As Introduced

136th General Assembly

Regular Session 2025-2026

H. B. No. 19

Representatives Bird, Williams

Cosponsors: Representatives Brennan, Fowler Arthur, Hall, T., John, Johnson, King, Ray, Stewart, Thomas, C.

A BILL

То	amend section 4301.69 of the Revised Code to	1
	reduce the mental state, from knowingly to	2
	recklessly, that applies to the prohibition	3
	against allowing an underage person to possess	4
	or consume alcohol in a private or public place.	5

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

Section 1. That section 4301.69 of the Revised Code be	6
amended to read as follows:	7
Sec. 4301.69. (A) Except as otherwise provided in this	8
chapter, no person shall sell beer or intoxicating liquor to an	9
underage person, shall buy beer or intoxicating liquor for an	10
underage person, or shall furnish it to an underage person,	11
unless given by a physician in the regular line of the	12
physician's practice or given for established religious purposes	13
or unless the underage person is supervised by a parent, spouse	14
who is not an underage person, or legal guardian.	15
In proceedings before the liquor control commission, no	16
permit holder, or no employee or agent of a permit holder,	17
permit norder, or no emproyee or agent or a permit norder,	Ι/

charged with a violation of	this division shal	l be charged, for	18
the same offense, with a vio	lation of division	(A)(1) of section	19
4301.22 of the Revised Code.			20

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(B) No person who is the owner or occupant of any public person to remain in or on the place while possessing or consuming beer or intoxicating liquor, unless the intoxicating liquor or beer is given to the person possessing or consuming it by that person's parent, spouse who is not an underage person, or legal guardian and the parent, spouse who is not an underage person, or legal guardian is present at the time of the person's possession or consumption of the beer or intoxicating liquor.

An owner of a public or private place is not liable for acts or omissions in violation of this division that are committed by a lessee of that place, unless the owner authorizes or acquiesces in the lessee's acts or omissions.

- (C) No person shall engage or use accommodations at a hotel, inn, cabin, campground, or restaurant when the person knows or has reason to know either of the following:
- (1) That beer or intoxicating liquor will be consumed by an underage person on the premises of the accommodations that the person engages or uses, unless the person engaging or using the accommodations is the spouse of the underage person and is not an underage person, or is the parent or legal guardian of all of the underage persons, who consume beer or intoxicating liquor on the premises and that person is on the premises at all times when beer or intoxicating liquor is being consumed by an underage person;
 - (2) That a drug of abuse will be consumed on the premises

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of the accommodations by any person, except a person who
obtained the drug of abuse pursuant to a prescription issued by
a licensed health professional authorized to prescribe drugs and
has the drug of abuse in the original container in which it was
dispensed to the person.

- (D) (1) No person is required to permit the engagement of accommodations at any hotel, inn, cabin, or campground by an underage person or for an underage person, if the person engaging the accommodations knows or has reason to know that the underage person is intoxicated, or that the underage person possesses any beer or intoxicating liquor and is not supervised by a parent, spouse who is not an underage person, or legal guardian who is or will be present at all times when the beer or intoxicating liquor is being consumed by the underage person.
- (2) No underage person shall knowingly engage or attempt
 to engage accommodations at any hotel, inn, cabin, or campground
 by presenting identification that falsely indicates that the
 underage person is twenty-one years of age or older for the
 purpose of violating this section.

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- (E) (1) No underage person shall knowingly order, pay for, share the cost of, attempt to purchase, possess, or consume any beer or intoxicating liquor in any public or private place. No underage person shall knowingly be under the influence of any beer or intoxicating liquor in any public place. The prohibitions set forth in division (E)(1) of this section against an underage person knowingly possessing, consuming, or being under the influence of any beer or intoxicating liquor shall not apply if the underage person is supervised by a parent, spouse who is not an underage person, or legal guardian, 7.5 or the beer or intoxicating liquor is given by a physician in

the regular line of the physician's practice or given for	77
established religious purposes.	
(2)(a) If a person is charged with violating division (E)	79
(1) of this section in a complaint filed under section 2151.27	80
of the Revised Code, the court may order the child into a	81
diversion program specified by the court and hold the complaint	82
in abeyance pending successful completion of the diversion	83
program. A child is ineligible to enter into a diversion program	84
under division (E)(2)(a) of this section if the child previously	85
has been diverted pursuant to division (E)(2)(a) of this	86
section. If the child completes the diversion program to the	87
satisfaction of the court, the court shall dismiss the complaint	88
and order the child's record in the case sealed under sections	89
2151.356 to 2151.358 of the Revised Code. If the child fails to	90
satisfactorily complete the diversion program, the court shall	
proceed with the complaint.	
(b) If a person is charged in a criminal complaint with	93
violating division (E)(1) of this section, section 2935.36 of	94
the Revised Code shall apply to the offense, except that a	95
person is ineligible for diversion under that section if the	96
person previously has been diverted pursuant to division (E)(2)	97
(a) or (b) of this section. If the person completes the	98
diversion program to the satisfaction of the court, the court	99
shall dismiss the complaint and order the record in the case	100
sealed under section 2953.33 of the Revised Code. If the person	101
fails to satisfactorily complete the diversion program, the	102
court shall proceed with the complaint.	103
(F) No parent, spouse who is not an underage person, or	104
legal guardian of a minor shall knowingly permit the minor to	105
violate this section or section 4301.63, 4301.633, or 4301.634	

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of the Revised Code.	107
(G) The operator of any hotel, inn, cabin, or campground	108
shall make the provisions of this section available in writing	109
to any person engaging or using accommodations at the hotel,	110
inn, cabin, or campground.	111
(H) As used in this section:	112
(1) "Drug of abuse" has the same meaning as in section	113
3719.011 of the Revised Code.	114
(2) "Hotel" has the same meaning as in section 3731.01 of	115
the Revised Code.	116
(3) "Licensed health professional authorized to prescribe	117
drugs" and "prescription" have the same meanings as in section	
4729.01 of the Revised Code.	119
(4) "Minor" means a person under the age of eighteen	120
years.	121
(5) "Underage person" means a person under the age of	122
twenty-one years.	123
Section 2. That existing section 4301.69 of the Revised	124
Code is hereby repealed.	125