

PUBLIC HEARING OF THE LIQUOR CONTROL COMMISSION

**Thursday, June 23, 2005 at 1:30 p.m.
77 South High St, 19th Floor
Columbus, Ohio 43215**

The purpose of this public hearing of the Ohio Liquor Control Commission is to receive comments and testimony from interested parties with regard to the following rules of the Ohio Administrative Code. In accordance with the provisions of section 119.03 and 119.032 of the Ohio Revised Code, the Liquor Control Commission intends to amend, create and/or rescind the following rules and offers the following synopses of the rules:

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| Rule Number 4301:1-1-02 | (Definitions)
The Commission is rescinding the current rule and proposing a new rule which incorporates mostly technical changes and deletes old language that is no longer necessary. |
| Rule Number 4301:1-1-15 | (Permits, cancellation of)
The Commission is rescinding the current rule and proposing a new rule which changes the language to reflect that the Division of Liquor Control may cancel a permit based upon a voluntary request by a permit holder. |
| Rule Number 4301:1-1-45 | (Ban on premium and gift merchandising; contests)
The proposed amendments for this rule are minor, making word choices consistent throughout the rules. |
| Rule Number 4301:1-1-46 | (Miscellaneous restrictions)
The proposed amendments clarify the procedure for requesting a transfer of product between two locations owned by the same permit holder. New language has been added to paragraph (D), which allows for the co-packaging of an alcoholic beverage with a non-alcoholic item with no increase in sales price required. Paragraph (G), which relates to the operation of a program by a retail permit holder to prevent underage sales has been deleted. Language has also been deleted from paragraph (I) regarding sales at wholesale to non-permit holders. |

- Rule Number 4301:1-1-47 (Ban on refilling bottles or selling brands not ordered)
The Commission is rescinding the current rule and proposing a new rule which clarifies that the prohibition against refilling bottles is applicable to permit holders who have on-premises consumption privileges. Technical changes are also proposed to provide for consistent use of terms throughout the rule.
- Rule Number 4301:1-1-48 (Service in hotel rooms)
The proposed amendments clarify the requirement of a hotel or motel license for Class D-1, D-2, D-3, or D-5 permit holders who serve in hotels or motels, hotel or motel rooms, or hotel or motel conference rooms.
- Rule Number 4301:1-1-49 (Hours of sale of alcoholic beverages)
The Commission is rescinding the current rule and proposing a new rule which clarifies that the restrictions on hours of sale of alcoholic beverages are applicable to retail sales only. The new rule will make it easier for the permit holder, law enforcement, and the public to determine applicable hours of sale, delivery, or consumption.
- Rule Number 4301:1-1-50 (Limitations on happy hours and similar retail price reductions)
The proposed amendments are made to clarify the happy hour provisions.
- Rule Number 4301:1-1-53 (Gambling, gambling devices and promotional contests)
The proposed amendments to this rule are necessary to reflect recently enacted changes in Ohio's gambling laws, as set forth in Chapter 2915 of the Revised Code.
- Rule Number 4301:1-1-55 (Possession of spirituous liquor on certain premises prohibited.)
The Commission is rescinding the current rule and proposing a new rule which clarifies the prohibition and reinforces the use of consistent terminology throughout the rule.

- Rule Number 4301:1-1-56 (Employment of underage persons)
This rule is being rescinded as its provisions are codified in Revised Code section 4301.22(A)(3).
- Rule Number 4301:1-1-58 (Exceptions to giving away food)
The proposed amendments made to this rule reflect current practices with regard to the giving away of hors d'oeuvres and other food morsels.
- Rule Number 4301:1-1-59 (Solicitation of patrons)
The Commission is rescinding the current rule and proposing a new rule which clarifies the existing prohibition against soliciting and extends the prohibition to include within its scope conduct that is associated with and is a logical extension of the prohibition against soliciting.