



# Ohio Legislative Service Commission

## Bill Analysis

Jeff Grim

### **Am. Sub. H.B. 444\*** 131st General Assembly (As Reported by S. Agriculture)

**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

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## **BILL 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 a paying customer of the permit holder.

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## **CONTENT AND OPERATION**

### **Tasting samples of alcohol**

#### **Overview**

The bill allows A-1c, certain A-1-A, and certain D liquor permit holders to provide a paying customer with up to four 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 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 certain beer manufacturers to sell beer to retailers and distributors and to sell beer at retail for on-premises consumption.

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\* This analysis was prepared before the report of the Senate Agriculture Committee appeared in the Senate Journal. Note that the list of co-sponsors and the legislative history may be incomplete.

The A-2 permit generally allows a wine manufacturer to sell wine for on- or off-premises consumption and to sell wine to distributors. The A-2f permit allows the same privileges as the A-2 permit, but 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 bill 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.<sup>1</sup>

### **Tasting sample limitations**

Tasting samples are limited 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.

Current 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 bill operates as an exception to this prohibition.<sup>2</sup>

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## **HISTORY**

<b>ACTION</b>	<b>DATE</b>
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	---

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<sup>1</sup> R.C. 4301.22(D).

<sup>2</sup> R.C. 4301.22(D).

