

As Introduced

134th General Assembly

Regular Session

2021-2022

H. B. No. 574

Representatives Seitz, Boggs

Cosponsors: Representatives Miller, J., Hillyer, Schmidt, Smith, M., Leland, Russo

A BILL

To amend section 4301.20 of the Revised Code to
revise the law governing the sale or furnishing
of beer and intoxicating liquor at certain
events held at a private residence without a
permit.

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

Section 1. That section 4301.20 of the Revised Code be
amended to read as follows:

Sec. 4301.20. This chapter and Chapter 4303. of the
Revised Code do not prevent the following:

(A) The storage of intoxicating liquor in bonded
warehouses, established in accordance with the acts of congress
and under the regulation of the United States, located in this
state, or the transportation of intoxicating liquor to or from
bonded warehouses of the United States wherever located;

(B) A bona fide resident of this state who is the owner of
a warehouse receipt from obtaining or transporting to the
resident's residence for the resident's own consumption and not
for resale spirituous liquor stored in a government bonded

warehouse in this state or in another state prior to December 19
1933, subject to such terms as are prescribed by the division of 20
liquor control; 21

(C) The manufacture of cider from fruit for the purpose of 22
making vinegar, and nonintoxicating cider and fruit juices for 23
use and sale; 24

(D) A licensed physician or dentist from administering or 25
dispensing intoxicating liquor or alcohol to a patient in good 26
faith in the actual course of the practice of the physician's or 27
dentist's profession; 28

(E) The sale of alcohol to physicians, dentists, 29
druggists, veterinary surgeons, manufacturers, hospitals, 30
infirmaries, or medical or educational institutions using the 31
alcohol for medicinal, mechanical, chemical, or scientific 32
purposes; 33

(F) The sale, gift, or keeping for sale by druggists and 34
others of any of the medicinal preparations manufactured in 35
accordance with the formulas prescribed by the United States 36
Pharmacopoeia and National Formulary, patent or proprietary 37
preparations, and other bona fide medicinal and technical 38
preparations, which contain no more alcohol than is necessary to 39
hold the medicinal agents in solution and to preserve the same, 40
which are manufactured and sold as medicine and not as 41
beverages, are unfit for use for beverage purposes, and the sale 42
of which does not require the payment of a United States liquor 43
dealer's tax; 44

(G) The manufacture and sale of tinctures or of toilet, 45
medicinal, and antiseptic preparations and solutions not 46
intended for internal human use nor to be sold as beverages, and 47

which are unfit for beverage purposes, if upon the outside of 48
each bottle, box, or package of which there is printed in the 49
English language, conspicuously and legibly, the quantity by 50
volume of alcohol in the preparation or solution; 51

(H) The manufacture and keeping for sale of the food 52
products known as flavoring extracts when manufactured and sold 53
for cooking, culinary, or flavoring purposes, and which are 54
unfit for use for beverage purposes; 55

(I) The lawful sale of wood alcohol or of ethyl alcohol 56
for external use when combined with other substances as to make 57
it unfit for internal use; 58

(J) The manufacture, sale, and transport of ethanol or 59
ethyl alcohol for use as fuel. As used in this division, 60
"ethanol" has the same meaning as in section 122.075 of the 61
Revised Code. 62

(K) The purchase and importation into this state or the 63
purchase at wholesale from A or B permit holders in this state 64
of beer and intoxicating liquor for use in manufacturing 65
processes of nonbeverage food products under terms prescribed by 66
the division, provided that the terms prescribed by the division 67
shall not increase the cost of the beer or intoxicating liquor 68
to any person, firm, or corporation purchasing and importing it 69
into this state or purchasing it from an A or B permit holder 70
for that use; 71

(L) Any resident of this state or any member of the armed 72
forces of the United States, who has attained the age of twenty- 73
one years, from bringing into this state, for personal use and 74
not for resale, not more than one liter of spirituous liquor, 75
four and one-half liters of wine, or two hundred eighty-eight 76

ounces of beer in any thirty-day period, and the same is free of 77
any tax consent fee when the resident or member of the armed 78
forces physically possesses and accompanies the spirituous 79
liquor, wine, or beer on returning from a foreign country, 80
another state, or an insular possession of the United States; 81

(M) Persons, at least twenty-one years of age, who collect 82
ceramic commemorative bottles containing spirituous liquor that 83
have unbroken federal tax stamps on them from selling or trading 84
the bottles to other collectors. The bottles shall originally 85
have been purchased at retail from the division, legally 86
imported under division (L) of this section, or legally imported 87
pursuant to a supplier registration issued by the division. The 88
sales shall be for the purpose of exchanging a ceramic 89
commemorative bottle between private collectors and shall not be 90
for the purpose of selling the spirituous liquor for personal 91
consumption. The sale or exchange authorized by this division 92
shall not occur on the premises of any permit holder, shall not 93
be made in connection with the business of any permit holder, 94
and shall not be made in connection with any mercantile 95
business. 96

(N) The sale, furnishing, or gifting of beer or 97
intoxicating liquor without a liquor permit at a private 98
residence, not more than five times per calendar year at a 99
residence address, at an event that has the following 100
characteristics: 101

(1) The event is for a social, charitable, benevolent, or 102
political purpose, but shall not include any event the proceeds 103
of which are for the profit or gain of any individual. For 104
purposes of division (N) (1) of this section, "individual" does 105
not include an individual who is the beneficiary of a 106

fundraising event for a charitable, benevolent, or political 107
purpose. 108

(2) The event has in attendance not more than fifty-one 109
hundred people; 110

(3) The event shall be for a period not to exceed twelve 111
hours; 112

(4) The sale, furnishing, or gifting of beer and 113
intoxicating liquor at the event shall not take place between 114
two-thirty a.m. and five-thirty a.m.; 115

(5) No person under twenty-one years of age shall purchase 116
or consume beer or intoxicating liquor at the event and no beer 117
or intoxicating liquor shall be sold, furnished, or gifted to 118
any person under twenty-one years of age at the event; ~~and~~ 119

(6) No person at the event shall sell ~~or~~, furnish, or gift 120
beer or intoxicating liquor to an intoxicated person; 121

(7) The following apply to any beer or intoxicating liquor 122
sold, furnished, or gifted at the event: 123

(a) Any beer, wine, or mixed beverage is purchased from a 124
person issued a permit under Chapter 4303. of the Revised Code; 125

(b) Any spirituous liquor is purchased from an agency 126
store located in this state. If requested by the division of 127
liquor control, the host of the event shall submit receipts for 128
any such spirituous liquor purchased for the event to the 129
division as proof that it was purchased from an agency store 130
located in this state. If the division makes such a request, the 131
division shall do so not later than ninety days after the date 132
of the event. If requested within that time period, the event 133
host shall submit the receipts in accordance with procedures 134

<u>that the division shall establish.</u>	135
(0) The possession or consumption of beer or intoxicating liquor by a person who is under twenty-one years of age and who is a student at an accredited college or university, provided that both of the following apply:	136 137 138 139
(1) The person is required to taste and expectorate the beer or intoxicating liquor for a culinary, food service, or hospitality course.	140 141 142
(2) The person is under the direct supervision of the instructor of the culinary, food service, or hospitality course.	143 144
Section 2. That existing section 4301.20 of the Revised Code is hereby repealed.	145 146