



www.lsc.ohio.gov

OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

H.B. 629
134th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Rep. LaRe

Jeff Grim, Research Analyst

SUMMARY

- Increases the amount of spirituous liquor that a micro-distillery (A-3a liquor permit holder) may annually manufacture from less than 100,000 gallons to less than 1 million gallons.
- Requires tasting samples of spirituous liquor, when provided at a liquor agency store, to be provided for free, rather than requiring at least a 50¢ charge for each tasting sample as under current law.

DETAILED ANALYSIS

A-3a liquor permit: manufacturing limit

The bill increases the amount of spirituous liquor (intoxicating liquor of more than 21% alcohol by volume) that a micro-distillery (A-3a liquor permit holder) may annually manufacture. Under current law, to be eligible for an A-3a permit, a micro-distillery must manufacture less than 100,000 gallons per year. The bill increases that amount to less than 1 million gallons. 1 million gallons is the equivalent of 5,047,215 750-mL bottles.¹

Under current law, the Division of Liquor Control may issue two types of liquor permits to distillers of spirituous liquor, an A-3 and an A-3a liquor permit. An A-3 permit is generally issued to large distilleries (100,000 gallons or more per year) and the A-3a permit is issued to micro-distilleries (less than 100,000 gallons per year). Although both distilleries may manufacture spirituous liquor, only an A-3a permit holder may sell spirituous liquor to a personal consumer in sealed containers for consumption off the manufacturing premises.²

¹ R.C. 4303.041(A).

² R.C. 4303.04, not in the bill, and 4303.041.

Thus, the bill allows larger distilleries (via the increase in the production limit for A-3a permit holders) to sell spirituous liquor to personal consumers from their distilleries.

Tasting samples of spirituous liquor

The bill requires tasting samples of spirituous liquor, when provided at a liquor agency store, to be provided for free rather than requiring at least a 50¢ charge for each tasting sample as under current law. The bill retains the following current requirements for the provision of the tasting samples:

1. The person consuming the tasting sample must be 21 or above;
2. The tasting sample must not exceed a quarter ounce;
3. The tasting event must not exceed two hours;
4. A person may not consume more than four tasting samples of spirituous liquor per day;
5. The tasting samples must be provided by a trade marketing professional, broker, or solicitor (see below);
6. The liquor agency store must hold a D-8 liquor permit, which authorizes the provision of the tasting samples; and
7. The tasting event must take place in the area of the liquor agency store in which spirituous liquor is sold.³

Trade marketing professionals, brokers, and solicitors

Under current law, a broker is a company that solicits sales of alcoholic beverages on behalf of a manufacturer or supplier, but does not take possession of the alcoholic beverages in Ohio, except as provided in the liquor control laws. A solicitor is an individual who solicits liquor permit holders or the Division of Liquor Control for sales of alcoholic beverages on behalf of a manufacturer, supplier, wholesale distributor, or broker, but does not take possession of the alcoholic beverages in Ohio, except as provided in the liquor control laws.⁴ A trade marketing professional is an individual who is an employee of, or is under contract with, a trade marketing company and who has successfully completed a training program on the liquor control laws, conflict management, and safety provisions in an emergency.⁵

³ R.C. 4301.17 and 4301.171.

⁴ R.C. 4301.245(A)(1), not in the bill, by reference to Ohio Administrative Code 4301-1-01(B).

⁵ R.C. 4301.245(A)(5). A trade marketing company is a company that solicits the purchase of beer and intoxicating liquor and educates the public about beer and intoxicating liquor (R.C. 4301.171(A)(3)).

HISTORY

| Action | Date |
|------------|----------|
| Introduced | 04-20-22 |
