

**As Introduced**

**135th General Assembly  
Regular Session  
2023-2024**

**S. B. No. 13**

**Senator Hoagland**

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**A BILL**

To enact section 4301.202 of the Revised Code to 1  
allow a person to distill, serve, and ship 2  
homemade spirituous liquor without a liquor 3  
permit. 4

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

**Section 1.** That section 4301.202 of the Revised Code be 5  
enacted to read as follows: 6

**Sec. 4301.202.** (A) As used in this section: 7

(1) "Home distiller" means a person who distills homemade 8  
spirituous liquor using a still. 9

(2) "Homemade spirituous liquor" means spirituous liquor 10  
that is distilled by an individual's own efforts via the use of 11  
a still and not for commercial purposes. 12

(3) "Sell" does not include giving away homemade 13  
spirituous liquor free of charge in accordance with division (C) 14  
of this section. 15

(4) "Still" means an apparatus used for, or which is 16  
capable of, distilling spirituous liquor. 17

(B) A home distiller may distill homemade spirituous liquor without a permit issued under Chapter 4303. of the Revised Code if both of the following apply: 18  
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(1) The home distiller does not sell homemade spirituous liquor or offer homemade spirituous liquor for sale. 21  
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(2) The home distiller annually distills homemade spirituous liquor in either of the following amounts: 23  
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(a) Not more than one hundred gallons if the home distiller's household has only one person who is twenty-one years of age or older; 25  
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(b) Not more than two hundred gallons if the home distiller's household has two or more persons who are twenty-one years of age or older. 28  
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(C) A home distiller may do all of the following: 31

(1) Use homemade spirituous liquor distilled by the home distiller for personal consumption; 32  
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(2) Serve homemade spirituous liquor without a permit issued under Chapter 4303. of the Revised Code to the home distiller's family, neighbors, co-workers, and friends on private property located in this state; 34  
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(3) Ship homemade spirituous liquor without a permit issued under Chapter 4303. of the Revised Code to the primary residence of the home distiller's family, neighbors, co-workers, and friends, provided such primary residence is located in this state. 38  
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(D) Notwithstanding any provision of the Revised Code to the contrary, a home distiller may possess a still or any items used to operate a still to distill homemade spirituous liquor in 43  
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accordance with this section.