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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
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Legislative Budget
Office

S.B. 295
133rd General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Sen. M. Huffman

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SUMMARY

- Requires the Director of Commerce to provide a prorated refund of the permit fee paid by a person who holds a valid liquor permit during the time period that the Director of Health's carry-out order is in effect. (The order limits the sale of food and beverages, liquor, beer, and wine to carry-out and delivery only.)
- Establishes a formula for calculating the prorated refund based on the permit fee and the time period the order is in effect.
- Requires the Director of Commerce, on the bill's effective date or soon after, to provide the prorated refund.

DETAILED ANALYSIS

The bill requires the Director of Commerce to provide a prorated refund of the permit fee paid by a person who holds a valid liquor permit during the time period that the Director of Health's carry-out order is in effect. The carry-out order, issued on March 15, 2020, limits the sale of food and beverages, liquor, beer, and wine to carry-out and delivery only. The prorated refund applies to bars, restaurants, small beer manufacturers, and stores that sell beer, wine, and mixed beverages for on- or off-premises consumption (A-1-A, A-1c, C class, and D class liquor permits).

The Director of Commerce, with Controlling Board approval, must issue the refund within 30 days of the expiration or termination of the Director of Health's order (refunds must be paid from the State Liquor Regulatory Fund). The prorated refund is calculated as follows:

(the amount of the permit fee) x (the number equal to the number of days that the alcohol order is in effect divided by three hundred sixty-five) = prorated refund.

Thus, if the order is in effect for 90 days, a small beer manufacturer that paid a \$1,000 permit fee for its A-1c permit would get a refund as follows:

$$\$1,000 \times .24 (90/365) = \$246.58$$

The Director of Commerce must establish any necessary procedures for the implementation of the prorated refund.¹

HISTORY

Action	Date
Introduced	03-24-20

S0295-I-133/ts

¹ Sections 1 and 2.