



OHIO LEGISLATIVE SERVICE COMMISSION

Bill Analysis

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H.B. 259

132nd General Assembly
(As Introduced)

Reps. Seitz and West, Strahorn, Dean

BILL SUMMARY

- Requires the Attorney General to establish a database of persons who have committed an offense of violence at an A-1-A, A-1c, or D liquor permit premises.
 - Provides A-1-A, A-1c, or D permit holders with access to the database, and allows a permit holder to refuse to admit a person into or onto the permit premises if the person is listed in the database.
 - Prohibits a person from publicly disclosing any information contained in the database unless the information is used for refusing admission into or onto the permit premises.
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CONTENT AND OPERATION

Database of offenders at liquor premises

The bill requires the Attorney General to do both of the following:

(1) Establish a database of persons who have committed an offense of violence at an A-1-A, A-1c, or D liquor permit premises (see below); and

(2) Provide access to the database to holders of those categories of liquor permits.¹

An A-1-A, A-1c, or D permit holder, or the permit holder's agent, may refuse to admit a person into or onto the permit premises if the person is listed in the database.

¹ R.C. 4301.612(B).

Except for the purpose of refusing admission, no person can publicly disclose any information contained in the database.²

Reporting of offense

Any court that sentences an offender for an offense of violence that occurred on an A-1-A, A-1c, or D liquor permit premises must submit a report of the offense to the Attorney General. The report must contain all of the following:

- (1) The name and address of the offender;
- (2) The driver's license number or identification card number of the offender, if applicable; and
- (3) The offense for which the offender was sentenced, the date of the commission of that offense, and a short description of the offense.³

Maintaining and accessing the database

The Attorney General must provide access to the database only to persons who hold an A-1-A, A-1c, or D permit. In addition, the Attorney General must remove information from the database three years after the date on which the Attorney General receives the information.⁴

Offense of violence

An offense of violence is one of the following:

• Aggravated murder	• Murder	• Voluntary manslaughter
• Involuntary manslaughter	• Felonious assault	• Aggravated assault
• Assault	• Permitting child abuse	• Aggravated menacing
• Menacing by stalking	• Menacing	• Kidnapping
• Abduction	• Extortion	• Trafficking
• Rape	• Sexual battery	• Escape

² R.C. 4301.612(C).

³ R.C. 4301.612(A).

⁴ R.C. 4301.612(B).

• Aggravated arson	• Arson	• Terrorism
• Aggravated robbery	• Robbery	• Aggravated burglary
• Inciting violence	• Aggravated riot	• Riot
• Inducing panic	• Domestic violence	• Intimidation
• Intimidation of an attorney, victim, or witness in a criminal case	• Gross sexual imposition	• Former offense of felonious sexual penetration
• Patient abuse committed in specified circumstances	• Burglary committed in specified circumstances	• Endangering children committed in specified circumstances
• Improperly discharging a firearm at or into a habitation, in a school safety zone, or with the intent to cause harm or panic to persons in a school, in a school building, or at a school function or the evacuation of a school function		

An offense of violence is also any of the following:

(1) A violation of an existing or former municipal ordinance or law of Ohio or any other state or the U.S., substantially equivalent to any offense listed in the bullet points above.

(2) An offense, other than a traffic offense, under an existing or former municipal ordinance or law of Ohio or any other state or the U.S., committed purposely or knowingly, and involving physical harm to persons or a risk of serious physical harm to persons.

(3) A conspiracy or attempt to commit, or complicity in committing, any offense under the above bullet points and paragraphs.⁵

Liquor permits

The following table shows the types of liquor permits to which the bill's provisions apply.

Type of liquor permit	Permit's authorization
A-1-A	Authorizes beer and wine manufacturers and small distillers to sell beer and intoxicating liquor (wine, mixed beverages, and spirituous liquor) for on-premises consumption if certain criteria apply to the A-1-A premises. In addition, the A-1-A permit authorizes beer

⁵ R.C. 2901.01(A)(9), not in the bill.



Type of liquor permit	Permit's authorization
	manufacturers to sell growlers of beer for off-premises consumption if certain conditions apply. ⁶
A-1c	Authorizes small beer manufacturers to sell beer to retailers and distributors and to sell beer at retail for on-premises consumption. ⁷
D	Generally authorizes retail sales of beer, wine, mixed beverages, or spirituous liquor or any combination for on- and off-premises consumption. ⁸ D permit holders generally are bars and restaurants.

HISTORY

ACTION	DATE
Introduced	06-06-17

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⁶ R.C. 4303.021, not in the bill.

⁷ R.C. 4303.022, not in the bill.

⁸ R.C. 4303.13-4303.184, not in the bill.

