

As Introduced

133rd General Assembly

Regular Session

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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**

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commission until and unless amended or repealed by the liquor 28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 with reference to sales of beer and intoxicating liquor on Sundays and holidays and 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 168
two thirty a.m. on Sunday except under either of the following 169
circumstances: 170~~

~~(1) Intoxicating liquor may be sold on Sunday under 171
authority of a permit that authorizes Sunday sale. 172~~

~~(2) Spirituous liquor may be sold on Sunday by any person 173
awarded an agency contract under section 4301.17 of the Revised 174
Code if the sale of spirituous liquor is authorized in the 175
applicable precinct as the result of an election on question (B) 176
(1) or (2) of section 4301.351 of the Revised Code and if the 177
agency contract authorizes the sale of spirituous liquor on 178
Sunday. 179~~

~~This section does not prevent a municipal corporation from 180
adopting a closing hour for the sale of intoxicating liquor 181
earlier than two thirty a.m. on Sunday or to provide that no 182
intoxicating liquor may be sold prior to that hour on Sunday. 183~~

~~(D) No holder of a permit shall give away any beer or 184
intoxicating liquor of any kind at any time in connection with 185
the permit holder's business. However, with the exception of an 186
A-1-A permit holder that also has been issued an A-2 or A-2f 187
permit, an A-1-A, A-1c, or D permit holder may provide to a 188
paying customer not more than a total of four tasting samples of 189
beer, wine, or spirituous liquor, as authorized by the 190
applicable permit, in any twenty-four-hour period. The permit 191
holder shall provide the tasting samples free of charge, at the 192
permit holder's expense, only to a person who is twenty-one 193
years of age or older. The person shall consume the tasting 194
samples on the premises of the permit holder. A distributor is 195~~

not responsible for the costs of providing tasting samples	196
authorized under division (D) <u>(C)</u> of this section.	197
As used in division (D) <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, D-6 , or D-7 permit.	205
(E) <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