



FAQs for Liquor Permit Holders Amid COVID-19

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Where can I find the latest information regarding Ohio’s response to Covid-19 and any requirements that my business may need to follow?

- Visit coronavirus.ohio.gov;
- Contact your local Health Department;
- Call the COVID-19 hotline at 833-427-5634 or 833-4-ASK ODH; or
- Call the Governor’s Constituent Services line at 614-466-3555.
- Some useful resources include:
 - The [Responsible Restart Ohio plan](#), which lays out best practices for businesses to follow when resuming operations. At a minimum, however, businesses must:
 - Designate 6-foot distances for employees and customers. Utilize barriers if applicable.
 - Make hand sanitizer and sanitizing products readily available for employees and customers.

- Must require all employees to wear facial coverings, except where prohibited by law or other exceptions exists such as a health condition, the employee is working alone, or it creates an unsafe environment.
- Implement separate operating hours for elderly and vulnerable customers when possible; and
- Offer online and remote access of facility hours/operations and inform customers on how best to reach the business.

How does H.B. 404 affect the renewal of my liquor permit?

- If your liquor permit would have normally expired on June 1, 2020 or October 1, 2020, under H.B. 197, you needed to renew your liquor permit by December 1, 2020. If you have NOT yet filed your renewal application, then your liquor permit, per H.B. 404, will now expire July 1, 2021.
 - In this situation, the Division still encourages you to file your renewal application that was previously sent to you as soon as possible to avoid processing delays.
 - If you choose, however, to wait until July 1, 2021 to file your June 2020-2021 or October 2020-2021 renewal application, then:
 - If you are a June renewal, your June 2021-2022 renewal application will also be due July 1, 2021.
 - If you are an October renewal, your October 2021-2022 renewal application will be due three months later on October 1, 2021.
- If you have already filed to renew your June or October liquor permit by December 1, 2020, as was required under H.B. 197, then there is nothing more that you need to do. The Division will, if it has not already, process it. Once processed, the Division will send you documentation confirming it has been processed.
 - Until you receive confirmation from the Division that your renewal application was processed, please continue to display within your permit premises whatever documentation you last received from the Division that gave your privileges to sell alcoholic beverages (i.e., an issued October 2019-2020 permit, an issued February 2020-2021 permit, a recently issued operating receipt, a recent authority to operate letter, etc). If you have specific questions as to whether the documentation you have allows you to sell, please contact your attorney or the Division.
 - If, after January 4, 2021, you still have not received new documentation verifying that your 2020-2021 renewal application was processed, please contact the Division.
 - Please keep in mind that:
 - Your June 2021-2022 renewal application will be due July 1, 2021.

- Your October 2021-2022 renewal application will still be due on October 1, 2021.
- If your permit was set to expire February 1, 2021, it will now expire July 1, 2021.
 - The Division will send out an additional communication as to when and how you can file your February 1 permit renewal application.
 - The Division strongly encourages those permit holders to file their February renewal applications once they receive this additional information from the Division to avoid delays.
 - If you wait until July 1, 2021 to file your February 1 renewal application, you will still need to file your next renewal on February 1, 2022.
- How does H.B. 404 affect my permit in safekeeping?
 - Just like before, permits that are in safekeeping with the Division have the same renewal deadlines like any other permit holder.
 - Therefore, if, for example, your permit is in safekeeping and it would normally expire on October 1st, but due to H.B. 197 it was set to expire on December 1st, it would, if you have not yet filed your renewal application, now expire on July 1, 2021.
 - If, however, you have already filed your renewal application and this was your second (or more) renewal while in safekeeping under R.C. 4303.272, the Division will review your situation.
 - As always, the Division encourages permit holders in safekeeping to keep the Division updated as to what progress is being made regarding the permit. Thus, please contact the Division at LiquorLicensingRenewal@com.state.oh.us if you need to discuss your current situation. The Division will attempt to respond to your inquiries as quickly as it can.
- How does H.B. 404 affect my liquor permit and any tax issues?
 - Regardless of whether Taxation has identified possible tax issues that could prevent the renewal of your liquor permit, your permit expires, and therefore needs to be renewed, under the same scenarios as identified above.
 - Thus, if you have already filed to renew your permit and Taxation identified a tax problem, then you should have received a tax non-renewal order. If, on the other hand, you have not yet filed to renew your permit, then when you finally do file it before July 1, 2021, a tax non-renewal order will be issued if the tax issue is still open on the Division's licensing system.
 - Please keep in mind that the Division does not have any information concerning what is owed or what returns may need filed, thus, the best advice is to contact

Taxation at liquorgroup@tax.state.oh.us as soon as possible to resolve any possible tax issues prior to filing a renewal application.

Can I still apply for the \$2,500 grant money?

- No, applications for the Bar & Restaurant Assistance Fund ended on January 31, 2021. The state set aside CARES Acts funding for this program to provide Ohio bars and restaurants with non-competitives \$2,500 check for each physical location.

Can I return unopened beer/wine to a distributor?

- The Division has approved the pick-up and future replacement of beer, wine, or mixed beverages from a retail permit holder, at the Distributor's discretion. The product must be in its original sealed packaging and must have been purchased after February 15 for a specific event (i.e. Opening Day, St. Patrick's Day, NCAA, etc). You must reorder the same amount of product that you returned. For example, if you return 5 kegs of beer to a distributor, upon re-opening, you must buy 5 kegs of beer from that same distributor.
- This temporary alteration in the return policy is also subject to the federal Tax and Trade Bureau (TTB) restriction. It is our understanding that TTB views only products purchased for events cancelled due to the COVID-19 crisis to be exempt from the normal restrictions on consignment sales. TTB has stressed the voluntary nature of accepting these returns.
- Future guidance from TTB may also be forthcoming on this matter.

Can I still participate in the one-time Liquor Rebate Program?

- No, the one-time Liquor Rebate Program ended on August 31, 2020. The program was designed to help Ohio bars and restaurants navigate reopening during COVID-19. We were able to rebate \$4.423M to 8,856 permit holders. For more information about the program, click [here](#).

Can Contract Liquor Agencies sell high proof spirituous liquor to non-Ohio residents?

- Yes. An Order that previously limited the in-person purchasing of high proof spirituous liquor to customers who are not Ohio residents in Ashtabula, Trumbull, Mahoning, Columbiana, Jefferson, and Belmont counties was lifted on May 29, 2020.

Can I still return spirituous liquor to an Ohio Contract Liquor Agency?

- No, the Division's Liquor Buyback Program ended on June 30, 2020. If you would still like to return unopened, high proof spirituous liquor purchased from mid-February through mid-March 2020 please contact the Liquor Enterprise Service Center at 877-812-0013 or OhioLiquorInfo@com.ohio.gov.

Can I sell bottles of spirituous liquor to patrons for off-premises consumption?

- No. Only contract liquor agencies can sell bottles of spirituous liquor to a customer for carryout. Retail liquor establishments cannot sell any bottles of spirituous liquor, including 50mL bottles, to patrons for carryout, off-premises consumption.

Can I sell alcoholic drinks that are normally offered for on-premises consumption to-go?

- Yes, HB 669 makes permanent what was allowed under Ohio Liquor Control Commission Rule 80 regarding selling alcoholic drinks to-go that the qualified permit holder normally offers for on premises consumption. For more information on HB 669, [click here](#).

Can I deliver drinks-to-go?

- A permit holder or its employees can deliver the to-go drinks to consumers or a permit holder can work with a licensed H class permit holder to deliver the drinks-to-go on its behalf.
- D-4 liquor permit holders may sell and deliver drinks for off-premises consumption to their members only.

Who do I contact to report a non-compliant permit holder?

If you have any questions, or would like to report a violation, you may contact:

Licensing Section
6606 Tussing Road
Reynoldsburg, OH 43068-9009

614-644-2360
Fax 614-728-1281
TTY/TDD 800-750-0750
com.ohio.gov

- The Department of Public Safety's, Ohio Investigative Unit Liquor Agents at their respective [district office](#).
- The Division of Liquor Control's Investigative Services Supervisors and Legal Section at the following phone numbers and/or email addresses:
 - Frank Chung, Investigative Services Eastern Ohio Region, 614-546-8492, Frank.chung@com.state.oh.us
 - Shaun Powers, Investigative Services Western Ohio Region, 614-546-5658, Shaun.powers@com.state.oh.us
 - Ohio Division of Liquor Control Legal Section at 614-644- 2489 or liquorlegal@com.state.oh.us

Other important information regarding this FAQ document.

- Please note that all Ohio liquor [laws](#) and [rules](#) are available via the Division of Liquor Control [website](#) under "Resources."
- As a reminder, many of the Division of Liquor Control staff continue to work remotely to reduce the spread of COVID-19. The Division appreciates your patience as staff responds to your needs. As always, you may also email web.liqr@com.state.oh.us with any questions.
- This document is to provide general guidance and should not be taken as legal advice. Therefore, while the Division will try to address your situation as best as it can, you may want to consult your own attorney who can provide specific legal advice regarding your unique situation.

**** PLEASE NOTE: This document is subject to change as new information becomes available****

Updated 2/5/21