# Ohio Legislative Service Commission

**Bill Analysis** Jeff Grim

# H.B. 37
## 131st General Assembly
### (As Reported by H. Government Accountability & Oversight)

**Reps.** Stinziano and Duffey, Blessing

## BILL SUMMARY

- Allows a person to possess beer or intoxicating liquor on the premises of a publicly owned market without violating the Open Container Law if the beer or intoxicating liquor was purchased from the holder of a D liquor permit (generally allows sales of beer or intoxicating liquor for on-premises consumption) located in the market.

## CONTENT AND OPERATION

### Open Container Law exemption

Current law generally prohibits a person from having in the person's possession an opened container of beer or intoxicating liquor in any public place. The bill excludes from the prohibition a person who has in the person's possession an opened container of beer or intoxicating liquor on the premises of a market if the beer or intoxicating liquor has been purchased from a D liquor permit holder (generally allows sales of beer or intoxicating liquor for on-premises consumption) that is located in the market. Under the bill, a market is an establishment that:

(1) Leases space in the market to individual vendors, not less than 50% of which are retail food establishments or food service operations licensed under the law that governs those establishments and operations;

(2) Has an indoor sales floor area of not less than 22,000 square feet;

(3) Hosts a farmer's market on each Saturday from April through December; and

(4) Is owned by a political subdivision.[1]

Generally, beer includes all beverages brewed or fermented from malt products that contain between .5 and 12% of alcohol by volume. Intoxicating liquor includes all liquids and compounds, other than beer, containing .5% or more of alcohol by volume.[2]

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## HISTORY

| ACTION | DATE |
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| Introduced | 02-03-15 |
| Reported, H. Gov't Accountability $ Oversight | 04-29-15 |

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[1] R.C. 4301.62(B)(3) and (F).

[2] R.C. 4301.01, not in the bill.