



# OHIO LEGISLATIVE SERVICE COMMISSION

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## Bill Analysis

Jeff Grim

### **H.B. 23**

132nd General Assembly  
(As Introduced)

**Reps.** Patterson and Boggs, Ramos, Lepore-Hagan, Stein, West, Brenner, O'Brien, Rogers, Ashford

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### **BILL SUMMARY**

- Allows a person to manufacture and sell ice cream containing at least 0.5% and up to 6% alcohol by volume (ABV).
  - Requires such a person to obtain an A-4 liquor permit, which, under current law, authorizes the manufacture and sale of mixed alcoholic beverages.
  - Lowers the minimum allowable ABV that applies to all A-4 permit holders from 4% to 0.5% ABV.
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### **CONTENT AND OPERATION**

#### **Manufacture and sale of alcoholic ice cream**

The bill allows a person to manufacture and sell ice cream containing at least 0.5% and up to 6% alcohol by volume (ABV). It requires such a person to obtain an A-4 liquor permit, which, under current law, authorizes the manufacture and sale of mixed beverages.<sup>1</sup> Mixed beverages include bottled and prepared cordials, cocktails, highballs, and solids and confections that are obtained by mixing any type of distilled spirits with, or over, water, pure juices from flowers and plants, and other flavoring materials.<sup>2</sup>

A manufacturer may sell alcoholic ice cream either for consumption on the premises where manufactured or in sealed containers for consumption off the premises where manufactured. For off-premises consumption purposes, a manufacturer cannot

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<sup>1</sup> R.C. 4303.05(A).

<sup>2</sup> R.C. 4301.01(A)(4), not in the bill.

knowingly sell more than four pints of such ice cream to a customer in any day. No A-4 permit may be issued to a manufacturer to sell ice cream unless the sale of mixed beverages for both on- and off-premises consumption is authorized in the election precinct in which the A-4 permit is proposed to be located.<sup>3</sup>

### **Minimum required alcohol content for A-4 permit holders**

The bill lowers the minimum allowable ABV that applies to all A-4 permit holders from 4% to 0.5% ABV. The maximum ABV applicable to A-4 permit holders under current law is 21%. Thus, the bill allows an A-4 permit holder to manufacture and sell mixed beverages containing at least 0.5% and up to 21% ABV.

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## **HISTORY**

<b>ACTION</b>	<b>DATE</b>
Introduced	02-01-17

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<sup>3</sup> R.C. 4303.05(A)(2).

