

**As Reported by the Senate Government Oversight and Reform  
Committee**

**132nd General Assembly**

**Regular Session  
2017-2018**

**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**

**Senator Coley**

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**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:**

<b>Section 1.</b> 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 fields of study, appointed by the co-chairpersons of the Committee;	892 893 894
(e) Two individuals who are economic development professionals, appointed by the co-chairpersons of the Committee.	895 896 897
(2) All of the following persons, who shall be nonvoting members of the Committee:	898 899
(a) The chairperson of the Regional Prosperity Initiative or the chairperson's designee;	900 901
(b) The president of the Ohio Association of Regional Councils or the president's designee;	902 903
(c) The executive director of the Ohio Economic Development Association or the executive director's designee;	904 905
(d) One person, appointed by the Governor, who is recommended by an Ohio-based advocacy group selected by the Governor;	906 907 908
(e) One person, appointed by the Governor, who is recommended by an Ohio-based foundation selected by the Governor;	909 910 911
(f) One person, appointed by the Governor, who is a representative of a metropolitan planning organization.	912 913
Members of the Committee shall be appointed not later than thirty days after the effective date of this section. Any vacancies that occur on the Committee shall be filled in the same manner as the original appointment.	914 915 916 917



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