



Ohio Legislative Service Commission

Bill Analysis

Jeff Grim

H.B. 37

131st General Assembly
(As Introduced)

Reps. Stinziano and Duffey

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

HISTORY

ACTION	DATE
Introduced	02-03-15

H0037-I-131.docx/emr

¹ R.C. 4301.62(B)(3) and (F).

² R.C. 4301.01, not in the bill.

