

**As Introduced**

**135th General Assembly  
Regular Session  
2023-2024**

**H. B. No. 504**

**Representative Pavliga**

**Cosponsors: Representatives Carruthers, Seitz, Young, T.**



**A BILL**

To amend section 4399.18 and to enact section 1  
4399.19 of the Revised Code to require alcohol 2  
server training and to provide immunity from 3  
civil liability to those who successfully 4  
complete and implement the training and to name 5  
this act Hayden's Law. 6

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

**Section 1.** That section 4399.18 be amended and section 7  
4399.19 of the Revised Code be enacted to read as follows: 8

**Sec. 4399.18.** (A) Notwithstanding division (A) of section 9  
2307.60 of the Revised Code and except as otherwise provided in 10  
this section, no person, and no executor or administrator of the 11  
person, who suffers personal injury, death, or property damage 12  
as a result of the actions of an intoxicated person has a cause 13  
of action against any liquor permit holder or an employee of a 14  
liquor permit holder who sold beer or intoxicating liquor to the 15  
intoxicated person unless ~~the~~ both of the following apply: 16

(1) The personal injury, death, or property damage 17  
occurred on the permit holder's premises or in a parking lot 18

under the control of the permit holder~~and~~. 19

(2) The personal injury, death, or property damage was 20  
proximately caused by the negligence of the permit holder or an 21  
employee of the permit holder. ~~A~~ 22

(B) A person has a cause of action against a permit holder 23  
or an employee of a permit holder for personal injury, death, or 24  
property damage caused by the negligent actions of an 25  
intoxicated person occurring off the premises or away from a 26  
parking lot under the permit holder's control only when both of 27  
the following can be shown by a preponderance of the evidence: 28

~~(A)~~ (1) The permit holder or an employee of the permit 29  
holder knowingly sold an intoxicating beverage to at least one 30  
of the following: 31

~~(1)~~ (a) A noticeably intoxicated person in violation of 32  
division (B) of section 4301.22 of the Revised Code; 33

~~(2)~~ (b) A person in violation of section 4301.69 of the 34  
Revised Code. 35

~~(B)~~ (2) The person's intoxication proximately caused the 36  
personal injury, death, or property damage. 37

(C) A permit holder or employee of a permit holder is not 38  
liable in a civil action under division (A) or (B) of this 39  
section if both of the following apply: 40

(1) The permit holder and all of the permit holder's 41  
employees have successfully completed the training required 42  
under section 4399.19 of the Revised Code. 43

(2) The permit holder and any employee of the permit 44  
holder followed all protocols specified in the training program 45  
with respect to the intoxicated person who proximately caused 46

personal injury, death, or property damage. 47

(D) Notwithstanding sections 4399.02 and 4399.05 of the 48  
Revised Code, no person, and no executor or administrator of the 49  
person, who suffers personal injury, death, or property damage 50  
as a result of the actions of an intoxicated person has a cause 51  
of action against the owner of a building or premises who rents 52  
or leases the building or premises to a liquor permit holder 53  
against whom a cause of action may be brought under this 54  
section, except when the owner and the permit holder are the 55  
same person. 56

Sec. 4399.19. (A) A permit holder and the permit holder's 57  
employees shall complete a training program approved by the 58  
superintendent of liquor control under division (B) of this 59  
section. 60

(B) The superintendent shall approve a training program 61  
that includes all of the following: 62

(1) Instruction on the statutes and rules that govern the 63  
sale of beer, wine, mixed beverages, and intoxicating liquor in 64  
this state; 65

(2) Instruction on preventing the illegal service of beer, 66  
wine, mixed beverages, and intoxicating liquor to persons under 67  
twenty-one years of age; 68

(3) Instruction on recognizing when to decrease and stop 69  
selling beer, wine, mixed beverages, or intoxicating liquor to a 70  
person due to the risk of intoxication; 71

(4) Use of conflict management skills in alcohol-related 72  
situations. 73

(C) In approving the program under division (B) of this 74

section, the superintendent shall establish the number of hours 75  
required to complete the training and a method for determining 76  
if a liquor permit holder or an employee of a liquor permit 77  
holder successfully completed the training. 78

**Section 2.** That existing section 4399.18 of the Revised 79  
Code is hereby repealed. 80

**Section 3.** This act shall be known as Hayden's Law. 81