



OHIO LEGISLATIVE SERVICE COMMISSION

Final Analysis

Jeff Grim

Am. Sub. H.B. 444 131st General Assembly (As Passed by the General Assembly)

Reps. Blessing, Henne, Grossman, Hambley, Brenner, Conditt, Becker, Ramos, Thompson, Perales, Manning, Buchy, Boose, Dever, Rezabek, Sheehy, Brown, Ashford, Boyd, Dovilla, Driehaus, Duffey, Lepore-Hagan, M. O'Brien, Patterson, Phillips, Rogers, Scherer, Schuring, Slesnick, Sweeney

Sens. Hackett, Uecker, Beagle, Hite, Balderson, Coley, Eklund, Oelslager, Seitz, Tavares, Thomas, Williams

Effective date: April 6, 2017

ACT SUMMARY

- Allows A-1c, certain A-1-A, and certain D liquor permit holders to provide, in any 24-hour period, up to four free tasting samples of beer, wine, and spirituous liquor to a person who is 21 or older and who is a paying customer of the permit holder.

CONTENT AND OPERATION

Tasting samples of alcohol

Overview

The act allows A-1c, certain A-1-A, and certain D liquor permit holders to provide a paying customer with up to four free tasting samples of beer, wine, or spirituous liquor in any 24-hour period, provided that the permit holder's permit authorizes the sale of the particular alcoholic beverage. However, it excludes wine manufacturers (A-2 and A-2f liquor permit holders) that have been issued an A-1-A permit from the authority to provide such tasting samples. The A-1-A permit generally authorizes beer and wine manufacturers to sell beer and intoxicating liquor (wine, mixed beverages, and spirituous liquor) for on-premises consumption if certain criteria

* This version updates the effective date.

apply to the A-1-A premises. In addition, the A-1-A permit authorizes beer manufacturers to sell growlers of beer for off-premises consumption if certain conditions apply. The A-1c permit allows a person to manufacture beer, to sell the beer to retailers and distributors, and to sell the beer to individuals for on-premises consumption.

The A-2 permit generally allows a person to manufacture wine, to sell the wine to individuals for on- or off-premises consumption, and sell the wine to wine distributors. The A-2f permit allows the same privileges as the A-2 permit, but it is issued to farm wineries that meet specified criteria.

D permits generally authorize retail sales of beer, wine, mixed beverages, or spirituous liquor or any combination for on- and off-premises consumption. The act specifically applies to D-1, D-2, D-2x, D-3, D-3a, D-3x, D-4, D-5, D-5a, D-5c, D-5d, D-5e, D-5f, D-5g, D-5h, D-5i, D-5j, D-5k, D-5l, D-5m, D-6, or D-7 permits.¹

Tasting sample limitations

The act limits tasting samples to two ounces of beer or wine or ¼ ounce of spirituous liquor per sample. The permit holder must provide the tasting samples free of charge, at the permit holder's expense, and only to a person who is 21 or older. The person must consume the tasting samples on the premises of the permit holder. A distributor of beer or intoxicating liquor is not responsible for the costs of providing the tasting samples.

Continuing law prohibits any liquor permit holder from giving away beer or intoxicating liquor of any kind at any time in connection with the permit holder's business. The act operates as an exception to this prohibition.²

HISTORY

ACTION	DATE
Introduced	02-02-16
Reported, H. Gov't Accountability & Oversight	04-20-16
Rereported, H. Gov't Accountability & Oversight	05-18-16
Passed House (93-3)	05-24-16
Reported, S. Agriculture	12-07-16
Passed Senate (30-0)	12-08-16
House concurred in Senate amendments (87-4)	12-08-16

16-HB444-UPDATED-131.docx/emr

¹ R.C. 4301.22(D).

² R.C. 4301.22(D).

