

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**H. B. No. 23**

**Representatives Patterson, Boggs**

**Cosponsors: Representatives Ramos, Lepore-Hagan, Stein, West, Brenner,  
O'Brien, Rogers, Ashford**

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**A BILL**

To amend section 4303.05 of the Revised Code to 1  
allow A-4 liquor permit holders to manufacture 2  
and sell ice cream containing between one-half 3  
of one per cent and six per cent of alcohol by 4  
volume. 5

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That section 4303.05 of the Revised Code be 6  
amended to read as follows: 7

**Sec. 4303.05.** (A) Permit A-4 may be issued to ~~a~~ either of 8  
the following: 9

(1) A manufacturer to manufacture prepared highballs, 10  
cocktails, cordials, and other mixed ~~drinks~~ beverages containing 11  
not less than ~~four~~ one-half of one per cent of alcohol by volume 12  
and not more than twenty-one per cent of alcohol by volume, and 13  
to sell such products to wholesale and retail permit holders in 14  
sealed containers only under such rules as are adopted by the 15  
division of liquor control. The holder of such permit may import 16  
into the state spirituous liquor and wine only for blending or 17

other manufacturing purposes under such rules as are prescribed 18  
by the division. 19

(2) A manufacturer to manufacture ice cream containing not 20  
less than one-half of one per cent of alcohol by volume but not 21  
more than six per cent of alcohol by volume, and to sell those 22  
products either for consumption on the premises where 23  
manufactured or in sealed containers for consumption off the 24  
premises where manufactured. For off-premises consumption 25  
purposes, a manufacturer shall not knowingly sell more than four 26  
pints of such ice cream to a customer in any calendar day. 27

No A-4 permit shall be issued to a manufacturer to sell 28  
ice cream under division (A) (2) of this section unless the sale 29  
of mixed beverages for both on- and off-premises consumption is 30  
authorized in the election precinct in which the A-4 permit is 31  
proposed to be located. 32

(B) The holder of ~~such an~~ A-4 permit may also purchase 33  
spirituous liquor for manufacturing and blending purposes from 34  
the holder of an A-3 permit issued by the division. The fee for 35  
an A-4 permit is three thousand nine hundred six dollars for 36  
each plant. 37

**Section 2.** That existing section 4303.05 of the Revised 38  
Code is hereby repealed. 39