



# Ohio Legislative Service Commission

## Sub. Bill Comparative Synopsis

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### H.B. 178

131st General Assembly

(H. Government Accountability and Oversight)

This table summarizes how the latest substitute version of the bill differs from the immediately preceding version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

Topic	Previous Version (As Introduced)	Sub. Version (LSC 131 1252-7)
<b>F-10 liquor permit</b>	<p>Authorizes certain A-2 liquor permit holders (wine manufacturers) to obtain an F-10 liquor permit to sell both of the following at farmers markets:</p> <ul style="list-style-type: none"> <li>(1) Tasting samples of Ohio wines manufactured by the permit holder for consumption on the premises of the farmers market; and</li> <li>(2) Sealed containers of Ohio wines manufactured by the permit holder for consumption off the premises of the farmers market (R.C. 4303.2010(B)).</li> </ul> <p>No provision.</p>	<p>Instead, authorizes a person who organizes a farmers market to obtain an F-10 permit to allow a farmers market participant who holds an A-2 permit or S liquor permit (includes an out-of-state wine manufacturer that produces less than 250,000 gallons of wine per year) to sell such tasting samples and sealed containers of wine at a farmers market (R.C. 4303.2010(B)).</p> <p>Specifies that, for purposes of the bill, an "A-2 permit holder" means an A-2 permit holder that produces less than 250,000 gallons of wine per year (R.C. 4303.2010(A)(2)).</p>

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	<p>Requires an F-10 permit holder to obtain written permission from the person who organizes the farmers market to sell wine and to comply with any requirements established by that person for involvement in the farmers market, including payment of a vendor fee (R.C. 4303.2010(E)).</p> <p>States that the F-10 permit is effective for one year and may be used at any farmers market in Ohio, so long as the holder complies with the bill's requirements (R.C. 4303.2010(F)).</p> <p>Exempts from the Open Container Law a person who has in the person's possession an opened container of wine at a farmers market that is served for on-premises consumption by an F-10 permit holder (R.C. 4301.62(C)(1)(b)).</p> <p>No provision.</p> <p>No provision.</p>	<p>No provision.</p> <p>States that the F-10 permit is effective for nine months and is not renewable; however, specifies that a person who organizes a farmers market may re-apply for a new permit (R.C. 4303.2010(F)).</p> <p>Same, except specifies that wine that is served by an A-2 permit holder or S permit holder for consumption on the premises of a farmers market for which an F-10 permit has been issued is exempt from the Open Container Law (R.C. 4301.62(C)(1)(b)).</p> <p>Requires an applicant for an F-10 permit to submit an application for the permit to the Division of Liquor Control and include in the application the location of the farmers market that is the subject of the application (R.C. 4303.2010(C)).</p> <p>Prohibits an F-10 permit holder from allowing more than four A-2 permit holders, four S permit holders, or a combination of four A-2 permit holders and S permit holders per day to sell tasting samples and sealed containers of wine at the applicable farmers market (R.C. 4303.2010(H)).</p>

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<b>Wine origin</b>	Prohibits an F-10 permit holder from selling wine at a farmers market unless: (1) at least 51% of the fruit used to produce the wine is grown in Ohio; and (2) the wine label identifies an appellation of origin, in accordance with federal law, that includes all or a portion of Ohio ( <i>R.C. 4303.2010(C)</i> ).	No provision.
<b>Definition of "farmers market"</b>	Defines "farmers market" to mean a farmers market registered with the Director of Agriculture in accordance with the law governing voluntary registration of farmers markets ( <i>R.C. 4303.2010(A)</i> ).	Same, but adds that the definition of "farmers market" excludes the following: <ul style="list-style-type: none"> <li>(1) A for-profit farmers market;</li> <li>(2) A farmers market located at a rest area within the limits of the right-of-way of an interstate highway;</li> <li>(3) A farmers market located at a service facility that is along the Ohio Turnpike; or</li> <li>(4) A farmers market with fewer than five farmers market participants (<i>R.C. 4303.2010(A)(1)</i>).</li> </ul>
<b>Tasting samples</b>	Prohibits an F-10 permit holder from selling a tasting sample in an amount that exceeds two ounces ( <i>R.C. 4303.2010(D)</i> ).  No provision.	Instead, prohibits an A-2 permit holder or S permit holder from selling a tasting sample in an amount that exceeds one ounce at a farmers market for which an F-10 permit has been issued ( <i>R.C. 4303.2010(E)(1)</i> ).  Prohibits an A-2 permit holder or S permit holder from selling more than five varieties of wine as tasting samples per day ( <i>R.C. 4303.2010(E)(3)</i> ).
<b>Sale of wine limitations</b>	No provision.	Prohibits an A-2 permit holder or S permit holder from selling a variety of wine that is offered for distribution by a wholesale distributor in any state, but specifies that this prohibition does not apply to a variety of wine distributed by the A-2

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	<p>No provision.</p> <p>No provision.</p>	<p>permit holder or S permit holder (<i>R.C. 4303.2010(E)(4)</i>).</p> <p>Prohibits an A-2 permit holder or S permit holder from selling more than four and one-half liters of wine per household for off-premises consumption (<i>R.C. 4303.2010(E)(5)</i>).</p> <p>Prohibits an A-2 permit holder or S permit holder from allowing any person other than the A-2 permit holder or S permit holder, a member of the applicable permit holder's family, or an employee of the applicable permit holder from selling wine at a farmers market (<i>R.C. 4303.2010(E)(6)</i>).</p>
<b>F-10 premises</b>	<p>No provision.</p> <p>No provision.</p>	<p>Requires the premises of the farmers market for which an F-10 permit is issued to be clearly defined and sufficiently restricted to allow proper enforcement of the permit by state and local law enforcement officers (<i>R.C. 4303.2010(D)</i>).</p> <p>If an F-10 permit is issued for all or a portion of the same premises for which another class of permit is issued, requires the Division to suspend that permit holder's privileges in that portion of the premises in which the F-10 permit is in effect (<i>R.C. 4303.2010(D)</i>).</p>

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<b>Selling wine in authorized areas</b>	No provision.	Prohibits an A-2 permit holder or S permit holder from selling wine in accordance with the bill unless the sale of wine for consumption on the premises and the sale of wine for consumption off the premises is authorized in the election precinct in which the farmers market that is the subject of the F-10 permit is located ( <i>R.C. 4303.2010(G)</i> ).

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