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H.B. 389
133rd General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsors: Reps. Rogers and Becker

Jeff Grim, Research Analyst

SUMMARY

- Allows a nonprofit organization to give beer or intoxicating liquor away as a prize to a participant of a fundraising event for the nonprofit organization, including a raffle, if both of the following apply:
 - At the time of the fundraising event, the nonprofit organization does not hold a permit under the liquor control laws that authorizes the sale of beer or intoxicating liquor for off-premises consumption; and
 - The beer or intoxicating liquor is given away in sealed containers for off-premises consumption.
- Declares an emergency.

DETAILED ANALYSIS

Nonprofit organization fundraising prizes

Current law generally only allows a person to sell (which includes giving away) beer, intoxicating liquor, and ethyl alcohol in accordance with a valid liquor permit issued by the Division of Liquor Control.¹

The bill allows a nonprofit organization to give away beer or intoxicating liquor as a prize to a participant of a fundraising event for the nonprofit organization, including a raffle, if both of the following apply:

¹ R.C. 4301.58(B).

1. At the time of the fundraising event, the nonprofit organization does not hold a permit under the liquor control laws that authorizes the sale of beer or intoxicating liquor for off-premises consumption; and
2. The beer or intoxicating liquor is given away in sealed containers for off-premises consumption.

A nonprofit organization includes (1) a church, and (2) a charitable organization that has received from the Internal Revenue Service a determination letter that is currently in effect stating that the organization is exempt from federal income taxation under subsection 501(a) and described in subsection 501(c)(3) of the Internal Revenue Code.²

HISTORY

Action	Date
Introduced	11-05-19

H0389-I-133/ar

² R.C. 4301.58(D).