

Executive

As Passed By House

LCOCD2 Serving alcohol during bingo

No provision.

R.C. 4301.03, 4301.17

Eliminates the prohibition against the sale, service, and consumption of alcohol when bingo is being conducted on the premises of D-4 permit holders. (The D-4 permit allows a club to sell beer and intoxicating liquor to its members for on-premises consumption.)

Fiscal effect: None.

LCOCD1 Vacating COVID-19 violations and refunding fines to businesses

No provision.

Section: 701.60

Vacates violations of orders addressing COVID-19 by applicable businesses that occurred between March 14, 2020, and the effective date of the section. Requires state agencies and boards of health to cease disciplinary actions in progress against businesses for violations that occurred between March 14, 2020, and the section's effective date.

No provision.

Within 30 days after the section's effective date: (1) Requires state agencies and boards of health to expunge any record of a vacated violation; (2) Requires LCO to notify businesses convicted for violations of certain COVID-related liquor control rules that the convictions have been expunged; (3) Requires state agencies and boards of health to treat as a nullity any finding of a violation that has been vacated and expunged and take steps to restore rights and privileges lost as a result of the finding, including reinstating licenses and other rights or privileges to do business; and (4) Requires the OBM Director, in consultation with any state agencies, as well as local boards of health, to determine the civil or administrative penalties paid by each business for each vacated violation and refund those amounts. Appropriates the amounts necessary to make the

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No provision.

refunds of fines and penalties levied by state agencies.

Requires that, if a business no longer exists, the OBM Director or a board of health make reasonable efforts to locate and issue a refund to the business owner.

No provision.

Requires LCO, within 30 days after taking the required actions, to submit a report to the General Assembly that all violations of specified rules have been expunged and all related fine money has been refunded.

No provision.

States that a business may bring an action in the common pleas court of the county where the business is located, notwithstanding other jurisdictional or venue limitations, to enforce the rights, privileges and obligations identified in this provision.

No provision.

States that these requirements cannot be construed as prohibiting an agency or a board of health from enforcing matters not relating to the specified COVID orders and rules.

Fiscal effect: The refunds to liquor permit holders would be paid from the GRF, where these penalties are deposited. As of early February 2021, LCO had collected approximately \$100,000 in such penalties. It does not appear that the Department of Health or any local boards of health have issued any fines related to these violations.

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LCOCD3 Reinstatement of liquor permits

No provision.

Section: 743.20

Requires the Liquor Control Commission to reinstate a liquor permit if (1) the permit holder’s permit has been revoked as a result of a violation of certain rules governing COVID-19, and disorderly conduct; (2) the violation occurred during the period between March 14, 2020 and the effective date of this provision; and (3) the permit holder pays a fine of \$2,500.

No provision.

Requires that, for each permit reinstated, the Commission notify the permit holder, Division of Liquor Control, the Investigative Unit of the Department of Public Safety, and the General Assembly.

Fiscal effect: Minimal additional administrative costs to be paid out of Fund 5LP0. Some additional penalty revenue deposited in to the GRF.

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COMCD17 To-go cocktails - 2 oz. limitation

R.C. 4303.185

Prohibits a to-go cocktail sold by a liquor permit holder from containing more than two ounces of spirituous liquor.

No provision.

Fiscal effect: None.
