

**As Introduced**

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

**S. B. No. 138**

**Senator Brenner**

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**A BILL**

To amend section 1333.82 of the Revised Code to 1  
revise the Alcohol Franchise Law. 2

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

**Section 1.** That section 1333.82 of the Revised Code be 3  
amended to read as follows: 4

**Sec. 1333.82.** As used in sections 1333.82 to 1333.87 of 5  
the Revised Code: 6

(A) "Alcoholic beverages" means beer and wine as defined 7  
in section 4301.01 of the Revised Code. 8

(B) "Manufacturer" means a person, whether located in this 9  
state or elsewhere, that manufactures or supplies alcoholic 10  
beverages to distributors in this state. "Manufacturer" does not 11  
include any person producing less than two hundred fifty 12  
thousand barrels of beer a year. 13

(C) "Distributor" means a person that sells or distributes 14  
alcoholic beverages to retail permit holders in this state, but 15  
does not include the state or any of its political subdivisions. 16

(D) "Franchise" means a contract or any other legal device 17  
used to establish a contractual relationship between a 18

manufacturer and a distributor. 19

(E) "Good faith" means the duty of any party to any 20  
franchise, and all officers, employees, or agents of any party 21  
to any franchise, to act in a fair and equitable manner toward 22  
each other so as to guarantee each party freedom from coercion 23  
or intimidation; except that recommendation, endorsement, 24  
exposition, persuasion, urging, or argument shall not be 25  
considered to constitute a lack of good faith or coercion. 26

(F) "Brand," as applied to wine, means a wine different 27  
from any other wine in respect to type, brand, trade name, or 28  
container size. 29

(G) "Sales area or territory" means an exclusive 30  
geographic area or territory that is assigned to a particular A 31  
or B permit holder and that either has one or more political 32  
subdivisions as its boundaries or consists of an area of land 33  
with readily identifiable geographic boundaries. "Sales area or 34  
territory" does not include, however, any particular retail 35  
location in an exclusive geographic area or territory that had 36  
been assigned to another A or B permit holder before April 9, 37  
2001. 38

**Section 2.** That existing section 1333.82 of the Revised 39  
Code is hereby repealed. 40