



Ohio Legislative Service Commission

Bill Analysis

Jeff Grim

Sub. H.B. 444

131st General Assembly

(As Reported by H. Government Accountability & Oversight)

Reps. Blessing, Henne, Grossman, Hambley, Brenner, Conditt, Becker, Ramos, Thompson, Perales, Manning, Buchy, Boose, Dever, Rezabek, Sheehy, Brown

BILL SUMMARY

- Allows A-1-A, A-1c, 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 years old or older and a paying customer of the permit holder.
- Increases the legally permitted alcohol content of beer from 12% to 15% alcohol by volume.
- Requires the Division of Liquor Control to issue a printed card for every place in Ohio for which a C or D liquor permit has been issued regarding beer that contains from 12.1% to 15% alcohol by volume.

CONTENT AND OPERATION

Tasting samples of alcohol

The bill allows A-1-A, A-1c, and certain D liquor permit holders to provide to a paying customer not more than a total of four tasting samples of beer, wine, or spirituous liquor, as authorized by the applicable permit, in any 24-hour period of time. 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 years of age 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.¹

¹ R.C. 4301.22(D).

Under the bill, a "tasting sample" is an amount that does not exceed two ounces of beer, two ounces of wine, or a quarter ounce of spirituous liquor. A "D permit holder" means a person that has been issued a 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 liquor permit.²

The A-1-A permit generally authorizes beer and wine manufacturers to sell beer and intoxicating 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. D permits generally authorize retail sales of beer, wine, mixed beverages, or spirituous liquor or any combination for on- and off-premises consumption.

Alcohol content of beer

The bill increases the legally permitted alcohol content of beer from 12% to 15% alcohol by volume.³

Posting of signs

The bill requires the Division of Liquor Control to issue a printed card for every place in Ohio for which a C (retail sales of beer, wine, and mixed beverages for off-premises consumption) or D liquor permit has been issued regarding beer that contains between 12.1% and 15% alcohol by volume. The sign must read substantially as follows:

"CAUTION

Beer sold from this premises may contain up to 15% alcohol by volume, which is a higher alcohol content than standard beer that contains not more than 12% alcohol by volume. Please use caution when consuming beer with a higher alcohol content."

The Division must provide the printed card to an appropriate representative of each C and D permit holder.

No person is subject to any criminal prosecution or any proceedings before the Division or the Liquor Control Commission for failing to display this card. The Division

² R.C. 4301.22(D)(1) and (2).

³ R.C. 4301.01(B)(2).



must not suspend, revoke, or cancel a permit because the permit holder failed to display the card.⁴

HISTORY

ACTION	DATE
Introduced	02-02-16
Reported, H. Gov't Accountability & Oversight	04-20-16

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⁴ R.C. 4301.637(C).

