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# OHIO LEGISLATIVE SERVICE COMMISSION

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S.B. 170  
135<sup>th</sup> General Assembly

## Bill Analysis

**Version:** As Introduced

**Primary Sponsors:** Sens. DeMora and Lang

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### SUMMARY

- Authorizes a retail liquor permit holder or an agency store to sell beer or intoxicating liquor on Sunday during the same hours that the permit holder or contract holder may sell those products on Monday through Saturday without issuance of a D-6 liquor permit, which the bill eliminates.
- Eliminates local option elections concerning Sunday sales of beer or intoxicating liquor.
- For alcohol sales questions on a local ballot, requires 50 electors to sign the election petition, rather than 35% of the people who voted in the last gubernatorial election in the relevant precinct.

### DETAILED ANALYSIS

#### Sunday sales of alcohol: background

Generally, a retail liquor permit holder (A-1-A, A-2, A-2f, A-3a, A-5, E, or class C, D, or F liquor permit, see “**Appendix**,” below) only may sell beer and intoxicating liquor for on- or off-premises consumption on Sunday if:

1. The permit holder is authorized to do so by a local option election; and
2. For sales of intoxicating liquor, the permit holder is issued a D-6 liquor permit. Intoxicating liquor includes wine, mixed beverages, and spirituous liquor.

The D-6 permit is not required for the sale of beer on Sunday.

#### Elimination of statutory requirements

The bill eliminates statutory requirements for Sunday sales of beer and intoxicating liquor by doing both of the following:

1. Authorizing a retail liquor permit holder or an agency store to sell beer or intoxicating liquor on Sunday during the same hours that the permit holder or contract holder may

sell those products on Monday through Saturday without issuance of a D-6 liquor permit, which the bill eliminates; and

2. Eliminating required local option elections authorizing Sunday sales of beer, wine, mixed beverages, or spirituous liquor.<sup>1</sup>

## Local option elections

Current law establishes a process for local option elections to authorize the sale of alcohol in election precincts, parts of precincts, or particular locations. That process requires a petition to place the authorization questions on the ballot. Current law requires 35% of the people who voted in the last gubernatorial election in an election precinct to sign the petition. The bill instead requires 50 electors to sign a petition.<sup>2</sup>

## APPENDIX

Type of liquor permit	To whom a permit is issued
A-1-A	Brewery, winery, farm winery, or micro-distillery that operates a restaurant on or near the brewery, winery, or distillery
A-2	Winery
A-2f	Farm winery
A-3a	Micro-distillery
A-5	Alcoholic ice cream manufacturer
E	Railroad car or airline for on-premises consumption on car or aircraft
Class C	Generally convenience or grocery stores for off-premises consumption
Class D	Generally bars and restaurant/bars for the sale of beer or intoxicating liquor for on-premises consumption

<sup>1</sup> R.C. 4303.182 (repealed and reenacted); makes conforming changes to R.C. 4301.22, 4301.24, 4301.32, 4301.322, 4301.33, 4301.332, 4301.333, 4301.351 (repealed), 4301.353, 4301.354 (repealed), 4301.355, 4301.361 (repealed), 4301.362, 4301.364 (repealed), 4301.365, 4301.366, 4301.37, 4301.39, 4301.403, 4301.404, 4301.99, 4303.184, 4303.19, 4303.202, 4303.203, 4303.204, 4303.205, and 4303.99.

<sup>2</sup> R.C. 4301.33, 4301.332, and 4301.333.

Type of liquor permit	To whom a permit is issued
Class F	Organizations that operate festivals that have a short duration to sell beer or intoxicating liquor

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## HISTORY

Action	Date
Introduced	10-11-23