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132nd General Assembly

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Sub. H. B. No. 122

Representatives Hambley, Rogers

**Cosponsors: Representatives West, Smith, K., Sheehy, Antonio, Arndt, Ashford,
Barnes, Boggs, Boyd, Brenner, Brown, Celebrezze, Craig, Edwards, Fedor,
Galonski, Gavarone, Hill, Holmes, Howse, Kent, Lepore-Hagan, Miller, O'Brien,
Patterson, Sprague, Strahorn, Sweeney, Sykes**

**Senators Coley, Eklund, Hackett, Hoagland, Huffman, O'Brien, Oelslager, Terhar,
Uecker**

A BILL

To amend sections 4303.181 and 5705.19 of the	1
Revised Code to establish a Regional Economic	2
Development Alliance Study Committee to study	3
the benefits and challenges involved in creating	4
regional economic development alliances, to	5
revise the criteria for the issuance of D-5j and	6
D-51 liquor permits, to ratify a ten-year term	7
for a fire levy approved as such at the 2017	8
general election, to extend the authority to	9
levy a single property tax for both fire and	10
police purposes to municipalities, and to ratify	11
levies for that purpose already approved by	12
voters.	13

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 4303.181 and 5705.19 of the	14
Revised Code be amended to read as follows:	15

Sec. 4303.181. (A) Permit D-5a may be issued either to the 16
owner or operator of a hotel or motel that is required to be 17
licensed under section 3731.03 of the Revised Code, that 18
contains at least fifty rooms for registered transient guests or 19
is owned by a state institution of higher education as defined 20
in section 3345.011 of the Revised Code or a private college or 21
university, and that qualifies under the other requirements of 22
this section, or to the owner or operator of a restaurant 23
specified under this section, to sell beer and any intoxicating 24
liquor at retail, only by the individual drink in glass and from 25
the container, for consumption on the premises where sold, and 26
to registered guests in their rooms, which may be sold by means 27
of a controlled access alcohol and beverage cabinet in 28
accordance with division (B) of section 4301.21 of the Revised 29
Code; and to sell the same products in the same manner and 30
amounts not for consumption on the premises as may be sold by 31
holders of D-1 and D-2 permits. The premises of the hotel or 32
motel shall include a retail food establishment or a food 33
service operation licensed pursuant to Chapter 3717. of the 34
Revised Code that operates as a restaurant for purposes of this 35
chapter and that is affiliated with the hotel or motel and 36
within or contiguous to the hotel or motel, and that serves food 37
within the hotel or motel, but the principal business of the 38
owner or operator of the hotel or motel shall be the 39
accommodation of transient guests. In addition to the privileges 40
authorized in this division, the holder of a D-5a permit may 41
exercise the same privileges as the holder of a D-5 permit. 42

The owner or operator of a hotel, motel, or restaurant who 43
qualified for and held a D-5a permit on August 4, 1976, may, if 44
the owner or operator held another permit before holding a D-5a 45
permit, either retain a D-5a permit or apply for the permit 46

formerly held, and the division of liquor control shall issue 47
the permit for which the owner or operator applies and formerly 48
held, notwithstanding any quota. 49

A D-5a permit shall not be transferred to another 50
location. No quota restriction shall be placed on the number of 51
D-5a permits that may be issued. 52

The fee for this permit is two thousand three hundred 53
forty-four dollars. 54

(B) Permit D-5b may be issued to the owner, operator, 55
tenant, lessee, or occupant of an enclosed shopping center to 56
sell beer and intoxicating liquor at retail, only by the 57
individual drink in glass and from the container, for 58
consumption on the premises where sold; and to sell the same 59
products in the same manner and amount not for consumption on 60
the premises as may be sold by holders of D-1 and D-2 permits. 61
In addition to the privileges authorized in this division, the 62
holder of a D-5b permit may exercise the same privileges as a 63
holder of a D-5 permit. 64

A D-5b permit shall not be transferred to another 65
location. 66

One D-5b permit may be issued at an enclosed shopping 67
center containing at least two hundred twenty-five thousand, but 68
less than four hundred thousand, square feet of floor area. 69

Two D-5b permits may be issued at an enclosed shopping 70
center containing at least four hundred thousand square feet of 71
floor area. No more than one D-5b permit may be issued at an 72
enclosed shopping center for each additional two hundred 73
thousand square feet of floor area or fraction of that floor 74
area, up to a maximum of five D-5b permits for each enclosed 75

shopping center. The number of D-5b permits that may be issued 76
at an enclosed shopping center shall be determined by 77
subtracting the number of D-3 and D-5 permits issued in the 78
enclosed shopping center from the number of D-5b permits that 79
otherwise may be issued at the enclosed shopping center under 80
the formulas provided in this division. Except as provided in 81
this section, no quota shall be placed on the number of D-5b 82
permits that may be issued. Notwithstanding any quota provided 83
in this section, the holder of any D-5b permit first issued in 84
accordance with this section is entitled to its renewal in 85
accordance with section 4303.271 of the Revised Code. 86

The holder of a D-5b permit issued before April 4, 1984, 87
whose tenancy is terminated for a cause other than nonpayment of 88
rent, may return the D-5b permit to the division of liquor 89
control, and the division shall cancel that permit. Upon 90
cancellation of that permit and upon the permit holder's payment 91
of taxes, contributions, premiums, assessments, and other debts 92
owing or accrued upon the date of cancellation to this state and 93
its political subdivisions and a filing with the division of a 94
certification of that payment, the division shall issue to that 95
person either a D-5 permit, or a D-1, a D-2, and a D-3 permit, 96
as that person requests. The division shall issue the D-5 97
permit, or the D-1, D-2, and D-3 permits, even if the number of 98
D-1, D-2, D-3, or D-5 permits currently issued in the municipal 99
corporation or in the unincorporated area of the township where 100
that person's proposed premises is located equals or exceeds the 101
maximum number of such permits that can be issued in that 102
municipal corporation or in the unincorporated area of that 103
township under the population quota restrictions contained in 104
section 4303.29 of the Revised Code. Any D-1, D-2, D-3, or D-5 105
permit so issued shall not be transferred to another location. 106

If a D-5b permit is canceled under the provisions of this 107
paragraph, the number of D-5b permits that may be issued at the 108
enclosed shopping center for which the D-5b permit was issued, 109
under the formula provided in this division, shall be reduced by 110
one if the enclosed shopping center was entitled to more than 111
one D-5b permit under the formula. 112

The fee for this permit is two thousand three hundred 113
forty-four dollars. 114

(C) Permit D-5c may be issued to the owner or operator of 115
a retail food establishment or a food service operation licensed 116
pursuant to Chapter 3717. of the Revised Code that operates as a 117
restaurant for purposes of this chapter and that qualifies under 118
the other requirements of this section to sell beer and any 119
intoxicating liquor at retail, only by the individual drink in 120
glass and from the container, for consumption on the premises 121
where sold, and to sell the same products in the same manner and 122
amounts not for consumption on the premises as may be sold by 123
holders of D-1 and D-2 permits. In addition to the privileges 124
authorized in this division, the holder of a D-5c permit may 125
exercise the same privileges as the holder of a D-5 permit. 126

To qualify for a D-5c permit, the owner or operator of a 127
retail food establishment or a food service operation licensed 128
pursuant to Chapter 3717. of the Revised Code that operates as a 129
restaurant for purposes of this chapter, shall have operated the 130
restaurant at the proposed premises for not less than twenty- 131
four consecutive months immediately preceding the filing of the 132
application for the permit, have applied for a D-5 permit no 133
later than December 31, 1988, and appear on the division's quota 134
waiting list for not less than six months immediately preceding 135
the filing of the application for the permit. In addition to 136

these requirements, the proposed D-5c permit premises shall be 137
located within a municipal corporation and further within an 138
election precinct that, at the time of the application, has no 139
more than twenty-five per cent of its total land area zoned for 140
residential use. 141

A D-5c permit shall not be transferred to another 142
location. No quota restriction shall be placed on the number of 143
such permits that may be issued. 144

Any person who has held a D-5c permit for at least two 145
years may apply for a D-5 permit, and the division of liquor 146
control shall issue the D-5 permit notwithstanding the quota 147
restrictions contained in section 4303.29 of the Revised Code or 148
in any rule of the liquor control commission. 149

The fee for this permit is one thousand five hundred 150
sixty-three dollars. 151

(D) Permit D-5d may be issued to the owner or operator of 152
a retail food establishment or a food service operation licensed 153
pursuant to Chapter 3717. of the Revised Code that operates as a 154
restaurant for purposes of this chapter and that is located at 155
an airport operated by a board of county commissioners pursuant 156
to section 307.20 of the Revised Code, at an airport operated by 157
a port authority pursuant to Chapter 4582. of the Revised Code, 158
or at an airport operated by a regional airport authority 159
pursuant to Chapter 308. of the Revised Code. The holder of a D- 160
5d permit may sell beer and any intoxicating liquor at retail, 161
only by the individual drink in glass and from the container, 162
for consumption on the premises where sold, and may sell the 163
same products in the same manner and amounts not for consumption 164
on the premises where sold as may be sold by the holders of D-1 165
and D-2 permits. In addition to the privileges authorized in 166

this division, the holder of a D-5d permit may exercise the same 167
privileges as the holder of a D-5 permit. 168

A D-5d permit shall not be transferred to another 169
location. No quota restrictions shall be placed on the number of 170
such permits that may be issued. 171

The fee for this permit is two thousand three hundred 172
forty-four dollars. 173

(E) Permit D-5e may be issued to any nonprofit 174
organization that is exempt from federal income taxation under 175
the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 176
501(c)(3), as amended, or that is a charitable organization 177
under any chapter of the Revised Code, and that owns or operates 178
a riverboat that meets all of the following: 179

(1) Is permanently docked at one location; 180

(2) Is designated as an historical riverboat by the Ohio 181
history connection; 182

(3) Contains not less than fifteen hundred square feet of 183
floor area; 184

(4) Has a seating capacity of fifty or more persons. 185

The holder of a D-5e permit may sell beer and intoxicating 186
liquor at retail, only by the individual drink in glass and from 187
the container, for consumption on the premises where sold. 188

A D-5e permit shall not be transferred to another 189
location. No quota restriction shall be placed on the number of 190
such permits that may be issued. The population quota 191
restrictions contained in section 4303.29 of the Revised Code or 192
in any rule of the liquor control commission shall not apply to 193
this division, and the division shall issue a D-5e permit to any 194

applicant who meets the requirements of this division. However, 195
the division shall not issue a D-5e permit if the permit 196
premises or proposed permit premises are located within an area 197
in which the sale of spirituous liquor by the glass is 198
prohibited. 199

The fee for this permit is one thousand two hundred 200
nineteen dollars. 201

(F) Permit D-5f may be issued to the owner or operator of 202
a retail food establishment or a food service operation licensed 203
under Chapter 3717. of the Revised Code that operates as a 204
restaurant for purposes of this chapter and that meets all of 205
the following: 206

(1) It contains not less than twenty-five hundred square 207
feet of floor area. 208

(2) It is located on or in, or immediately adjacent to, 209
the shoreline of, a navigable river. 210

(3) It provides docking space for twenty-five boats. 211

(4) It provides entertainment and recreation, provided 212
that not less than fifty per cent of the business on the permit 213
premises shall be preparing and serving meals for a 214
consideration. 215

In addition, each application for a D-5f permit shall be 216
accompanied by a certification from the local legislative 217
authority that the issuance of the D-5f permit is not 218
inconsistent with that political subdivision's comprehensive 219
development plan or other economic development goal as 220
officially established by the local legislative authority. 221

The holder of a D-5f permit may sell beer and intoxicating 222

liquor at retail, only by the individual drink in glass and from 223
the container, for consumption on the premises where sold. 224

A D-5f permit shall not be transferred to another 225
location. 226

The division of liquor control shall not issue a D-5f 227
permit if the permit premises or proposed permit premises are 228
located within an area in which the sale of spirituous liquor by 229
the glass is prohibited. 230

A fee for this permit is two thousand three hundred forty- 231
four dollars. 232

As used in this division, "navigable river" means a river 233
that is also a "navigable water" as defined in the "Federal 234
Power Act," 94 Stat. 770 (1980), 16 U.S.C. 796. 235

(G) Permit D-5g may be issued to a nonprofit corporation 236
that is either the owner or the operator of a national 237
professional sports museum. The holder of a D-5g permit may sell 238
beer and any intoxicating liquor at retail, only by the 239
individual drink in glass and from the container, for 240
consumption on the premises where sold. The holder of a D-5g 241
permit shall sell no beer or intoxicating liquor for consumption 242
on the premises where sold after two-thirty a.m. A D-5g permit 243
shall not be transferred to another location. No quota 244
restrictions shall be placed on the number of D-5g permits that 245
may be issued. The fee for this permit is one thousand eight 246
hundred seventy-five dollars. 247

(H) (1) Permit D-5h may be issued to any nonprofit 248
organization that is exempt from federal income taxation under 249
the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 250
501(c) (3), as amended, that owns or operates any of the 251

following: 252

(a) A fine arts museum, provided that the nonprofit 253
organization has no less than one thousand five hundred bona 254
fide members possessing full membership privileges; 255

(b) A community arts center. As used in division (H) (1) (b) 256
of this section, "community arts center" means a facility that 257
provides arts programming to the community in more than one arts 258
discipline, including, but not limited to, exhibits of works of 259
art and performances by both professional and amateur artists. 260

(c) A community theater, provided that the nonprofit 261
organization is a member of the Ohio arts council and the 262
American community theatre association and has been in existence 263
for not less than ten years. As used in division (H) (1) (c) of 264
this section, "community theater" means a facility that contains 265
at least one hundred fifty seats and has a primary function of 266
presenting live theatrical performances and providing 267
recreational opportunities to the community. 268

(2) The holder of a D-5h permit may sell beer and any 269
intoxicating liquor at retail, only by the individual drink in 270
glass and from the container, for consumption on the premises 271
where sold. The holder of a D-5h permit shall sell no beer or 272
intoxicating liquor for consumption on the premises where sold 273
after one a.m. A D-5h permit shall not be transferred to another 274
location. No quota restrictions shall be placed on the number of 275
D-5h permits that may be issued. 276

(3) The fee for a D-5h permit is one thousand eight 277
hundred seventy-five dollars. 278

(I) Permit D-5i may be issued to the owner or operator of 279
a retail food establishment or a food service operation licensed 280

under Chapter 3717. of the Revised Code that operates as a 281
restaurant for purposes of this chapter and that meets all of 282
the following requirements: 283

(1) It is located in a municipal corporation or a township 284
with a population of one hundred thousand or less. 285

(2) It has inside seating capacity for at least one 286
hundred forty persons. 287

(3) It has at least four thousand square feet of floor 288
area. 289

(4) It offers full-course meals, appetizers, and 290
sandwiches. 291

(5) Its receipts from beer and liquor sales, excluding 292
wine sales, do not exceed twenty-five per cent of its total 293
gross receipts. 294

(6) It has at least one of the following characteristics: 295

(a) The value of its real and personal property exceeds 296
seven hundred twenty-five thousand dollars. 297

(b) It is located on property that is owned or leased by 298
the state or a state agency, and its owner or operator has 299
authorization from the state or the state agency that owns or 300
leases the property to obtain a D-5i permit. 301

The holder of a D-5i permit may sell beer and any 302
intoxicating liquor at retail, only by the individual drink in 303
glass and from the container, for consumption on the premises 304
where sold, and may sell the same products in the same manner 305
and amounts not for consumption on the premises where sold as 306
may be sold by the holders of D-1 and D-2 permits. The holder of 307
a D-5i permit shall sell no beer or intoxicating liquor for 308

consumption on the premises where sold after two-thirty a.m. In 309
addition to the privileges authorized in this division, the 310
holder of a D-5i permit may exercise the same privileges as the 311
holder of a D-5 permit. 312

A D-5i permit shall not be transferred to another 313
location. The division of liquor control shall not renew a D-5i 314
permit unless the retail food establishment or food service 315
operation for which it is issued continues to meet the 316
requirements described in divisions (I) (1) to (6) of this 317
section. No quota restrictions shall be placed on the number of 318
D-5i permits that may be issued. The fee for the D-5i permit is 319
two thousand three hundred forty-four dollars. 320

(J) Permit D-5j may be issued to the owner or the operator 321
of a retail food establishment or a food service operation 322
licensed under Chapter 3717. of the Revised Code to sell beer 323
and intoxicating liquor at retail, only by the individual drink 324
in glass and from the container, for consumption on the premises 325
where sold and to sell beer and intoxicating liquor in the same 326
manner and amounts not for consumption on the premises where 327
sold as may be sold by the holders of D-1 and D-2 permits. The 328
holder of a D-5j permit may exercise the same privileges, and 329
shall observe the same hours of operation, as the holder of a D- 330
5 permit. 331

The D-5j permit shall be issued only within a community 332
entertainment district that is designated under section 4301.80 333
of the Revised Code. The permit shall not be issued to a 334
community entertainment district that is designated under 335
divisions (B) and (C) of section 4301.80 of the Revised Code if 336
the district does not meet one of the following qualifications: 337

(1) It is located in a municipal corporation with a 338

population of at least one hundred thousand. 339

(2) It is located in a municipal corporation with a 340
population of at least twenty thousand, and either of the 341
following applies: 342

(a) It contains an amusement park the rides of which have 343
been issued a permit by the department of agriculture under 344
Chapter 1711. of the Revised Code. 345

(b) Not less than fifty million dollars will be invested 346
in development and construction in the community entertainment 347
district's area located in the municipal corporation. 348

(3) It is located in a township with a population of at 349
least forty thousand. 350

(4) It is located in a township with a population of at 351
least twenty thousand, and not less than seventy million dollars 352
will be invested in development and construction in the 353
community entertainment district's area located in the township. 354

(5) It is located in a municipal corporation with a 355
population between seven thousand and twenty thousand, and both 356
of the following apply: 357

(a) The municipal corporation was incorporated as a 358
village prior to calendar year ~~1860~~1880 and currently has a 359
historic downtown business district. 360

(b) The municipal corporation is located in the same 361
county as another municipal corporation with at least one 362
community entertainment district. 363

(6) It is located in a municipal corporation with a 364
population of at least ten thousand, and not less than seventy 365
million dollars will be invested in development and construction 366

in the community entertainment district's area located in the 367
municipal corporation. 368

(7) It is located in a municipal corporation with a 369
population of at least three thousand, and not less than one 370
hundred fifty million dollars will be invested in development 371
and construction in the community entertainment district's area 372
located in the municipal corporation. 373

The location of a D-5j permit may be transferred only 374
within the geographic boundaries of the community entertainment 375
district in which it was issued and shall not be transferred 376
outside the geographic boundaries of that district. 377

Not more than one D-5j permit shall be issued within each 378
community entertainment district for each five acres of land 379
located within the district. Not more than fifteen D-5j permits 380
may be issued within a single community entertainment district. 381
Except as otherwise provided in division (J) (4) of this section, 382
no quota restrictions shall be placed upon the number of D-5j 383
permits that may be issued. 384

The fee for a D-5j permit is two thousand three hundred 385
forty-four dollars. 386

(K) (1) Permit D-5k may be issued to any nonprofit 387
organization that is exempt from federal income taxation under 388
the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 389
501(c) (3), as amended, that is the owner or operator of a 390
botanical garden recognized by the American association of 391
botanical gardens and arboreta, and that has not less than 392
twenty-five hundred bona fide members. 393

(2) The holder of a D-5k permit may sell beer and any 394
intoxicating liquor at retail, only by the individual drink in 395

glass and from the container, on the premises where sold. 396

(3) The holder of a D-5k permit shall sell no beer or 397
intoxicating liquor for consumption on the premises where sold 398
after one a.m. 399

(4) A D-5k permit shall not be transferred to another 400
location. 401

(5) No quota restrictions shall be placed on the number of 402
D-5k permits that may be issued. 403

(6) The fee for the D-5k permit is one thousand eight 404
hundred seventy-five dollars. 405

(L) (1) Permit D-5l may be issued to the owner or the 406
operator of a retail food establishment or a food service 407
operation licensed under Chapter 3717. of the Revised Code to 408
sell beer and intoxicating liquor at retail, only by the 409
individual drink in glass and from the container, for 410
consumption on the premises where sold and to sell beer and 411
intoxicating liquor in the same manner and amounts not for 412
consumption on the premises where sold as may be sold by the 413
holders of D-1 and D-2 permits. The holder of a D-5l permit may 414
exercise the same privileges, and shall observe the same hours 415
of operation, as the holder of a D-5 permit. 416

(2) The D-5l permit shall be issued only to a premises to 417
which all of the following apply: 418

(a) The premises has gross annual receipts from the sale 419
of food and meals that constitute not less than seventy-five per 420
cent of its total gross annual receipts. 421

(b) The premises is located within a revitalization 422
district that is designated under section 4301.81 of the Revised 423

Code. 424

(c) The premises is located in a municipal corporation or 425
township in which the number of D-5 permits issued equals or 426
exceeds the number of those permits that may be issued in that 427
municipal corporation or township under section 4303.29 of the 428
Revised Code. 429

(d) The premises meets any of the following 430
qualifications: 431

(i) It is located in a county with a population of one 432
hundred twenty-five thousand or less according to the population 433
estimates certified by the development services agency for 434
calendar year 2006. 435

(ii) It is located in the municipal corporation that has 436
the largest population in a county when the county has a 437
population between two hundred fifteen thousand and two hundred 438
twenty-five thousand according to the population estimates 439
certified by the development services agency for calendar year 440
2006. Division (L) (2) (d) (ii) of this section applies only to a 441
municipal corporation that is wholly located in a county. 442

(iii) It is located in the municipal corporation that has 443
the largest population in a county when the county has a 444
population between one hundred forty thousand and one hundred 445
forty-one thousand according to the population estimates 446
certified by the development services agency for calendar year 447
2006. Division (L) (2) (d) (iii) of this section applies only to a 448
municipal corporation that is wholly located in a county. 449

(iv) It is located in a township with a population density 450
of less than four hundred fifty people per square mile. For 451
purposes of division (L) (2) (d) (iv) of this section, the 452

population of a township is considered to be the population 453
shown by the most recent regular federal decennial census. 454

(v) It is located in a municipal corporation that is 455
wholly located within the geographic boundaries of a township, 456
provided that the municipal corporation and the unincorporated 457
portion of the township have a combined population density of 458
less than four hundred fifty people per square mile. For 459
purposes of division (L) (2) (d) (v) of this section, the 460
population of a municipal corporation and unincorporated portion 461
of a township is the population shown by the most recent federal 462
decennial census. 463

(vi) It is located in a county with a population of not 464
less than one hundred seventy-two thousand and not more than one 465
hundred ninety-five thousand. For purposes of division (L) (2) (d) 466
(vi) of this section, the population of a county is the 467
population shown by the most recent decennial census. 468

(3) The location of a D-51 permit may be transferred only 469
within the geographic boundaries of the revitalization district 470
in which it was issued and shall not be transferred outside the 471
geographic boundaries of that district. 472

(4) Not more than one D-51 permit shall be issued within 473
each revitalization district for each five acres of land located 474
within the district. Not more than fifteen D-51 permits may be 475
issued within a single revitalization district. Except as 476
otherwise provided in division (L) (4) of this section, no quota 477
restrictions shall be placed upon the number of D-51 permits 478
that may be issued. 479

(5) No D-51 permit shall be issued to an adult 480
entertainment establishment as defined in section 2907.39 of the 481

Revised Code. 482

(6) The fee for a D-5l permit is two thousand three 483
hundred forty-four dollars. 484

(M) Permit D-5m may be issued to either the owner or the 485
operator of a retail food establishment or food service 486
operation licensed under Chapter 3717. of the Revised Code that 487
operates as a restaurant for purposes of this chapter and that 488
is located in, or affiliated with, a center for the preservation 489
of wild animals as defined in section 4301.404 of the Revised 490
Code, to sell beer and any intoxicating liquor at retail, only 491
by the glass and from the container, for consumption on the 492
premises where sold, and to sell the same products in the same 493
manner and amounts not for consumption on the premises as may be 494
sold by the holders of D-1 and D-2 permits. In addition to the 495
privileges authorized by this division, the holder of a D-5m 496
permit may exercise the same privileges as the holder of a D-5 497
permit. 498

A D-5m permit shall not be transferred to another 499
location. No quota restrictions shall be placed on the number of 500
D-5m permits that may be issued. The fee for a permit D-5m is 501
two thousand three hundred forty-four dollars. 502

(N) Permit D-5n shall be issued to either a casino 503
operator or a casino management company licensed under Chapter 504
3772. of the Revised Code that operates a casino facility under 505
that chapter, to sell beer and any intoxicating liquor at 506
retail, only by the individual drink in glass and from the 507
container, for consumption on the premises where sold, and to 508
sell the same products in the same manner and amounts not for 509
consumption on the premises as may be sold by the holders of D-1 510
and D-2 permits. In addition to the privileges authorized by 511

this division, the holder of a D-5n permit may exercise the same 512
privileges as the holder of a D-5 permit. A D-5n permit shall 513
not be transferred to another location. Only one D-5n permit may 514
be issued per casino facility and not more than four D-5n 515
permits shall be issued in this state. The fee for a permit D-5n 516
shall be twenty thousand dollars. The holder of a D-5n permit 517
may conduct casino gaming on the permit premises notwithstanding 518
any provision of the Revised Code or Administrative Code. 519

(O) Permit D-5o may be issued to the owner or operator of 520
a retail food establishment or a food service operation licensed 521
under Chapter 3717. of the Revised Code that operates as a 522
restaurant for purposes of this chapter and that is located 523
within a casino facility for which a D-5n permit has been 524
issued. The holder of a D-5o permit may sell beer and any 525
intoxicating liquor at retail, only by the individual drink in 526
glass and from the container, for consumption on the premises 527
where sold, and may sell the same products in the same manner 528
and amounts not for consumption on the premises where sold as 529
may be sold by the holders of D-1 and D-2 permits. In addition 530
to the privileges authorized by this division, the holder of a 531
D-5o permit may exercise the same privileges as the holder of a 532
D-5 permit. A D-5o permit shall not be transferred to another 533
location. No quota restrictions shall be placed on the number of 534
such permits that may be issued. The fee for this permit is two 535
thousand three hundred forty-four dollars. 536

Sec. 5705.19. This section does not apply to school 537
districts, county school financing districts, or lake facilities 538
authorities. 539

The taxing authority of any subdivision at any time and in 540
any year, by vote of two-thirds of all the members of the taxing 541

authority, may declare by resolution and certify the resolution 542
to the board of elections not less than ninety days before the 543
election upon which it will be voted that the amount of taxes 544
that may be raised within the ten-mill limitation will be 545
insufficient to provide for the necessary requirements of the 546
subdivision and that it is necessary to levy a tax in excess of 547
that limitation for any of the following purposes: 548

(A) For current expenses of the subdivision, except that 549
the total levy for current expenses of a detention facility 550
district or district organized under section 2151.65 of the 551
Revised Code shall not exceed two mills and that the total levy 552
for current expenses of a combined district organized under 553
sections 2151.65 and 2152.41 of the Revised Code shall not 554
exceed four mills; 555

(B) For the payment of debt charges on certain described 556
bonds, notes, or certificates of indebtedness of the subdivision 557
issued subsequent to January 1, 1925; 558

(C) For the debt charges on all bonds, notes, and 559
certificates of indebtedness issued and authorized to be issued 560
prior to January 1, 1925; 561

(D) For a public library of, or supported by, the 562
subdivision under whatever law organized or authorized to be 563
supported; 564

(E) For a municipal university, not to exceed two mills 565
over the limitation of one mill prescribed in section 3349.13 of 566
the Revised Code; 567

(F) For the construction or acquisition of any specific 568
permanent improvement or class of improvements that the taxing 569
authority of the subdivision may include in a single bond issue; 570

(G) For the general construction, reconstruction, 571
resurfacing, and repair of streets, roads, and bridges in 572
municipal corporations, counties, or townships; 573

(H) For parks and recreational purposes; 574

(I) For providing and maintaining fire apparatus, 575
mechanical resuscitators, underwater rescue and recovery 576
equipment, or other fire equipment and appliances, buildings and 577
sites therefor, or sources of water supply and materials 578
therefor, for the establishment and maintenance of lines of 579
fire-alarm communications, for the payment of firefighting 580
companies or permanent, part-time, or volunteer firefighting, 581
emergency medical service, administrative, or communications 582
personnel to operate the same, including the payment of any 583
employer contributions required for such personnel under section 584
145.48 or 742.34 of the Revised Code, for the purchase of 585
ambulance equipment, for the provision of ambulance, paramedic, 586
or other emergency medical services operated by a fire 587
department or firefighting company, or for the payment of other 588
related costs; 589

(J) For providing and maintaining motor vehicles, 590
communications, other equipment, buildings, and sites for such 591
buildings used directly in the operation of a police department, 592
for the payment of salaries of permanent or part-time police, 593
communications, or administrative personnel to operate the same, 594
including the payment of any employer contributions required for 595
such personnel under section 145.48 or 742.33 of the Revised 596
Code, for the payment of the costs incurred by townships as a 597
result of contracts made with other political subdivisions in 598
order to obtain police protection, for the provision of 599
ambulance or emergency medical services operated by a police 600

department, or for the payment of other related costs; 601

(K) For the maintenance and operation of a county home or 602
detention facility; 603

(L) For community developmental disabilities programs and 604
services pursuant to Chapter 5126. of the Revised Code, except 605
that such levies shall be subject to the procedures and 606
requirements of section 5705.222 of the Revised Code; 607

(M) For regional planning; 608

(N) For a county's share of the cost of maintaining and 609
operating schools, district detention facilities, forestry 610
camps, or other facilities, or any combination thereof, 611
established under section 2151.65 or 2152.41 of the Revised Code 612
or both of those sections; 613

(O) For providing for flood defense, providing and 614
maintaining a flood wall or pumps, and other purposes to prevent 615
floods; 616

(P) For maintaining and operating sewage disposal plants 617
and facilities; 618

(Q) For the purpose of purchasing, acquiring, 619
constructing, enlarging, improving, equipping, repairing, 620
maintaining, or operating, or any combination of the foregoing, 621
a county transit system pursuant to sections 306.01 to 306.13 of 622
the Revised Code, or of making any payment to a board of county 623
commissioners operating a transit system or a county transit 624
board pursuant to section 306.06 of the Revised Code; 625

(R) For the subdivision's share of the cost of acquiring 626
or constructing any schools, forestry camps, detention 627
facilities, or other facilities, or any combination thereof, 628

under section 2151.65 or 2152.41 of the Revised Code or both of	629
those sections;	630
(S) For the prevention, control, and abatement of air	631
pollution;	632
(T) For maintaining and operating cemeteries;	633
(U) For providing ambulance service, emergency medical	634
service, or both;	635
(V) For providing for the collection and disposal of	636
garbage or refuse, including yard waste;	637
(W) For the payment of the police officer employers'	638
contribution or the firefighter employers' contribution required	639
under sections 742.33 and 742.34 of the Revised Code;	640
(X) For the construction and maintenance of a drainage	641
improvement pursuant to section 6131.52 of the Revised Code;	642
(Y) For providing or maintaining senior citizens services	643
or facilities as authorized by section 307.694, 307.85, 505.70,	644
or 505.706 or division (EE) of section 717.01 of the Revised	645
Code;	646
(Z) For the provision and maintenance of zoological park	647
services and facilities as authorized under section 307.76 of	648
the Revised Code;	649
(AA) For the maintenance and operation of a free public	650
museum of art, science, or history;	651
(BB) For the establishment and operation of a 9-1-1	652
system, as defined in section 128.01 of the Revised Code;	653
(CC) For the purpose of acquiring, rehabilitating, or	654
developing rail property or rail service. As used in this	655

division, "rail property" and "rail service" have the same 656
meanings as in section 4981.01 of the Revised Code. This 657
division applies only to a county, township, or municipal 658
corporation. 659

(DD) For the purpose of acquiring property for, 660
constructing, operating, and maintaining community centers as 661
provided for in section 755.16 of the Revised Code; 662

(EE) For the creation and operation of an office or joint 663
office of economic development, for any economic development 664
purpose of the office, and to otherwise provide for the 665
establishment and operation of a program of economic development 666
pursuant to sections 307.07 and 307.64 of the Revised Code, or 667
to the extent that the expenses of a county land reutilization 668
corporation organized under Chapter 1724. of the Revised Code 669
are found by the board of county commissioners to constitute the 670
promotion of economic development, for the payment of such 671
operations and expenses; 672

(FF) For the purpose of acquiring, establishing, 673
constructing, improving, equipping, maintaining, or operating, 674
or any combination of the foregoing, a township airport, landing 675
field, or other air navigation facility pursuant to section 676
505.15 of the Revised Code; 677

(GG) For the payment of costs incurred by a township as a 678
result of a contract made with a county pursuant to section 679
505.263 of the Revised Code in order to pay all or any part of 680
the cost of constructing, maintaining, repairing, or operating a 681
water supply improvement; 682

(HH) For a board of township trustees to acquire, other 683
than by appropriation, an ownership interest in land, water, or 684

wetlands, or to restore or maintain land, water, or wetlands in 685
which the board has an ownership interest, not for purposes of 686
recreation, but for the purposes of protecting and preserving 687
the natural, scenic, open, or wooded condition of the land, 688
water, or wetlands against modification or encroachment 689
resulting from occupation, development, or other use, which may 690
be styled as protecting or preserving "greenspace" in the 691
resolution, notice of election, or ballot form. Except as 692
otherwise provided in this division, land is not acquired for 693
purposes of recreation, even if the land is used for 694
recreational purposes, so long as no building, structure, or 695
fixture used for recreational purposes is permanently attached 696
or affixed to the land. Except as otherwise provided in this 697
division, land that previously has been acquired in a township 698
for these greenspace purposes may subsequently be used for 699
recreational purposes if the board of township trustees adopts a 700
resolution approving that use and no building, structure, or 701
fixture used for recreational purposes is permanently attached 702
or affixed to the land. The authorization to use greenspace land 703
for recreational use does not apply to land located in a 704
township that had a population, at the time it passed its first 705
greenspace levy, of more than thirty-eight thousand within a 706
county that had a population, at that time, of at least eight 707
hundred sixty thousand. 708

(II) For the support by a county of a crime victim 709
assistance program that is provided and maintained by a county 710
agency or a private, nonprofit corporation or association under 711
section 307.62 of the Revised Code; 712

(JJ) For any or all of the purposes set forth in divisions 713
(I) and (J) of this section. This division applies only to a 714
municipal corporation or a township. 715

(KK) For a countywide public safety communications system 716
under section 307.63 of the Revised Code. This division applies 717
only to counties. 718

(LL) For the support by a county of criminal justice 719
services under section 307.45 of the Revised Code; 720

(MM) For the purpose of maintaining and operating a jail 721
or other detention facility as defined in section 2921.01 of the 722
Revised Code; 723

(NN) For purchasing, maintaining, or improving, or any 724
combination of the foregoing, real estate on which to hold, and 725
the operating expenses of, agricultural fairs operated by a 726
county agricultural society or independent agricultural society 727
under Chapter 1711. of the Revised Code. This division applies 728
only to a county. 729

(OO) For constructing, rehabilitating, repairing, or 730
maintaining sidewalks, walkways, trails, bicycle pathways, or 731
similar improvements, or acquiring ownership interests in land 732
necessary for the foregoing improvements; 733

(PP) For both of the purposes set forth in divisions (G) 734
and (OO) of this section. 735

(QQ) For both of the purposes set forth in divisions (H) 736
and (HH) of this section. This division applies only to a 737
township. 738

(RR) For the legislative authority of a municipal 739
corporation, board of county commissioners of a county, or board 740
of township trustees of a township to acquire agricultural 741
easements, as defined in section 5301.67 of the Revised Code, 742
and to supervise and enforce the easements. 743

(SS) For both of the purposes set forth in divisions (BB) 744
and (KK) of this section. This division applies only to a 745
county. 746

(TT) For the maintenance and operation of a facility that 747
is organized in whole or in part to promote the sciences and 748
natural history under section 307.761 of the Revised Code. 749

(UU) For the creation and operation of a county land 750
reutilization corporation and for any programs or activities of 751
the corporation found by the board of directors of the 752
corporation to be consistent with the purposes for which the 753
corporation is organized; 754

(VV) For construction and maintenance of improvements and 755
expenses of soil and water conservation district programs under 756
Chapter 940. of the Revised Code; 757

(WW) For the OSU extension fund created under section 758
3335.35 of the Revised Code for the purposes prescribed under 759
section 3335.36 of the Revised Code for the benefit of the 760
citizens of a county. This division applies only to a county. 761

(XX) For a municipal corporation that withdraws or 762
proposes by resolution to withdraw from a regional transit 763
authority under section 306.55 of the Revised Code to provide 764
transportation services for the movement of persons within, 765
from, or to the municipal corporation; 766

(YY) For any combination of the purposes specified in 767
divisions (NN), (VV), and (WW) of this section. This division 768
applies only to a county. 769

The resolution shall be confined to the purpose or 770
purposes described in one division of this section, to which the 771
revenue derived therefrom shall be applied. The existence in any 772

other division of this section of authority to levy a tax for 773
any part or all of the same purpose or purposes does not 774
preclude the use of such revenues for any part of the purpose or 775
purposes of the division under which the resolution is adopted. 776

The resolution shall specify the amount of the increase in 777
rate that it is necessary to levy, the purpose of that increase 778
in rate, and the number of years during which the increase in 779
rate shall be in effect, which may or may not include a levy 780
upon the duplicate of the current year. The number of years may 781
be any number not exceeding five, except as follows: 782

(1) When the additional rate is for the payment of debt 783
charges, the increased rate shall be for the life of the 784
indebtedness. 785

(2) When the additional rate is for any of the following, 786
the increased rate shall be for a continuing period of time: 787

(a) For the current expenses for a detention facility 788
district, a district organized under section 2151.65 of the 789
Revised Code, or a combined district organized under sections 790
2151.65 and 2152.41 of the Revised Code; 791

(b) For providing a county's share of the cost of 792
maintaining and operating schools, district detention 793
facilities, forestry camps, or other facilities, or any 794
combination thereof, established under section 2151.65 or 795
2152.41 of the Revised Code or under both of those sections. 796

(3) When the additional rate is for either of the 797
following, the increased rate may be for a continuing period of 798
time: 799

(a) For the purposes set forth in division (I), (J), (U), 800
or (KK) of this section; 801

(b) For the maintenance and operation of a joint 802
recreation district. 803

(4) When the increase is for the purpose or purposes set 804
forth in division (D), (G), (H), (T), (Z), (CC), or (PP) of this 805
section, the tax levy may be for any specified number of years 806
or for a continuing period of time, as set forth in the 807
resolution. 808

A levy for one of the purposes set forth in division (G), 809
(I), (J), or (U) of this section may be reduced pursuant to 810
section 5705.261 or 5705.31 of the Revised Code. A levy for one 811
of the purposes set forth in division (G), (I), (J), or (U) of 812
this section may also be terminated or permanently reduced by 813
the taxing authority if it adopts a resolution stating that the 814
continuance of the levy is unnecessary and the levy shall be 815
terminated or that the millage is excessive and the levy shall 816
be decreased by a designated amount. 817

A resolution of a detention facility district, a district 818
organized under section 2151.65 of the Revised Code, or a 819
combined district organized under both sections 2151.65 and 820
2152.41 of the Revised Code may include both current expenses 821
and other purposes, provided that the resolution shall apportion 822
the annual rate of levy between the current expenses and the 823
other purpose or purposes. The apportionment need not be the 824
same for each year of the levy, but the respective portions of 825
the rate actually levied each year for the current expenses and 826
the other purpose or purposes shall be limited by the 827
apportionment. 828

Whenever a board of county commissioners, acting either as 829
the taxing authority of its county or as the taxing authority of 830
a sewer district or subdistrict created under Chapter 6117. of 831

the Revised Code, by resolution declares it necessary to levy a 832
tax in excess of the ten-mill limitation for the purpose of 833
constructing, improving, or extending sewage disposal plants or 834
sewage systems, the tax may be in effect for any number of years 835
not exceeding twenty, and the proceeds of the tax, 836
notwithstanding the general provisions of this section, may be 837
used to pay debt charges on any obligations issued and 838
outstanding on behalf of the subdivision for the purposes 839
enumerated in this paragraph, provided that any such obligations 840
have been specifically described in the resolution. 841

A resolution adopted by the legislative authority of a 842
municipal corporation that is for the purpose in division (XX) 843
of this section may be combined with the purpose provided in 844
section 306.55 of the Revised Code, by vote of two-thirds of all 845
members of the legislative authority. The legislative authority 846
may certify the resolution to the board of elections as a 847
combined question. The question appearing on the ballot shall be 848
as provided in section 5705.252 of the Revised Code. 849

A levy for the purpose set forth in division (BB) of this 850
section may be imposed in all or a portion of the territory of a 851
subdivision. If the 9-1-1 system to be established and operated 852
with levy funds excludes territory located within the 853
subdivision, the resolution adopted under this section, or a 854
resolution proposing to renew such a levy that was imposed in 855
all of the territory of the subdivision, may describe the area 856
served or to be served by the system and specify that the 857
proposed tax would be imposed only in the areas receiving or to 858
receive the service. Upon passage of such a resolution, the 859
board of elections shall submit the question of the tax levy 860
only to those electors residing in the area or areas in which 861
the tax would be imposed. If the 9-1-1 system would serve the 862

entire subdivision, the resolution shall not exclude territory 863
from the tax levy. 864

The resolution shall go into immediate effect upon its 865
passage, and no publication of the resolution is necessary other 866
than that provided for in the notice of election 867

When the electors of a subdivision or, in the case of a 868
qualifying library levy for the support of a library association 869
or private corporation, the electors of the association library 870
district or, in the case of a 9-1-1 system levy serving only a 871
portion of the territory of a subdivision, the electors of the 872
portion of the subdivision in which the levy would be imposed 873
have approved a tax levy under this section, the taxing 874
authority of the subdivision may anticipate a fraction of the 875
proceeds of the levy and issue anticipation notes in accordance 876
with section 5705.191 or 5705.193 of the Revised Code. 877

Section 2. That existing sections 4303.181 and 5705.19 of 878
the Revised Code are hereby repealed. 879

Section 3. (A) There is hereby created the Regional 880
Economic Development Alliance Study Committee. The Committee 881
shall consist of the following members: 882

(1) All of the following persons, who shall be voting 883
members of the Committee: 884

(a) Three members of the House of Representatives, not 885
more than two of whom are members of the same party, appointed 886
by the Speaker of the House of Representatives; 887

(b) Three members of the Senate, not more than two of whom 888
are members of the same party, appointed by the President of the 889
Senate; 890

(c) The Governor, or the Governor's designee;	891
(d) Two representatives from academia engaged in relevant	892
fields of study, appointed by the co-chairpersons of the	893
Committee;	894
(e) Two individuals who are economic development	895
professionals, appointed by the co-chairpersons of the	896
Committee.	897
(2) All of the following persons, who shall be nonvoting	898
members of the Committee:	899
(a) The chairperson of the Regional Prosperity Initiative	900
or the chairperson's designee;	901
(b) The president of the Ohio Association of Regional	902
Councils or the president's designee;	903
(c) The executive director of the Ohio Economic	904
Development Association or the executive director's designee;	905
(d) One person, appointed by the Governor, who is	906
recommended by an Ohio-based advocacy group selected by the	907
Governor;	908
(e) One person, appointed by the Governor, who is	909
recommended by an Ohio-based foundation selected by the	910
Governor;	911
(f) One person, appointed by the Governor, who is a	912
representative of a metropolitan planning organization.	913
Members of the Committee shall be appointed not later than	914
thirty days after the effective date of this section. Any	915
vacancies that occur on the Committee shall be filled in the	916
same manner as the original appointment.	917

The Speaker of the House of Representatives and the 918
President of the Senate shall each appoint one member of the 919
Committee to serve as a co-chairperson of the Committee. The 920
Committee shall hold its initial meeting as soon as practicable 921
after the last member of the Committee is appointed. All 922
subsequent meetings shall be held at the call of the co- 923
chairpersons. 924

(B) The Committee shall study the features, benefits, and 925
challenges involved in establishing regional economic 926
development alliances that would enhance collaboration for 927
successful regional economic development efforts, allow for the 928
sharing of services, and permit the mobilization of necessary 929
resources among alliance members. The Committee shall also 930
examine the ways in which such alliances would address the needs 931
of regions throughout the state. 932

In completing its study, the Committee shall consult with 933
various resource groups, including county commissioners, 934
township trustees, mayors, city council members, members of 935
statewide and regional organizations that represent political 936
subdivisions, and members of chambers of commerce. 937

(C) Not later than one year after the effective date of 938
this section, the Committee shall submit a report of its 939
findings and conclusions to the Governor, the Speaker of the 940
House of Representatives, and the President of the Senate. The 941
Committee ceases to exist upon the submission of its report. 942

Section 4. A tax levied for the purpose described in 943
division (I) of section 5705.19 of the Revised Code and approved 944
by electors at a general election held on November 7, 2017, for 945
a stated term of ten years is hereby ratified and shall be 946
levied for ten years, pursuant to the resolution levying the 947

tax, notwithstanding section 5705.19 of the Revised Code. 948

Section 5. The amendment by this act of division (JJ) of 949
section 5705.19 of the Revised Code applies to tax levies 950
approved by electors at an election held before, on, or after 951
the effective date of this act. A tax levied for the purpose 952
described in division (JJ) of that section by the taxing 953
authority of a municipal corporation and approved by electors at 954
an election held before the effective date of this act is hereby 955
ratified and shall be levied pursuant to the resolution levying 956
the tax, notwithstanding that section as it existed before the 957
effective date of this act. 958

Section 6. Section 5705.19 of the Revised Code is 959
presented in this act as a composite of the section as amended 960
by Sub. H.B. 158, Am. Sub. H.B. 277, Sub. H.B. 413, and Am. Sub. 961
H.B. 483, all of the 131st General Assembly. The General 962
Assembly, applying the principle stated in division (B) of 963
section 1.52 of the Revised Code that amendments are to be 964
harmonized if reasonably capable of simultaneous operation, 965
finds that the composite is the resulting version of the section 966
in effect prior to the effective date of the section as 967
presented in this act. 968