

As Introduced

131st General Assembly

Regular Session

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H. B. No. 258

Representative Henne

**Cosponsors: Representatives Ramos, Perales, Blessing, Hackett, Becker,
Rezabek**

A BILL

To amend section 4303.27 of the Revised Code to
generally prohibit, for purposes of expansion of
a liquor permit holder's premises during certain
times of the year, the presence of operable
motor vehicles in the expanded area while beer
or intoxicating liquor is being served.

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

Section 1. That section 4303.27 of the Revised Code be
amended to read as follows:

Sec. 4303.27. (A) Each permit issued under sections
4303.02 to 4303.232 of the Revised Code shall authorize the
person named to carry on the business specified at the place or
in the boat, vessel, or classes of dining car equipment
described, and shall be issued for one year, or part of one
year, commencing on the day after the uniform expiration dates
designated by the division of liquor control, or for the
unexpired portion of such year, and no longer, subject to
suspension, revocation, or cancellation as authorized or
required by this chapter or Chapter 4301. of the Revised Code.

(B) Upon application by a permit holder, the superintendent of liquor control may expand during specified seasons of the year the premises for which the permit holder's permit was issued to include a premises immediately adjacent to the premises for which the permit was issued, ~~so long as the~~ provided that both of the following apply:

(1) The immediately adjacent premises is under the permit holder's ownership and control and is located in an area where sales under the permit are not prohibited because of a local option election;

(2) No operable motor vehicle as defined in section 4501.01 of the Revised Code is permitted to park in the area of the immediately adjacent premises while beer or intoxicating liquor is being served.

(C) Whenever the superintendent considers it advisable to cancel the unexpired portion of an outstanding permit in order that the permit may be issued on one of the uniform expiration dates designated by the superintendent, the superintendent shall credit to the holder a proportionate amount representing the unexpired portion of the permit year pursuant to section 4301.41 of the Revised Code. Such permit does not authorize the person named to carry on the business specified at any place or in any vehicle, boat, vessel, or class of dining car equipment other than that named, nor does it authorize any person other than the one named in such permit to carry on that business at the place or in the vehicle, boat, vessel, or class of dining car equipment named, except pursuant to compliance with the rules and orders of the division governing the assignment and transfer of permits, and with the consent of the division. The holder of a G permit may substitute the name of another licensed

pharmacist for that entered on the permit, subject to rules of 49
the division. 50

(D) This chapter and Chapter 4301. of the Revised Code do 51
not prohibit the holder of an A, B, C, or D permit from making 52
deliveries of beer or intoxicating liquor containing not more 53
than twenty-one per cent of alcohol by volume, or prohibit the 54
holder of an A or B permit from selling or distributing beer or 55
intoxicating liquor to a person at a place outside this state, 56
or prohibit the holder of any such a permit, or an H permit, 57
from delivering any beer or intoxicating liquor so sold from a 58
point in this state to a point outside this state. 59

Section 2. That existing section 4303.27 of the Revised 60
Code is hereby repealed. 61