



**State Representatives
John Patterson & Kristin Boggs**

House Bill 23
Sponsor Testimony
House Government Accountability & Oversight Committee
May 17, 2017

Chairman Blessing, Vice-Chair Reineke, Ranking Member Clyde, and distinguished members of the House Government Accountability and Oversight Committee, thank you for the opportunity to offer sponsor testimony with my joint sponsor, Rep. Kristin Boggs, on House Bill 23.

In 2014, I was contacted by a constituent who had recently opened an ice cream shop in Conneaut. The ice cream shop, Heavenly Creamery, is still up and running, and is a popular local destination. The owner, Joe Ericksen, however was hoping to begin serving—in addition to his “Heavenly” line of cool treats—a line of “Sinful” selections. His idea for this new line of offerings would include wine and spirits in each recipe, and the end product would have a residual low alcohol content. The only problem is that under current Ohio law he cannot manufacture, distribute, and sell his spirited ice cream. Under current law, he can have a manufacturing license but is not allowed to also sell his own product at his own scoop shop. In an ideal world, Heavenly Creamery would be able to make and sell all of its own products the way any ice cream parlor operates.

Specifically, HB 23 would allow A-4 liquor permit holders to manufacture and sell ice cream containing between .5% and 6% of alcohol by volume for both on- and off-premises consumption. For off-premises consumption purposes, a manufacturer is prohibited from selling more than 4 pints of ice cream to a customer per day. HB 23 stops short of allowing the manufacturer to also sell to retailers. Perhaps that’s something we could consider in the future. But the point of this legislation was to simply allow Joe, and others like him, to be able to sell their product at their shop.

Throughout the drafting process, we held interested party meetings and worked directly with the Division of Liquor Control to ensure the language would be properly implemented. As far as we are aware there is no opposition to HB 23, only enthusiastic support.

There is currently tremendous excitement from consumers across the country to eat and drink local, hand-crafted food and drinks. With nearly 30 wineries in my district alone, I can attest that the movement toward “drinking local” is especially vibrant. In Rep. Boggs’ Columbus district—and

countless other areas—locals and tourists alike are constantly seeking out fresh, new breweries and restaurants to satisfy their locavore cravings.

We've seen what law changes have done for microdistilleries, craft breweries, and wineries in Ohio. The industry is continuing to flourish, creating jobs and excitement around local Ohio products. We respectfully urge this esteemed body to support HB 23.

Thank you for your attention. We would be glad to answer any questions or address any concerns the committee may have.