



# Ohio Legislative Service Commission

## Sub. Bill Comparative Synopsis

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### Sub. H.B. 47

131st General Assembly

(H. Government Accountability and Oversight)

This table summarizes how the latest substitute version of the bill differs from the immediately preceding version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

| Topic  | Previous Version<br>(As Introduced) | Sub. Version<br>(LSC 131 0291-6)   |
|--|-------------------------------------|--|
| <b>Open Container Law –<br/>outdoor refreshment area<br/>exemption</b> | No provision.                       | Specifies that the bill's exemption to the Open Container Law regarding outdoor refreshment areas does not authorize a person to possess an opened container of beer or intoxicating liquor while being in or on a motor vehicle within an outdoor refreshment area, unless:<br><br>(1) The motor vehicle is stationary and is not being operated in a lane of vehicular traffic; or<br><br>(2) The possession is otherwise authorized under existing exemptions to the Open Container Law governing chauffeured limousines and the transport of opened bottles of wine that are properly resealed ( <i>R.C. 4301.62(C)(7)(b)</i> ). |

| Topic  | Previous Version<br>(As Introduced)   | Sub. Version<br>(LSC 131 0291-6)   |
|--|---|--|
| <b>Outdoor refreshment areas – safety requirements</b>   | Authorizes the legislative authority of a municipal corporation or township in which an outdoor refreshment area is located, at the time of creation of the area or any time thereafter, to adopt an ordinance or resolution, as applicable, that establishes requirements the legislative authority determines necessary to ensure safety within the area (R.C. 4301.82(F)(1)).                      | Requires, rather than authorizes, the legislative authority of a municipal corporation or township in which an outdoor refreshment area is located, to establish such safety requirements and makes conforming changes (R.C. 4301.82(F)(1)).   |
| <b>Outdoor refreshment areas – notification of formation and adoption of safety requirements</b> | With respect to an outdoor refreshment area or proposed area, requires the legislative authority of a municipal corporation or township to notify the Division of Liquor Control when any of the following occurs:<br><br>(1) An area is created;<br><br>(2) Safety requirements for the area are adopted or modified; or<br><br>(3) An area is dissolved (R.C. 4301.82(C), (F)(3), (H)(1), and (I)). | Requires the Investigative Unit in the Department of Public Safety also to be notified of those actions (R.C. 4301.82(C), (F)(3), (H)(1), and (I)).  |
| <b>Outdoor Refreshment Area Study Committee</b>  | No provision.   | Creates the Outdoor Refreshment Area Study Committee and requires the Committee to:<br><br>(1) Study the utility and viability of allowing municipal corporations or townships that have a population of 25,000 or less to create an outdoor refreshment area; and<br><br>(2) Report, not later than December 1, 2015, its findings and recommendations to the majority and minority leadership of the General Assembly (Section 3). |

| Topic   | Previous Version<br>(As Introduced)       | Sub. Version<br>(LSC 131 0291-6)   |
|---|---|--|
| <b>Creation of D-9 liquor permit</b>                          | No provision.                             | <p>Creates the D-9 liquor permit to allow the owner or operator of an art gallery to serve beer or wine, without charge, for on-premises consumption.</p> <p>Authorizes the D-9 permit holder to serve beer or wine at not more than 20 events per year.</p> <p>Specifies that the fee for the D-9 permit is \$100. (R.C. 4303.185.)</p>   |
| <b>Open Container Law – commercial quadricycle exemption</b>  | <p>No provision.</p> <p>No provision.</p> | <p>Exempts from the Open Container Law any person who, pursuant to a prearranged contract, is a passenger riding on a commercial quadricycle while possessing an opened container of beer or wine when certain conditions apply, including the person is not occupying a seat in the front of the commercial quadricycle where the operator is steering or braking.</p> <p>Defines "commercial quadricycle" as a vehicle that has fully operative pedals for propulsion entirely by human power and that meets certain requirements, including having at least five seats for passengers and being designed to be powered by the pedaling of the operator and the passengers. (R.C. 4301.62(F).)</p> |
| <b>Issuance of F and F-8 liquor permits for same location</b> | No provision.                             | <p>Allows an F liquor permit (authorizes an association, labor union, or nonprofit organization to purchase and sell beer) to be issued for the same location as an F-8 liquor permit (allows alcohol sales at special events held on public property).</p>  |

| Topic | Previous Version<br>(As Introduced) | Sub. Version<br>(LSC 131 0291-6)  |
|-------|-------------------------------------|---|
|       |                                     | Prohibits an F and F-8 permit from being exercised concurrently at the same location.<br><i>(R.C. 4303.208(D).)</i> |

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