liquor agency store. 737

(2) Failure to supply the affidavit, or the written 738  
evidence of the designation of the agent if the petitioner for 739  
the local option election is the agent of the applicant, liquor 740  
permit holder, or liquor agency store described in division (A) 741  
(1), (2), or (3) of this section, at the time the petition is 742  
filed invalidates the entire petition. 743

(D) Not later than the seventy-eighth day before the day 744  
of the next general election or special election held on the day 745  
of the next primary election, whichever occurs first, the board 746  
shall examine and determine the sufficiency of the signatures 747  
and the validity of the petition. If the board finds that the 748  
petition contains sufficient signatures and in other respects is 749  
valid, it shall order the holding of an election in the precinct 750  
on the day of the next general election or special election held 751  
on the day of the next primary election, whichever occurs first, 752  
for the submission of the question ~~or questions~~ set forth in 753  
section 4301.355 of the Revised Code. 754

(E) A petition filed with the board of elections under 755  
this section shall be open to public inspection under rules 756  
adopted by the board. 757

(F) An elector who is eligible to vote on the question ~~or~~ 758  
~~questions~~ set forth in section 4301.355 of the Revised Code may 759  
file, not later than four p.m. of the seventy-fourth day before 760  
the day of the election at which the question ~~or questions~~ will 761  
be submitted to the electors, a protest against a local option 762  
petition circulated and filed pursuant to this section. The 763  
protest shall be in writing and shall be filed with the election 764  
officials with whom the petition was filed. Upon the filing of 765

the protest, the election officials with whom it is filed shall 766  
promptly establish a time and place for hearing the protest and 767  
shall mail notice of the time and place for the hearing to the 768  
applicant for, or the holder of, the liquor permit who is 769  
specified in the petition and to the elector who filed the 770  
protest. At the time and place established in the notice, the 771  
election officials shall hear the protest and determine the 772  
validity of the petition. 773

**Sec. 4301.334.** (A) The privilege of local option conferred 774  
by section 4301.324 of the Revised Code may be exercised if, not 775  
later than four p.m. of the ninetieth day before the day of a 776  
general election or special election held on the day of a 777  
primary election, a petition and other information required by 778  
division (B) of this section are presented to the board of 779  
elections of the county in which the community facility named in 780  
the petition is located. The petition shall be signed by 781  
electors of the municipal corporation or unincorporated area of 782  
the township in which the community facility is located equal in 783  
number to at least ten per cent of the total number of votes 784  
cast in the municipal corporation or unincorporated area of the 785  
township in which the community facility is located for the 786  
office of governor at the most recent general election for that 787  
office and shall contain both of the following: 788

(1) A notice that the petition is for the submission of 789  
the question set forth in section 4301.356 of the Revised Code 790  
~~and a statement indicating whether the hours of Sunday sales~~ 791  
~~sought in the local option election are between ten a.m. and~~ 792  
~~midnight or between eleven a.m. and midnight;~~ 793

(2) The name and address of the community facility for 794  
which the local option election is sought and, if the community 795

facility is a community entertainment district, the boundaries 796  
of the district. 797

(B) Upon the request of a petitioner, a board of elections 798  
of a county shall furnish to the petitioner a copy of the 799  
instructions prepared by the secretary of state under division 800  
(P) of section 3501.05 of the Revised Code and, within fifteen 801  
days after the request, a certificate indicating the number of 802  
valid signatures that will be required on a petition to hold an 803  
election in the municipal corporation or unincorporated area of 804  
the township in which the community facility is located on the 805  
question specified in section 4301.356 of the Revised Code. 806

The petitioner shall, not less than thirty days before the 807  
petition-filing deadline for an election on the question 808  
specified in section 4301.356 of the Revised Code, specify to 809  
the division of liquor control the name and address of the 810  
community facility for which the election is sought and, if the 811  
community facility is a community entertainment district, the 812  
boundaries of the district, the municipal corporation or 813  
unincorporated area of a township in which the election is 814  
sought, and the filing deadline. The division shall, within a 815  
reasonable period of time and not later than ten days before the 816  
filing deadline, supply the petitioner with the name and address 817  
of any permit holder for or within the community facility. 818

The petitioner shall file the name and address of any 819  
permit holder who would be affected by the election at the time 820  
the petitioner files the petition with the board of elections. 821  
Within five days after receiving the petition, the board shall 822  
give notice by certified mail to any permit holder within the 823  
community facility that it has received the petition. Failure of 824  
the petitioner to supply the name and address of any permit 825

holder for or within the community facility as furnished to the 826  
petitioner by the division invalidates the petition. 827

(C) Not later than the seventy-eighth day before the day 828  
of the next general election or special election held on the day 829  
of the next primary election, whichever occurs first, the board 830  
shall examine and determine the sufficiency of the signatures on 831  
the petition. If the board finds that the petition is valid, it 832  
shall order the holding of an election in the municipal 833  
corporation or unincorporated area of a township on the day of 834  
the next general election or special election held on the day of 835  
the next primary election, whichever occurs first, for the 836  
submission of the question set forth in section 4301.356 of the 837  
Revised Code. 838

(D) A petition filed with a board of elections under this 839  
section shall be open to public inspection under rules adopted 840  
by the board. 841

(E) An elector who is eligible to vote on the question set 842  
forth in section 4301.356 of the Revised Code or any permit 843  
holder for or within the community facility may, not later than 844  
four p.m. of the seventy-fourth day before the day of the 845  
election at which the question will be submitted to the 846  
electors, file a written protest against the local option 847  
petition with the board of elections with which the petition was 848  
filed. Upon the filing of the protest, the board shall promptly 849  
fix a time and place for hearing the protest and shall mail 850  
notice of the time and place to the person who filed the 851  
petition and to the person who filed the protest. At the time 852  
and place fixed, the board shall hear the protest and determine 853  
the validity of the petition. 854

**Sec. 4301.353.** If a petition is filed under section 855

4301.332 of the Revised Code for the submission of the one or 856  
more questions set forth in this section, a special election 857  
shall be held in the precinct as ordered by the board of 858  
elections under that section. The expense of holding the special 859  
election shall be charged to the municipal corporation or 860  
township of which the precinct is a part. 861

At the election, one or both of the following questions as 862  
designated in a valid petition shall be submitted to the 863  
electors of the precinct ~~concerning sales on days of the week~~ 864  
~~other than Sunday:~~ 865

(A) "Shall the sales of (insert one or both of the 866  
following: beer, or wine and mixed beverages) by the package, 867  
under permits that authorize sale for off-premises consumption 868  
only, be permitted in a portion of this precinct in which the 869  
status of the sale of (insert one or both of the following: 870  
beer, or wine and mixed beverages) as allowed or prohibited is 871  
inconsistent with the status of such sale in the remainder of 872  
the precinct?" 873

(B) "Shall the sale of (insert one or more of the 874  
following: beer, wine and mixed beverages, or spirituous 875  
liquor), under permits that authorize sale for on-premises 876  
consumption only, and under permits that authorize sale for both 877  
on-premises and off-premises consumption, be permitted in a 878  
portion of this precinct in which the status of the sale of 879  
(insert one or more of the following: beer, wine and mixed 880  
beverages, or spirituous liquor) as allowed or prohibited is 881  
inconsistent with the status of such sale in the remainder of 882  
the precinct?" 883

The board of elections shall furnish printed ballots at 884  
the special election as provided under section 3505.06 of the 885

Revised Code, except that a separate ballot shall be used for 886  
the special election. One or both of the questions set forth in 887  
this section shall be printed on each ballot and the board shall 888  
insert in the question and statement appropriate words to 889  
complete each and a description of the portion of the precinct 890  
that would be affected by the results of the election. 891

The description of the portion of the precinct shall 892  
include either the complete listing of street addresses in that 893  
portion or a condensed text that accurately describes the 894  
boundaries of the portion of the precinct by street name or by 895  
another name generally known by the residents of the portion of 896  
the precinct. If other than a full street listing is used, the 897  
full street listing also shall be posted in each polling place 898  
in a location that is easily accessible to all voters. Failure 899  
of the board of elections to completely and accurately list all 900  
street addresses in the affected area of the precinct does not 901  
affect the validity of the election at which the failure 902  
occurred and is not grounds for contesting an election under 903  
section 3515.08 of the Revised Code. Votes shall be cast as 904  
provided under section 3505.06 of the Revised Code. 905

**Sec. 4301.355.** (A) If a petition is filed under section 906  
4301.333 of the Revised Code for the submission of the question 907  
~~or questions~~ set forth in this section, it shall be held in the 908  
precinct as ordered by the board of elections under that 909  
section. The expense of holding the election shall be charged to 910  
the municipal corporation or township of which the precinct is a 911  
part. 912

(B) At the election, ~~one or more of~~ the following 913  
~~questions~~ question, as designated in a valid petition, shall be 914  
submitted to the electors of the precinct: 915

~~(1)~~ "Shall the sale of ..... (insert beer, wine and  
mixed beverages, or spirituous liquor) be permitted  
by ..... (insert name of applicant, liquor permit holder,  
or liquor agency store, including trade or fictitious name under  
which applicant for, or holder of, liquor permit or liquor  
agency store either intends to do, or does, business at the  
particular location), an ..... (insert "applicant for" or  
"holder of" or "operator of") a ..... (insert class name of  
liquor permit or permits followed by the words "liquor  
permit(s)" or, if appropriate, the words "liquor agency store  
for the State of Ohio"), who is engaged in the business  
of ..... (insert general nature of the business in which  
applicant or liquor permit holder is engaged or will be engaged  
in at the particular location, as described in the petition)  
at ..... (insert address of the particular location within  
the precinct as set forth in the petition) in this precinct?"

~~(2) "Shall the sale of ..... (insert beer, wine and  
mixed beverages, or spirituous liquor) be permitted for sale on  
Sunday between the hours of ..... (insert "ten a.m. and  
midnight" or "eleven a.m. and midnight") by ..... (insert  
name of applicant, liquor permit holder, or liquor agency store,  
including trade or fictitious name under which applicant for, or  
holder of, liquor permit or liquor agency store either intends  
to do, or does, business at the particular location), an .....  
(insert "applicant for a D-6 liquor permit," "holder of a D-6  
liquor permit," "applicant for or holder of an A-1-A, A-2, A-2f,  
A-3a, C-1, C-2x, D-1, D-2x, D-3, D-3x, D-4, D-5, D-5b, D-5c, D-  
5e, D-5f, D-5g, D-5h, D-5i, D-5j, D-5k, D-5l, D-5m, D-5n, D-5o,  
or D-7 liquor permit," if only the approval of beer sales is  
sought, or "liquor agency store") who is engaged in the business  
of ..... (insert general nature of the business in which~~



~~applicant or liquor permit holder is engaged or will be engaged~~ 947  
~~in at the particular location, as described in the petition)~~ 948  
~~at ..... (insert address of the particular location within~~ 949  
~~the precinct) in this precinct?"~~ 950

(C) The board of elections shall furnish printed ballots 951  
at the election as provided under section 3505.06 of the Revised 952  
Code, except that a separate ballot shall be used for the 953  
election under this section. The question set forth in this 954  
section shall be printed on each ballot, and the board shall 955  
insert in the question appropriate words to complete it. Votes 956  
shall be cast as provided under section 3505.06 of the Revised 957  
Code. 958

**Sec. 4301.356.** If a petition is filed under section 959  
4301.334 of the Revised Code for the submission of the question 960  
set forth in this section, an election shall be held in the 961  
municipal corporation or unincorporated area of a township as 962  
ordered by the board of elections under that section. 963

Except as otherwise provided in this section, if the 964  
legislative authority of a municipal corporation in whose 965  
territory, or the board of township trustees of a township in 966  
whose unincorporated area, a community facility is located 967  
submits, not later than four p.m. of the ninetieth day before 968  
the day of a special election held on the day of a primary 969  
election or general election, to the board of elections of the 970  
county in which the community facility is located an ordinance 971  
or resolution requesting the submission of the question set 972  
forth in this section to the electors of the municipal 973  
corporation or unincorporated area of the township, the board of 974  
elections shall order that an election be held on that question 975  
in the municipal corporation or the unincorporated area of the 976

township on the day of the next special election held on the day 977  
of a primary election or next general election, whichever occurs 978  
first. The legislative authority or board of township trustees 979  
shall submit the name and address of any permit holder who would 980  
be affected by the results of the election to the board of 981  
elections at the same time it submits the ordinance or 982  
resolution. The board of elections, within five days after 983  
receiving the name and address, shall give notice by certified 984  
mail to each permit holder that it has received the ordinance or 985  
resolution. Failure of the legislative authority or board of 986  
township trustees to supply the name and address of each permit 987  
holder to the board of elections invalidates the effect of the 988  
ordinance or resolution. 989

At the election, the following question shall be submitted 990  
to the electors of the municipal corporation or unincorporated 991  
area of a township: 992

"Shall the sale of beer and intoxicating liquor be 993  
~~permitted on days of the week other than Sunday and between the~~ 994  
~~hours of ..... (insert "ten a.m." or "eleven a.m.") and~~ 995  
~~midnight on Sunday,~~ at ..... (insert name of community 996  
facility), a community facility as defined by section 4301.01 of 997  
the Revised Code, and located at ..... (insert the address of 998  
the community facility and, if the community facility is a 999  
community entertainment district, the boundaries of the 1000  
district, as set forth in the petition)?" 1001

The board of elections shall furnish printed ballots at 1002  
the election as provided under section 3505.06 of the Revised 1003  
Code, except that a separate ballot shall be used for the 1004  
election under this section. The question set forth in this 1005  
section shall be printed on each ballot, and the board shall 1006

insert in the question appropriate words to complete it, subject 1007  
to the approval of the secretary of state. Votes shall be cast 1008  
as provided under section 3505.06 of the Revised Code. 1009

**Sec. 4301.362.** If a majority of the electors voting on the 1010  
question set forth in section 4301.352 of the Revised Code vote 1011  
"yes," the sale of beer or intoxicating liquor by a class C or D 1012  
permit holder at the specified premises shall only be subject to 1013  
Chapters 4301. and 4303. of the Revised Code. 1014

If a majority of the electors voting on the question set 1015  
forth in section 4301.352 of the Revised Code vote "no," the 1016  
board of elections shall notify the division of liquor control 1017  
of the final result of the election by certified mail. When the 1018  
division receives notice of the final result of the election, it 1019  
shall cancel and pick up the permit holder's permit within seven 1020  
days. 1021

The results of a local option election that is held in a 1022  
precinct pursuant to section 4301.352 of the Revised Code shall 1023  
not affect the results of a local option election that is held 1024  
in the same precinct under section 4301.35, ~~4301.351,~~ 4301.353, 1025  
~~4301.354,~~ 4303.29, or 4305.14 of the Revised Code. 1026

**Sec. 4301.365.** (A) If a majority of the electors in a 1027  
precinct vote "yes" on ~~questions (B) (1) and (2) as the question~~ 1028  
set forth in section 4301.355 of the Revised Code, the sale of 1029  
beer, wine and mixed beverages, or spirituous liquor, whichever 1030  
was the subject of the election, shall be allowed at the 1031  
particular location and for the use specified in the ~~questions~~ 1032  
question under each permit applied for by the petitioner or at 1033  
the address listed for the liquor agency store, ~~and, in relation~~ 1034  
~~to question (B) (2), during the hours on Sunday specified in~~ 1035  
~~division (A) of section 4303.182 of the Revised Code, subject~~ 1036

only to this chapter and Chapter 4303. of the Revised Code. 1037  
Failure to continue to use the particular location for any 1038  
proposed or stated use set forth in the petition is grounds for 1039  
the denial of a renewal of the liquor permit under division (A) 1040  
of section 4303.271 of the Revised Code or is grounds for the 1041  
nonrenewal or cancellation of the liquor agency store contract 1042  
by the division of liquor control, ~~except in the case where the~~ 1043  
~~liquor permit holder or liquor agency store decides to cease the~~ 1044  
~~sale of beer, wine and mixed beverages, or spirituous liquor,~~ 1045  
~~whichever was the subject of the election, on Sundays.~~ 1046

(B) ~~Except as otherwise provided in division (H) of this~~ 1047  
~~section, if a majority of the electors in a precinct vote "yes"~~ 1048  
~~on question (B) (1) and "no" on question (B) (2) as set forth in~~ 1049  
~~section 4301.355 of the Revised Code, the sale of beer, wine and~~ 1050  
~~mixed beverages, or spirituous liquor, whichever was the subject~~ 1051  
~~of the election, shall be allowed at the particular location for~~ 1052  
~~the use specified in question (B) (1) of section 4301.355 of the~~ 1053  
~~Revised Code and under each permit applied for by the~~ 1054  
~~petitioner, except for a D-6 permit, subject only to this~~ 1055  
~~chapter and Chapter 4303. of the Revised Code.~~ 1056

~~(C)~~ If a majority of the electors in a precinct vote "no" 1057  
on the question ~~(B) (1)~~ as set forth in section 4301.355 of the 1058  
Revised Code, no sales of beer, wine and mixed beverages, or 1059  
spirituous liquor, whichever was the subject of the election, 1060  
shall be allowed at the particular location for the use 1061  
specified in the petition during the period the election is in 1062  
effect as defined in section 4301.37 of the Revised Code. 1063

~~(D)~~ If a majority of the electors in a precinct vote only 1064  
on question (B) (2) as set forth in section 4301.355 of the 1065  
Revised Code and that vote results in a majority "yes" vote, 1066

~~sales of beer, wine and mixed beverages, or spirituous liquor, 1067  
whichever was the subject of the election, shall be allowed at 1068  
the particular location for the use specified in the petition on 1069  
Sunday during the hours specified in division (A) of section 1070  
4303.182 of the Revised Code and during the period the election 1071  
is in effect as defined in section 4301.37 of the Revised Code. 1072~~

~~(E) Except as otherwise provided in division (H) of this 1073  
section, if a majority of the electors in a precinct vote only 1074  
on question (B) (2) as set forth in section 4301.355 of the 1075  
Revised Code and that vote results in a majority "no" vote, no 1076  
sales of beer, wine and mixed beverages, or spirituous liquor, 1077  
whichever was the subject of the election, shall be allowed at 1078  
the particular location for the use and during the hours 1079  
specified in the petition on Sunday during the period the 1080  
election is in effect as defined in section 4301.37 of the 1081  
Revised Code. 1082~~

~~(F) (C) In case of elections in the same precinct for the 1083  
question or questions set forth in section 4301.355 of the 1084  
Revised Code and for a question or questions set forth in 1085  
section 4301.35, 4301.351, 4301.353, 4301.354, 4303.29, or 1086  
4305.14 of the Revised Code, the results of the election held on 1087  
the question or questions set forth in section 4301.355 of the 1088  
Revised Code shall apply to the particular location 1089  
notwithstanding the results of the election held on the question 1090  
or questions set forth in section 4301.35, 4301.351, 4301.353, 1091  
4301.354, 4303.29, or 4305.14 of the Revised Code. 1092~~

~~(G) (D) Sections 4301.32 to 4301.41 of the Revised Code do 1093  
not prohibit the transfer of ownership of a permit that was 1094  
issued to a particular location as the result of an election 1095  
held on sales of beer, wine and mixed beverages, spirituous 1096~~

liquor, or intoxicating liquor at that particular location as 1097  
long as the general nature of the business at that particular 1098  
location described in the petition for that election remains the 1099  
same after the transfer. 1100

~~(H) If question (B) (2) as set forth in section 4301.355 of 1101  
the Revised Code is submitted to the electors of a precinct 1102  
proposing to authorize the sale of beer, wine and mixed 1103  
beverages, or spirituous liquor between the hours of ten a.m. 1104  
and midnight at a particular location at which the sale of beer, 1105  
wine and mixed beverages, spirituous liquor, or intoxicating 1106  
liquor is already allowed between the hours of eleven a.m. and 1107  
midnight or one p.m. and midnight and the question submitted is 1108  
defeated, the sale of beer, wine and mixed beverages, spirituous 1109  
liquor, or intoxicating liquor between the hours of eleven a.m. 1110  
and midnight or one p.m. and midnight, as applicable, shall 1111  
continue at that particular location. 1112~~

**Sec. 4301.366.** If a majority of the electors voting on the 1113  
question specified in section 4301.356 of the Revised Code vote 1114  
"yes," the sale of beer and intoxicating liquor shall be allowed 1115  
at the community facility ~~on days of the week other than Sunday 1116  
and during the hours on Sunday specified in division (A) of 1117  
section 4303.182 of the Revised Code,~~ for the use specified in 1118  
the question, subject only to this chapter and Chapter 4303. of 1119  
the Revised Code. Failure to continue to use the location as a 1120  
community facility constitutes good cause for rejection of the 1121  
renewal of the liquor permit under division (A) of section 1122  
4303.271 of the Revised Code. 1123

If a majority of the electors voting on the question 1124  
specified in section 4301.356 of the Revised Code vote "no," no 1125  
sales of beer or intoxicating liquor shall be made at or within 1126

the community facility during the period the election is in 1127  
effect as defined in section 4301.37 of the Revised Code. 1128

**Sec. 4301.37.** (A) When a local option election, other than 1129  
an election under section ~~4301.351,~~4301.352, 4301.353, 1130  
~~4301.354,~~4301.355, or 4301.356 of the Revised Code, is held in 1131  
any precinct, except as provided in divisions (G) and (H) of 1132  
section 4301.39 of the Revised Code, the result of the election 1133  
shall be effective in the precinct until another election is 1134  
called and held pursuant to sections 4301.32 to 4301.36 of the 1135  
Revised Code, but no such election shall be held in the precinct 1136  
on the same question more than once in each four years. 1137

~~(B) When a local option election under section 4301.351 of 1138  
the Revised Code is held in any precinct, except as provided in 1139  
divisions (G) and (H) of section 4301.39 of the Revised Code, 1140  
the result of the election shall be effective in the precinct 1141  
until another election is called and held pursuant to sections 1142  
4301.32 to 4301.361 of the Revised Code, but no such election 1143  
shall be held under section 4301.351 of the Revised Code in the 1144  
precinct on the same question more than once in each four years. 1145~~

~~(C)~~When a local option election is held in a precinct 1146  
under section 4301.352 of the Revised Code and a majority of the 1147  
electors voting on the question vote "yes," no subsequent local 1148  
option election shall be held in the precinct upon the sale of 1149  
beer or intoxicating liquor by the class C or D permit holder at 1150  
the specified premises for a period of at least four years from 1151  
the date of the most recent local option election, except that 1152  
this division shall not be construed to prohibit the holding or 1153  
affect the results of a local option election under section 1154  
4301.35, ~~4301.351,~~4301.353, ~~4301.354,~~4303.29, or 4305.14 of 1155  
the Revised Code. 1156

~~(D)~~ (C) When a local option election is held in a precinct 1157  
under section 4301.353 ~~or 4301.354~~ of the Revised Code, except 1158  
as provided in divisions (G) and (H) of section 4301.39 of the 1159  
Revised Code, the results of the election shall be effective 1160  
until another election is held under that section on the same 1161  
question, but no such election shall be held in a precinct under 1162  
that section on the same question for a period of at least four 1163  
years from the date of the most recent election on that 1164  
question. This division shall not be construed to prohibit the 1165  
future holding of, or affect the future results of, a local 1166  
option election held under section 4301.35, ~~4301.351,~~ 4301.355, 1167  
4303.29, or 4305.14 of the Revised Code. 1168

~~(E)~~ (D) When a local option election is held in a precinct 1169  
under section 4301.355 of the Revised Code, the results of that 1170  
election shall be effective at the particular location 1171  
designated in the petition until another election is held 1172  
pursuant to section 4301.355 of the Revised Code or until such 1173  
time as an election is held pursuant to section 4301.352 of the 1174  
Revised Code, but no election shall be held under section 1175  
4301.355 of the Revised Code regarding the same use at that 1176  
particular location for a period of at least four years from the 1177  
date of the most recent election on that question. The results 1178  
of a local option election held in a precinct under section 1179  
4301.355 of the Revised Code shall not prohibit the holding of, 1180  
and shall be affected by the results of, a local option election 1181  
held under section 4301.35, ~~4301.351,~~ 4301.353, ~~4301.354,~~ 1182  
4303.29, or 4305.14 of the Revised Code. 1183

~~(F)~~ (E) When a local option election is held in a 1184  
municipal corporation or unincorporated area of a township under 1185  
section 4301.356 of the Revised Code, the results of the 1186  
election shall be effective at the community facility that was 1187



the subject of the election until another such election is held 1188  
regarding that community facility, but no such election shall be 1189  
held for a period of at least four years from the date of the 1190  
election. The results of a local option election held in a 1191  
municipal corporation or unincorporated area of a township under 1192  
section 4301.356 of the Revised Code shall not prohibit the 1193  
holding of, or affect or be affected by the results of, a local 1194  
option election held under section 4301.35, ~~4301.351~~, 4301.353, 1195  
~~4301.354~~, 4303.29, or 4305.14 of the Revised Code. 1196

~~(C)~~ (F) If a community facility is located in an election 1197  
precinct in which a previous local option election in the 1198  
precinct resulted in approval of the sale of beer or 1199  
intoxicating liquor in the precinct, the community facility 1200  
shall sell beer or intoxicating liquor only to the extent 1201  
permitted by the previous local option election until an 1202  
election is held pursuant to section 4301.356 of the Revised 1203  
Code. 1204

~~(H)~~ (G) A community facility shall not be affected by a 1205  
local option election held on or after March 30, 1999, unless 1206  
the election is held under section 4301.356 of the Revised Code. 1207

**Sec. 4301.39.** (A) When the board of elections of any 1208  
county determines that a petition for a local option election 1209  
presented pursuant to section 4301.33, 4301.331, 4301.332, 1210  
4301.333, 4303.29, or 4305.14 of the Revised Code is sufficient, 1211  
it shall forthwith, by mail, notify the division of liquor 1212  
control of the fact that the petition has been filed and 1213  
approved by it. Upon the determination of the results of any 1214  
such election, the board shall forthwith notify the division by 1215  
mail of the result and shall forward with the notice a plat of 1216  
the precinct in which the election was held and, if applicable, 1217

shall separately identify the portion of the precinct affected 1218  
by the election. 1219

(B) On the plat of a precinct forwarded with the results 1220  
of an election that was held under section 4301.35, ~~4301.351,~~ 1221  
4301.353, ~~4301.354,~~ or 4303.29 of the Revised Code, the board 1222  
shall show and designate all of the streets and highways in the 1223  
precinct or relevant portion of the precinct. 1224

(C) On the plat of a precinct forwarded with the results 1225  
of an election that was held under section 4301.352 of the 1226  
Revised Code, the board shall show and designate all of the 1227  
following: 1228

(1) All of the streets and highways in the precinct; 1229

(2) The permit premises designated in the petition that 1230  
was filed under section 4301.331 of the Revised Code; 1231

(3) A class C or D permit holder's personal or corporate 1232  
name and, if it is different from the permit holder's personal 1233  
or corporate name, the name of the business conducted by the 1234  
permit holder on the designated premises; 1235

(4) The address of the designated premises. 1236

(D) On the plat of a precinct forwarded with the results 1237  
of an election that was held under section 4301.355 of the 1238  
Revised Code, the board shall show and designate all of the 1239  
following: 1240

(1) All streets and highways in the precinct; 1241

(2) The address of the particular location within the 1242  
precinct to which the election results will apply as designated 1243  
in the petition that was filed under section 4301.333 of the 1244  
Revised Code; 1245

(3) The name of the applicant for the issuance or transfer 1246  
of the liquor permit, of the holder of the liquor permit, or of 1247  
the liquor agency store, including any trade or fictitious names 1248  
under which the applicant, holder, or operator intends to, or 1249  
does, do business at the particular location, as designated in 1250  
the petition that was filed under section 4301.333 of the 1251  
Revised Code. 1252

(E) With the results of an election that was held under 1253  
section 4301.356 of the Revised Code, the board shall designate 1254  
both of the following: 1255

(1) Each permit premises designated in the petition; 1256

(2) Each class C or D permit holder's personal or 1257  
corporate name and, if it is different from the personal or 1258  
corporate name, the name of the business conducted by the permit 1259  
holder on the designated premises. 1260

(F) If an application for recount is filed with the board 1261  
pursuant to section 3515.02 of the Revised Code or if an 1262  
election contest is commenced pursuant to section 3515.09 of the 1263  
Revised Code, the board shall send written notice of the recount 1264  
or contest to the superintendent of liquor control within two 1265  
days from the date of the filing of the application for recount 1266  
or the commencement of an election contest either by certified 1267  
mail or, if the board has record of an internet identifier of 1268  
record associated with the superintendent, by ordinary mail and 1269  
by that internet identifier of record. Upon the final 1270  
determination of an election recount or contest, the board shall 1271  
send notice of the final determination to the superintendent and 1272  
the liquor control commission either by certified mail or, if 1273  
the board has record of an internet identifier of record 1274  
associated with the superintendent or commission, by ordinary 1275

mail and an internet identifier of record associated with the 1276  
superintendent or commission. 1277

(G) If, as the result of a local option election held 1278  
pursuant to section 4301.35, ~~4301.351,~~4301.353, ~~4301.354,~~ 1279  
4303.29, or 4305.14 of the Revised Code, the use of a permit is 1280  
made partially unlawful, the division shall, within thirty days 1281  
after receipt of the final notice of the result of the election, 1282  
pick up the permit, amend it by inserting appropriate 1283  
restrictions on it, and forthwith reissue it without charge or 1284  
refund to the permit holder, unless, prior to thirty days after 1285  
receipt of the final notice of the result of the election, both 1286  
of the following occur: 1287

(1) A petition is filed with the board pursuant to section 1288  
4301.333 of the Revised Code; 1289

(2) A copy of the petition filed with the board pursuant 1290  
to section 4301.333 of the Revised Code, bearing the file stamp 1291  
of the board, is filed with the superintendent of liquor 1292  
control. 1293

If both of those conditions are met, the results of the 1294  
election held pursuant to section 4301.35, ~~4301.351,~~4301.353, 1295  
~~4301.354,~~4303.29, or 4305.14 of the Revised Code shall not take 1296  
effect as to the liquor permit holder specified in the petition 1297  
filed pursuant to section 4301.333 of the Revised Code until the 1298  
earlier of a determination by the board and receipt of 1299  
notification by the superintendent of liquor control of notice 1300  
that the petition is invalid or receipt by the superintendent of 1301  
final notice of the result of an election held pursuant to 1302  
section 4301.355 of the Revised Code concerning the holder of 1303  
the liquor permit that resulted in a majority "no" vote. 1304

(H) If, as the result of a local option election, except a local option election held pursuant to section 4301.352 of the Revised Code, the use of a permit is made wholly unlawful, the permit holder may, within thirty days after the certification of that final result by the board to the division, deliver the permit holder's permit to the division for safekeeping as provided in section 4303.272 of the Revised Code, or the permit holder may avail itself of the remedy set forth in divisions (G) (1) and (2) of this section. In such event, the results of the election shall not take effect as to the liquor permit holder specified in the petition pursuant to section 4301.333 of the Revised Code until the earlier of a determination by the board and receipt by the superintendent of liquor control of notice that the petition is invalid or receipt by the superintendent of the final notice of the result of an election held pursuant to section 4301.355 of the Revised Code concerning the holder of the liquor permit that resulted in a majority "no" vote.

(I) As used in this section, "internet identifier of record" has the same meaning as in section 9.312 of the Revised Code.

**Sec. 4301.403.** (A) As used in this section, "exhibition premises" means a premises at the site where an exhibition sanctioned by the U.S. Christopher Columbus quincentenary jubilee commission is being or has been held, if the exhibition is or was sponsored by an organization that also is sponsoring or has sponsored an exhibition sanctioned by the international association of horticulture producers.

(B) Sections 4301.32 to 4301.391 and 4305.14 of the Revised Code and the provisions for local option elections and the election on the question of the repeal of Section 9 of

Article XV, Ohio Constitution, in section 4303.29 of the Revised Code do not affect or prohibit the sale of beer or intoxicating liquor at an exhibition premises if the permit holder for the premises operates pursuant to the authority of a D liquor permit issued pursuant to Chapter 4303. of the Revised Code.

~~Permit D-6 shall be issued to the holder of any D permit that authorizes the sale of intoxicating liquor and that is issued for an exhibition premises to allow the sale of intoxicating liquor under the permit at the premises between the hours of one p.m. and midnight on Sunday, whether or not such sale has been authorized in an election held under section 4301.351 of the Revised Code. Notwithstanding section 4301.351 of the revised code, the holder of a D permit issued for an exhibition premises may sell beer on Sunday whether or not the sale of intoxicating liquor has been authorized in an election held under that section.~~

(C) Nothing in section 4303.29 of the Revised Code shall be construed to restrict the issuance of a D permit for an exhibition premises. An application for a D permit for an exhibition premises is exempt from the population quota restrictions contained in section 4303.29 of the Revised Code and from the population quota restrictions contained in any rule of the liquor control commission. The location of a D permit issued for an exhibition premises shall not be transferred. An applicant applying for a D-1, D-2, D-3, D-4, or D-5 permit for an exhibition premises is not subject to section 4303.31 of the Revised Code.

**Sec. 4301.404.** (A) As used in this section, "center for the preservation of wild animals" means a conservation center located on not less than five thousand acres of land that

provides scientific, educational, and recreational resources to 1365  
advance the conservation of animal populations and habitats. 1366

(B) Sections 4301.32 to 4301.391 and 4305.14 of the 1367  
Revised Code and the provisions for local option elections and 1368  
the election on the repeal of Ohio Constitution, Article XV, 1369  
Section 9 in section 4303.29 of the Revised Code do not affect 1370  
or prohibit the sale of beer or intoxicating liquor at a center 1371  
for the preservation of wild animals if any permit holder for 1372  
the premises operates pursuant to the authority of a D liquor 1373  
permit issued pursuant to Chapter 4303. of the Revised Code. 1374

~~(C) Permit D-6 shall be issued to the holder of any D- 1375  
permit that authorizes the sale of intoxicating liquor and that 1376  
is issued for a center for the preservation of wild animals to 1377  
allow the sale of intoxicating liquor under the permit at the 1378  
premises between the hours of one p.m. and midnight on Sunday, 1379  
whether or not such sale has been authorized in an election held 1380  
under section 4301.351 of the Revised Code. Notwithstanding 1381  
section 4301.351 of the Revised Code, the holder of a D permit 1382  
issued for a center for the preservation of wild animals may 1383  
sell beer on Sunday whether or not the sale of intoxicating 1384  
liquor has been authorized in an election held under that 1385  
section. 1386~~

**Sec. 4301.99.** (A) Whoever violates section 4301.47, 1387  
4301.48, 4301.49, 4301.62, or 4301.70 or division (C) of section 1388  
4301.65 or division (B) of section 4301.691 of the Revised Code 1389  
is guilty of a minor misdemeanor. 1390

(B) Whoever violates section 4301.15, division (A) (2) ~~or~~ 1391  
~~(C)~~ of section 4301.22, division (C), (D), (E), (F), (G), (H), 1392  
or (I) of section 4301.631, or section 4301.64 or 4301.67 of the 1393  
Revised Code is guilty of a misdemeanor of the fourth degree. 1394

If an offender who violates section 4301.64 of the Revised Code was under the age of eighteen years at the time of the offense, the court, in addition to any other penalties it imposes upon the offender, may suspend the offender's temporary instruction permit, probationary driver's license, or driver's license for a period of not less than six months and not more than one year. In lieu of suspending the offender's temporary instruction permit, probationary driver's license, or driver's license, the court instead may require the offender to perform community service for a number of hours determined by the court. If the offender is fifteen years and six months of age or older and has not been issued a temporary instruction permit or probationary driver's license, the offender shall not be eligible to be issued such a license or permit for a period of six months. If the offender has not attained the age of fifteen years and six months, the offender shall not be eligible to be issued a temporary instruction permit until the offender attains the age of sixteen years.

(C) Whoever violates division (D) of section 4301.21, section 4301.251, 4301.58, 4301.59, 4301.60, 4301.633, 4301.66, 4301.68, or 4301.74, division (B), (C), (D), (E) (1), or (F) of section 4301.69, or division (C), (D), (E), (F), (G), or (I) of section 4301.691 of the Revised Code is guilty of a misdemeanor of the first degree.

If an offender who violates division (E) (1) of section 4301.69 of the Revised Code was under the age of eighteen years at the time of the offense and the offense occurred while the offender was the operator of or a passenger in a motor vehicle, the court, in addition to any other penalties it imposes upon the offender, shall suspend the offender's temporary instruction permit or probationary driver's license for a period of not less



than six months and not more than one year. If the offender is 1426  
fifteen years and six months of age or older and has not been 1427  
issued a temporary instruction permit or probationary driver's 1428  
license, the offender shall not be eligible to be issued such a 1429  
license or permit for a period of six months. If the offender 1430  
has not attained the age of fifteen years and six months, the 1431  
offender shall not be eligible to be issued a temporary 1432  
instruction permit until the offender attains the age of sixteen 1433  
years. 1434

(D) Whoever violates division (B) of section 4301.14, or 1435  
division (A) (1) or (3) or (B) of section 4301.22 of the Revised 1436  
Code is guilty of a misdemeanor of the third degree. 1437

(E) Whoever violates section 4301.63 or division (B) of 1438  
section 4301.631 of the Revised Code shall be fined not less 1439  
than twenty-five nor more than one hundred dollars. The court 1440  
imposing a fine for a violation of section 4301.63 or division 1441  
(B) of section 4301.631 of the Revised Code may order that the 1442  
fine be paid by the performance of public work at a reasonable 1443  
hourly rate established by the court. The court shall designate 1444  
the time within which the public work shall be completed. 1445

(F) (1) Whoever violates section 4301.634 of the Revised 1446  
Code is guilty of a misdemeanor of the first degree. If, in 1447  
committing a first violation of that section, the offender 1448  
presented to the permit holder or the permit holder's employee 1449  
or agent a false, fictitious, or altered identification card, a 1450  
false or fictitious driver's license purportedly issued by any 1451  
state, or a driver's license issued by any state that has been 1452  
altered, the offender is guilty of a misdemeanor of the first 1453  
degree and shall be fined not less than two hundred fifty and 1454  
not more than one thousand dollars, and may be sentenced to a 1455

term of imprisonment of not more than six months. 1456

(2) On a second violation in which, for the second time, 1457  
the offender presented to the permit holder or the permit 1458  
holder's employee or agent a false, fictitious, or altered 1459  
identification card, a false or fictitious driver's license 1460  
purportedly issued by any state, or a driver's license issued by 1461  
any state that has been altered, the offender is guilty of a 1462  
misdemeanor of the first degree and shall be fined not less than 1463  
five hundred nor more than one thousand dollars, and may be 1464  
sentenced to a term of imprisonment of not more than six months. 1465  
The court also may impose a class seven suspension of the 1466  
offender's driver's or commercial driver's license or permit or 1467  
nonresident operating privilege from the range specified in 1468  
division (A) (7) of section 4510.02 of the Revised Code. 1469

(3) On a third or subsequent violation in which, for the 1470  
third or subsequent time, the offender presented to the permit 1471  
holder or the permit holder's employee or agent a false, 1472  
fictitious, or altered identification card, a false or 1473  
fictitious driver's license purportedly issued by any state, or 1474  
a driver's license issued by any state that has been altered, 1475  
the offender is guilty of a misdemeanor of the first degree and 1476  
shall be fined not less than five hundred nor more than one 1477  
thousand dollars, and may be sentenced to a term of imprisonment 1478  
of not more than six months. Except as provided in this 1479  
division, the court also may impose a class six suspension of 1480  
the offender's driver's or commercial driver's license or permit 1481  
or nonresident operating privilege from the range specified in 1482  
division (A) (6) of section 4510.02 of the Revised Code, and the 1483  
court may order that the suspension or denial remain in effect 1484  
until the offender attains the age of twenty-one years. The 1485  
court, in lieu of suspending the offender's temporary 1486

instruction permit, probationary driver's license, or driver's 1487  
license, instead may order the offender to perform a determinate 1488  
number of hours of community service, with the court determining 1489  
the actual number of hours and the nature of the community 1490  
service the offender shall perform. 1491

(G) Whoever violates section 4301.636 of the Revised Code 1492  
is guilty of a felony of the fifth degree. 1493

(H) Whoever violates division (A)(1) of section 4301.22 of 1494  
the Revised Code is guilty of a misdemeanor, shall be fined not 1495  
less than five hundred and not more than one thousand dollars, 1496  
and, in addition to the fine, may be imprisoned for a definite 1497  
term of not more than sixty days. 1498

(I) Whoever violates division (A) of section 4301.69 or 1499  
division (H) of section 4301.691 of the Revised Code is guilty 1500  
of a misdemeanor, shall be fined not less than five hundred and 1501  
not more than one thousand dollars, and, in addition to the 1502  
fine, may be imprisoned for a definite term of not more than six 1503  
months. 1504

(J) Whoever violates division (B) of section 4301.65 of 1505  
the Revised Code is guilty of a misdemeanor of the third degree. 1506  
For a second or subsequent violation occurring within a period 1507  
of five consecutive years after the first violation, a person is 1508  
guilty of a misdemeanor of the first degree. 1509

Sec. 4303.182. (A) As used in this section, "retail permit 1510  
holder" means an A-1-A, A-2, A-2f, A-3a, E, or class C, D, or F 1511  
permit. 1512

(B) A retail permit holder or an agency store may sell 1513  
beer, wine, mixed beverages, or spirituous liquor, as 1514  
applicable, on Sunday during the same hours that the permit 1515

holder or contract holder may sell those products on Monday 1516  
through Saturday. 1517

**Sec. 4303.184.** (A) Subject to division (B) of this 1518  
section, a D-8 permit may be issued to any of the following: 1519

(1) An agency store; 1520

(2) The holder of a C-1, C-2, or C-2x permit issued to a 1521  
retail store that has any of the following characteristics: 1522

(a) The store has at least five thousand five hundred 1523  
square feet of floor area, and it generates more than sixty per 1524  
cent of its sales in general merchandise items and food for 1525  
consumption off the premises where sold. 1526

(b) The store is located in a municipal corporation or 1527  
township with a population of five thousand or less, has at 1528  
least four thousand five hundred square feet of floor area, and 1529  
generates more than sixty per cent of its sales in general 1530  
merchandise items and food for consumption off the premises 1531  
where sold. 1532

(c) Wine constitutes at least sixty per cent of the value 1533  
of the store's inventory. 1534

(3) The holder of both a C-1 and C-2 permit, or the holder 1535  
of a C-2x permit, issued to a retail store that is located 1536  
within a municipal corporation or township with a population of 1537  
fifteen thousand or less. 1538

(B) A D-8 permit may be issued to the holder of a C-1, C- 1539  
2, or C-2x permit only if the premises of the permit holder are 1540  
located in a precinct, or at a particular location in a 1541  
precinct, in which the sale of beer, wine, or mixed beverages is 1542  
permitted for consumption off the premises where sold. Sales 1543

under a D-8 permit are not affected by whether sales for 1544  
consumption on the premises where sold are permitted in the 1545  
precinct or at the particular location where the D-8 premises 1546  
are located. 1547

(C) (1) The holder of a D-8 permit described in division 1548  
(A) (2) or (3) of this section may sell tasting samples of beer, 1549  
wine, and mixed beverages, but not spirituous liquor, at retail, 1550  
for consumption on the premises where sold in an amount not to 1551  
exceed two ounces or another amount designated by rule of the 1552  
liquor control commission. A tasting sample shall not be sold 1553  
for general consumption. 1554

(2) The holder of a D-8 permit described in division (A) 1555  
(1) of this section may allow the sale of tasting samples of 1556  
spirituous liquor in accordance with section 4301.171 of the 1557  
Revised Code. 1558

(3) No D-8 permit holder described in division (A) (2) or 1559  
(3) of this section shall allow any authorized purchaser to 1560  
consume more than four tasting samples of beer, wine, or mixed 1561  
beverages, or any combination of beer, wine, or mixed beverages, 1562  
per day. 1563

(D) (1) Notwithstanding sections 4303.11 and 4303.121 of 1564  
the Revised Code, the holder of a D-8 permit described in 1565  
division (A) (2) or (3) of this section may sell beer that is 1566  
dispensed from containers that have a capacity equal to or 1567  
greater than five and one-sixth gallons if all of the following 1568  
conditions are met: 1569

(a) A product registration fee for the beer has been paid 1570  
as required in division (A) (8) (b) of section 4301.10 of the 1571  
Revised Code. 1572

(b) The beer is dispensed only in glass containers whose capacity does not exceed one gallon and not for consumption on the premises where sold.

(c) The containers are sealed, marked, and transported in accordance with division (E) of section 4301.62 of the Revised Code.

(d) The containers have been cleaned immediately before being filled in accordance with rule 4301:1-1-28 of the Administrative Code.

(2) Beer that is sold and dispensed under division (D) (1) of this section is subject to both of the following:

(a) All applicable rules adopted by the liquor control commission, including, but not limited to, rule 4301:1-1-27 and rule 4301:1-1-72 of the Administrative Code;

(b) All applicable federal laws and regulations.

(E) The privileges authorized for the holder of a D-8 permit described in division (A) (2) or (3) of this section may only be exercised in conjunction with and during the hours of operation authorized by a C-1, C-2, or C-2x, ~~or D-6~~ permit.

(F) A D-8 permit shall not be transferred to another location.

(G) The fee for the D-8 permit is five hundred dollars.

**Sec. 4303.19.** Permit E may be issued to the owner or operator of any railroad, a sleeping car company operating dining cars, buffet cars, club cars, lounge cars, or similar equipment, or an airline providing charter or regularly scheduled aircraft transportation service with dining, buffet, club, lounge, or similar facilities, to sell beer or any

intoxicating liquor in any such car or aircraft to bona fide 1601  
passengers at retail in glass and from the container for 1602  
consumption in such car or aircraft, ~~including sale on Sunday~~ 1603  
~~between the hours of one p.m. and midnight.~~ The fee for this 1604  
permit is five hundred dollars. 1605

**Sec. 4303.202.** (A) The division of liquor control may 1606  
issue an F-2 permit to an association or corporation, or to a 1607  
recognized subordinate lodge, chapter, or other local unit of an 1608  
association or corporation, to sell beer or intoxicating liquor 1609  
by the individual drink at an event to be held on premises 1610  
located in a political subdivision or part thereof where the 1611  
sale of beer or intoxicating liquor, but not spirituous liquor, 1612  
on that day is otherwise permitted by law. However, the division 1613  
may issue the F-2 permit only if the association, corporation, 1614  
or recognized subordinate lodge, chapter, or other local unit of 1615  
an association or corporation meets all of the following: 1616

(1) It is organized not for profit; 1617

(2) It is operated for a charitable, cultural, 1618  
educational, fraternal, or political purpose; 1619

(3) It is not affiliated with the holder of any class of 1620  
liquor permit, other than a D-4 permit. 1621

~~(B) Sales under an F-2 permit on Sundays are not affected~~ 1622  
~~by whether Sunday sales of beer or intoxicating liquor for~~ 1623  
~~consumption on the premises where sold are allowed to be made by~~ 1624  
~~persons holding another type of permit in the precinct or at the~~ 1625  
~~particular location where the event is to be held, provided that~~ 1626  
~~the F-2 permit is issued for other days of the week in addition~~ 1627  
~~to Sunday.~~ 1628

~~(C) The premises on which the permit is to be used shall~~ 1629

be clearly defined and sufficiently restricted to allow proper supervision of the permit use by state and local law enforcement personnel. An F-2 permit may be issued for the same premises for which another class of permit is issued.

~~(D)~~ (C) (1) No F-2 permit shall be effective for more than four consecutive days, and sales shall be confined to the same hours permitted to the holder of a D-3 permit. The division shall not issue more than one F-2 permit in a thirty-day period to the same association, corporation, or local unit of an association or corporation. The fee for an F-2 permit is one hundred fifty dollars.

(2) No association, corporation, local unit of an association or corporation, or D-permit holder who holds an F-2 permit shall sell beer or intoxicating liquor beyond the hours of sale allowed by the permit. Division (D) (2) of this section imposes strict liability on the holder of such permit and on any officer, agent, or employee of such permit holder.

~~(E)~~ (D) If an applicant wishes the holder of a D permit issued under sections 4303.13 to 4303.181 of the Revised Code to conduct the sale of beer and intoxicating liquor at the event, the applicant may request that the F-2 permit be issued jointly to the association, corporation, or local unit and the D-permit holder. If a permit is issued jointly, the association, corporation, or local unit and the D-permit holder shall both be held responsible for any conduct that violates laws pertaining to the sale of alcoholic beverages, including sales by the D-permit holder; otherwise, the association, corporation, or local unit shall be held responsible. In addition to the permit fee paid by the association, corporation, or local unit, the D-permit holder shall pay a fee of ten dollars. A D-permit holder



may receive an unlimited number of joint F-2 permits. 1660

~~(F)~~(E) (1) Any association, corporation, or local unit 1661  
applying for an F-2 permit shall file with the application a 1662  
statement of the organizational purpose of the association, 1663  
corporation, or local unit, the location and purpose of the 1664  
event, and a list of its officers. The application form shall 1665  
contain a notice that a person who knowingly makes a false 1666  
statement on the application or statement is guilty of the crime 1667  
of falsification, a misdemeanor of the first degree. In ruling 1668  
on an application, the division shall consider, among other 1669  
things, the past activities of the association, corporation, or 1670  
local unit and any D-permit holder while operating under other 1671  
F-2 permits, the location of the event for which the current 1672  
application is made, and any objections of local residents or 1673  
law enforcement authorities. If the division approves the 1674  
application, it shall send copies of the approved application to 1675  
the proper law enforcement authorities prior to the scheduled 1676  
event. 1677

(2) Notwithstanding section 1711.09 of the Revised Code, 1678  
this section applies to any association or corporation or a 1679  
recognized subordinate lodge, chapter, or other local unit of an 1680  
association or corporation. 1681

~~(G)~~(F) Using the procedures of Chapter 119. of the 1682  
Revised Code, the liquor control commission may adopt such rules 1683  
as are necessary to administer this section. 1684

**Sec. 4303.203.** (A) As used in this section: 1685

(1) "Convention facility" and "nonprofit corporation" have 1686  
the same meanings as in section 4303.201 of the Revised Code. 1687

(2) "Hotel" means a hotel described in section 3731.01 of 1688

the Revised Code that has at least fifty rooms for registered 1689  
transient guests and that is required to be licensed pursuant to 1690  
section 3731.03 of the Revised Code. 1691

(B) An F-3 permit may be issued to an organization whose 1692  
primary purpose is to support, promote, and educate members of 1693  
the beer, wine, or mixed beverage industries, to allow the 1694  
organization to bring beer, wine, or mixed beverages in their 1695  
original packages or containers into a convention facility or 1696  
hotel for consumption in the facility or hotel, if all of the 1697  
following requirements are met: 1698

(1) The superintendent of liquor control is satisfied that 1699  
the organization is a nonprofit organization and that the 1700  
organization's membership is in excess of two hundred fifty 1701  
persons. 1702

(2) The general manager or the equivalent officer of the 1703  
convention facility or hotel provides a written consent for the 1704  
use of a portion of the facility or hotel by the organization 1705  
and a written statement that the facility's or hotel's permit 1706  
privileges will be suspended in the portion of the facility or 1707  
hotel in which the F-3 permit is in force. 1708

(3) The organization provides a written description that 1709  
clearly sets forth the portion of the convention facility or 1710  
hotel in which the F-3 permit will be used. 1711

(4) The organization provides a written statement as to 1712  
its primary purpose and the purpose of its event at the 1713  
convention facility or hotel. 1714

(5) Division (C) of this section does not apply. 1715

(C) No F-3 permit shall be issued to any nonprofit 1716  
organization that is created by or for a specific manufacturer, 1717

supplier, distributor, or retailer of beer, wine, or mixed 1718  
beverages. 1719

(D) Notwithstanding division ~~(D)~~(C) of section 4301.22 of 1720  
the Revised Code, a holder of an F-3 permit may obtain by 1721  
donation beer, wine, or mixed beverages from any manufacturer or 1722  
producer of beer, wine, or mixed beverages. 1723

(E) Nothing in this chapter prohibits the holder of an F-3 1724  
permit from bringing into the portion of the convention facility 1725  
or hotel covered by the permit beer, wine, or mixed beverages 1726  
otherwise not approved for sale in this state. 1727

(F) Notwithstanding division ~~(D)~~(C) of section 4301.22 of 1728  
the Revised Code, no holder of an F-3 permit shall make any 1729  
charge for any beer, wine, or mixed beverage served by the 1730  
drink, or in its original package or container, in connection 1731  
with the use of the portion of the convention facility or hotel 1732  
covered by the permit. 1733

(G) The division of liquor control shall prepare and make 1734  
available an F-3 permit application form and may require 1735  
applicants for the permit to provide information, in addition to 1736  
that required by this section, that is necessary for the 1737  
administration of this section. 1738

(H) An F-3 permit shall be effective for a period not to 1739  
exceed five consecutive days. The division of liquor control 1740  
shall not issue more than three F-3 permits per calendar year to 1741  
the same nonprofit organization. The fee for an F-3 permit is 1742  
three hundred dollars. 1743

**Sec. 4303.204.** (A) The division of liquor control may 1744  
issue an F-4 permit to an organization or corporation organized 1745  
not-for-profit in this state to conduct an event that includes 1746

the introduction, showcasing, or promotion of Ohio wines, if the 1747  
event has all of the following characteristics: 1748

(1) It is coordinated by that organization or corporation, 1749  
and the organization or corporation is responsible for the 1750  
activities at it. 1751

(2) It has as one of its purposes the intent to introduce, 1752  
showcase, or promote Ohio wines to persons who attend it. 1753

(3) It includes the sale of food for consumption on the 1754  
premises where sold. 1755

(4) It features any combination of at least three A-2 or 1756  
A-2f permit holders who sell Ohio wine at it. 1757

(B) The holder of an F-4 permit may furnish, with or 1758  
without charge, wine that it has obtained from the A-2 or A-2f 1759  
permit holders that are participating in the event for which the 1760  
F-4 permit is issued, in two-ounce samples for consumption on 1761  
the premises where furnished and may sell such wine by the glass 1762  
for consumption on the premises where sold. The holder of an A-2 1763  
or A-2f permit that is participating in the event for which the 1764  
F-4 permit is issued may sell wine that it has manufactured, in 1765  
sealed containers for consumption off the premises where sold. 1766  
Wine may be furnished or sold on the premises of the event for 1767  
which the F-4 permit is issued only where and when the sale of 1768  
wine is otherwise permitted by law. 1769

(C) The premises of the event for which the F-4 permit is 1770  
issued shall be clearly defined and sufficiently restricted to 1771  
allow proper enforcement of the permit by state and local law 1772  
enforcement officers. If an F-4 permit is issued for all or a 1773  
portion of the same premises for which another class of permit 1774  
is issued, that permit holder's privileges will be suspended in 1775

that portion of the premises in which the F-4 permit is in 1776  
effect. 1777

(D) No F-4 permit shall be effective for more than 1778  
seventy-two consecutive hours. No sales or furnishing of wine 1779  
shall take place under an F-4 permit after one a.m. 1780

(E) The division shall not issue more than six F-4 permits 1781  
to the same not-for-profit organization or corporation in any 1782  
one calendar year. 1783

(F) An applicant for an F-4 permit shall apply for the 1784  
permit not later than thirty days prior to the first day of the 1785  
event for which the permit is sought. The application for the 1786  
permit shall list all of the A-2 and A-2f permit holders that 1787  
will participate in the event for which the F-4 permit is 1788  
sought. The fee for the F-4 permit is sixty dollars per day. 1789

The division shall prepare and make available an F-4 1790  
permit application form and may require applicants for and 1791  
holders of the F-4 permit to provide information that is in 1792  
addition to that required by this section and that is necessary 1793  
for the administration of this section. 1794

(G) (1) The holder of an F-4 permit is responsible for, and 1795  
is subject to penalties for, any violations of this chapter or 1796  
Chapter 4301. of the Revised Code or the rules adopted under 1797  
this and that chapter. 1798

(2) An F-4 permit holder shall not allow an A-2 or A-2f 1799  
permit holder to participate in the event for which the F-4 1800  
permit is issued if the A-2 or A-2f or the A-1-A permit of that 1801  
A-2 or A-2f permit holder is under suspension. 1802

(3) The division may refuse to issue an F-4 permit to an 1803  
applicant who has violated any provision of this chapter or 1804

Chapter 4301. of the Revised Code during the applicant's 1805  
previous operation under an F-4 permit, for a period of up to 1806  
two years after the date of the violation. 1807

(H) (1) Notwithstanding division ~~(D)~~ (C) of section 4301.22 1808  
of the Revised Code, an A-2 or A-2f permit holder that 1809  
participates in an event for which an F-4 permit is issued may 1810  
donate wine that it has manufactured to the holder of that F-4 1811  
permit. The holder of an F-4 permit may return unused and sealed 1812  
containers of wine to the A-2 or A-2f permit holder that donated 1813  
the wine at the conclusion of the event for which the F-4 permit 1814  
was issued. 1815

(2) The participation by an A-2 or A-2f permit holder or 1816  
its employees in an event for which an F-4 permit is issued does 1817  
not violate section 4301.24 of the Revised Code. 1818

**Sec. 4303.205.** (A) As used in this section: 1819

(1) "Festival" means an event organized by a nonprofit 1820  
organization that includes food, music, and entertainment and 1821  
the participation of at least five riverboats. 1822

(2) "Nonprofit organization" has the same meaning as in 1823  
section 4303.201 of the Revised Code. 1824

(B) The division of liquor control may issue an F-5 permit 1825  
to the owner or operator of a riverboat that has a capacity in 1826  
excess of fifty-five persons, that is not regularly docked in 1827  
this state, and whose owner or operator has entered into a 1828  
written contract with a nonprofit organization for the riverboat 1829  
to participate in a festival. 1830

(C) The holder of an F-5 permit may sell beer and any 1831  
intoxicating liquor, only by the individual drink in glass and 1832  
from the container, for consumption on the premises where sold 1833

until one a.m., on any day of the week, ~~including Sunday.~~ 1834

(D) The division shall prepare and make available an F-5 1835  
permit application form and may require applicants for the 1836  
permit to provide information, in addition to that required by 1837  
this section, that is necessary for the administration of this 1838  
section. 1839

(E) Sales under an F-5 permit are not affected by whether 1840  
sales of beer or intoxicating liquor for consumption on the 1841  
premises where sold are permitted to be made by persons holding 1842  
another type of permit in the precinct or at the particular 1843  
location where the riverboat is located. 1844

(F) No F-5 permit shall be in effect for more than six 1845  
consecutive days. 1846

(G) The division shall not issue more than one F-5 permit 1847  
in any one calendar year for the same riverboat. 1848

(H) The fee for an F-5 permit is one hundred eighty 1849  
dollars. 1850

**Sec. 4303.30.** The rights granted by any D-2, D-3, D-3a, D- 1851  
4, D-4a, D-5, D-5a, D-5b, D-5e, D-5f, D-5g, D-5h, D-5i, D-5j, D- 1852  
5k, D-5l, D-5m, D-5n, or D-5o, ~~or D-6~~ permit shall be exercised 1853  
at not more than two fixed counters, commonly known as bars, in 1854  
rooms or places on the permit premises, where beer, mixed 1855  
beverages, wine, or spirituous liquor is sold to the public for 1856  
consumption on the premises. For each additional fixed counter 1857  
on the permit premises where those beverages are sold for 1858  
consumption on the premises, the permit holder shall obtain a 1859  
duplicate D-2, D-3, D-3a, D-4, D-4a, D-5, D-5a, D-5b, D-5e, D- 1860  
5f, D-5g, D-5h, D-5i, D-5j, D-5k, D-5l, D-5m, D-5n, or D-5o, ~~or~~ 1861  
~~D-6~~ permit. 1862

The holder of any D-2, D-3, D-3a, D-4, D-4a, D-5, D-5a, D-5b, D-5e, D-5f, D-5g, D-5h, D-5i, D-5j, D-5k, D-5l, D-5m, D-5n, or D-5o, ~~or D-6~~ permit shall be granted, upon application to the division of liquor control, a duplicate D-2, D-3, D-3a, D-4, D-4a, D-5, D-5a, D-5b, D-5e, D-5f, D-5g, D-5h, D-5i, D-5j, D-5k, D-5l, D-5m, D-5n, or D-5o, ~~or D-6~~ permit for each additional fixed counter on the permit premises at which beer, mixed beverages, wine, or spirituous liquor is sold for consumption on the premises, provided the application is made in the same manner as an application for an original permit. The application shall be identified with DUPLICATE printed on the permit application form furnished by the department, in boldface type. The application shall identify by name, or otherwise amply describe, the room or place on the premises where the duplicate permit is to be operative. Each duplicate permit shall be issued only to the same individual, firm, or corporation as that of the original permit and shall be an exact duplicate in size and word content as the original permit, except that it shall show on it the name or other ample identification of the room, or place, for which it is issued and shall have DUPLICATE printed on it in boldface type. A duplicate permit shall bear the same number as the original permit. The fee for a duplicate permit is: D-1, one hundred dollars; D-2, one hundred dollars; D-3, four hundred dollars; D-3a, four hundred dollars; D-4, two hundred dollars; D-5, one thousand dollars; D-5a, one thousand dollars; D-5b, one thousand dollars; D-5c, four hundred dollars; D-5e, six hundred fifty dollars; D-5f, one thousand dollars; D-5o, one thousand dollars; ~~D-6, one hundred dollars when issued to the holder of a D-4a permit;~~ and in all other cases one hundred dollars or an amount which is twenty per cent of the fees payable for the A-1-A, D-2, D-3, D-3a, D-4, D-5, D-5a, D-5b, D-5e, D-5f, D-5g, D-5h, D-5i, D-5j, D-5k, D-5l, D-5m, D-5n, and D-5o, ~~and D-6~~ permits



issued to the same premises, whichever is higher. Application 1895  
for a duplicate permit may be filed any time during the life of 1896  
an original permit. The fee for each duplicate D-2, D-3, D-3a, 1897  
D-4, D-4a, D-5, D-5a, D-5b, D-5e, D-5f, D-5g, D-5h, D-5i, D-5j, 1898  
D-5k, D-5l, D-5m, D-5n, or D-5o, ~~or D-6~~ permit shall be paid in 1899  
accordance with section 4303.24 of the Revised Code. 1900

**Sec. 4303.99.** (A) Whoever violates section 4303.28 of the 1901  
Revised Code shall be fined not less than one thousand nor more 1902  
than twenty-five hundred dollars or imprisoned not less than six 1903  
months nor more than one year. 1904

(B) Whoever violates section 4303.36 of the Revised Code 1905  
shall be fined not less than twenty-five nor more than one 1906  
hundred dollars. 1907

(C) Whoever violates section 4303.37 of the Revised Code 1908  
shall be fined not less than twenty-five nor more than fifty 1909  
dollars. 1910

(D) Whoever violates division ~~(D)~~(C) (2) of section 1911  
4303.202 or division (C) of section 4303.208 of the Revised Code 1912  
is guilty of a misdemeanor of the fourth degree. 1913

**Section 2.** That existing sections 4301.03, 4301.22, 1914  
4301.24, 4301.32, 4301.322, 4301.33, 4301.332, 4301.333, 1915  
4301.334, 4301.353, 4301.355, 4301.356, 4301.362, 4301.365, 1916  
4301.366, 4301.37, 4301.39, 4301.403, 4301.404, 4301.99, 1917  
4303.184, 4303.19, 4303.202, 4303.203, 4303.204, 4303.205, 1918  
4303.30, and 4303.99 of the Revised Code are hereby repealed. 1919

**Section 3.** That sections 4301.351, 4301.354, 4301.361, 1920  
4301.364, and 4303.182 of the Revised Code are hereby repealed. 1921

**Section 4.** (A) As used in this section, "petition" means a 1922  
petition for a local option election authorizing the sale of 1923

beer, wine, mixed beverages, or spirituous liquor on Sundays 1924  
that has been filed with a board of elections under section 1925  
4301.33, 4301.332, 4301.333, or 4301.334 of the Revised Code, as 1926  
amended by this act. 1927

(B) On the effective date of this act, if a board of 1928  
elections is in the process of reviewing a petition calling for 1929  
the submission of a question or questions authorizing Sunday 1930  
sales of beer, wine, mixed beverages, or spirituous liquor on 1931  
the ballot of the next general election or a special election 1932  
conducted on the day of the next primary election, the board 1933  
shall do either of the following, as applicable: 1934

(1) If ballots have not been printed, remove the question 1935  
or questions submitted to the board for placement on the ballot 1936  
of the next general election or a special election conducted on 1937  
the day of the next primary election; 1938

(2) If ballots have been printed with the question or 1939  
questions on them, post a notice at each polling place on the 1940  
day of the election, and enclose with each absent voter's ballot 1941  
given or mailed after the question or questions are to be 1942  
removed, a notice that votes for the removed question or 1943  
questions will be void and will not be counted. If the question 1944  
or questions are not removed from all ballots before the day of 1945  
the election, the votes for the removed question or questions 1946  
are void and shall not be counted. 1947

**Section 5.** This act is hereby entitled the "Sunday 1948  
Alcohol, Liquor, and Especially Spirits Act" or "SALES Act." 1949