



Jeff Grim

Bill Analysis
Legislative Service Commission

H.B. 12

126th General Assembly
(As Passed by the House)

Reps. Carano, S. Patton, J. Stewart, Seitz, Perry, Blasdell, Skindell, McGregor, Trakas, Chandler, Barrett, Cassell, Distel, Domenick, Harwood, Healy, Key, Kilbane, Koziura, Otterman, D. Stewart, Sykes, Ujvagi, Yuko

BILL SUMMARY

- Creates the T-1 liquor permit to authorize certain colleges and universities and professional athletic teams to allow the consumption of beer and intoxicating liquor brought into a restricted area on property that they own or lease.

CONTENT AND OPERATION

Creation of the T-1 permit

The bill creates the T-1 permit and authorizes it to be issued to any college or university or to any professional athletic team (see below) to authorize the college, university, or team to allow its guests to bring beer and intoxicating liquor in its original package, flask, or other container into an area on property that the college, university, or team owns or leases, for consumption in that area, if: (1) a fence or similar barrier encloses the area, and (2) security personnel are stationed at each exit from the area to prevent any person from leaving the area with an opened flask or other container of beer or intoxicating liquor (R.C. 4303.232(B)). The bill correspondingly amends the Opened Container Law to remove the consumption of beer or intoxicating liquor on the premises of a T-1 permit holder from the general prohibition against persons having in their possession in a public place an opened container of beer or intoxicating liquor (R.C. 4301.62(B)(3) and (C)(1)(c)).

The bill relatedly defines "college or university" as a state institution of higher education (see below), or a private institution of higher education, with an FTE (full-time equivalent) student enrollment of less than 15,000 and "professional athletic team" as a professional baseball, basketball, football, hockey, or soccer team that owns or leases a stadium or arena that has a seating

capacity of at least 4,000. "State institution of higher education" means each of the four-year state universities, the Northeastern Ohio Universities College of Medicine, the Medical University of Ohio at Toledo, and each community college, state community college, university branch, or technical college. (R.C. 4303.232(A), in part by reference to R.C. 3345.011, not in the bill.)

Characteristics of the T-1 permit

The Division of Liquor Control in the Department of Commerce must prepare and make available application forms for the T-1 permit and may require applicants to furnish the information the Division determines is necessary for the bill's administration. The Division must specify on each T-1 permit its effective period, which must not exceed three days. The fee for the T1 permit is \$50. (R.C. 4303.232(C).)

Prohibition and penalty

The bill prohibits any holder of a T-1 permit from providing or selling beer or intoxicating liquor by the drink or in its original package, flask, or other container in connection with the use of an area under the T-1 permit (R.C. 4303.232(D)). A violation of the prohibition is punishable by a fine of not less than \$25 and not more than \$50 (secs. 4303.37 and 4303.99(C), not in the bill).

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	01-25-05	p. 81
Reported, H. State Government	03-01-05	p. 241
Passed House (83-10)	03-02-05	pp. 278-279

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