



Ohio Legislative Service Commission

Bill Analysis

Jeff Grim

S.B. 255

131st General Assembly
(As Introduced)

Sen. Burke

BILL SUMMARY

- Allows a beer manufacturer to provide not more than two branded refrigerated coolers to a retail liquor permit holder that sells beer for off-premises consumption if certain criteria apply.

CONTENT AND OPERATION

The bill authorizes a beer manufacturer to provide not more than two branded refrigerated coolers to a retail liquor permit holder that sells beer for off-premises consumption if all of the following apply:

(1) The manufacturer retains ownership of the coolers and enters into a written agreement with the permit holder to provide the coolers;

(2) The written agreement does not require the coolers to be used exclusively for any manufacturer or for a particular brand of beer;

(3) The manufacturer, in entering into an agreement, does not restrict or limit participation to one or more specific retail permit holders or discriminate between retail permit holders within the same permit class based solely on the size or purchases of a particular brand; and

(4) The coolers do not exceed 95 inches in height, 50 inches in width, and 40 inches in depth.

A manufacturer or wholesale distributor of beer is not required to deliver a branded refrigerated cooler to a retail permit holder. A manufacturer and a wholesale distributor may enter into an agreement in which the manufacturer may use the distributor's facility for the temporary storage of branded refrigerated coolers, provided

that the distributor is not responsible for delivery of the branded refrigerated coolers to or from the distributor's facility or the costs of such delivery.¹

For purposes of the bill, "branded refrigerated coolers" do not include kegs and associated equipment or the coolers for those kegs.²

Under current law, a manufacturer is prohibited from aiding or assisting any retail liquor permit holder by gift or loan of any money or property.³

HISTORY

ACTION	DATE
Introduced	12-17-15

S0255-I-131.docx/ks

¹ R.C. 4301.242(A)(3).

² R.C. 4301.242(B)(2).

³ R.C. 4301.24(A), not in the bill.

