



Ohio Legislative Service Commission

Bill Analysis

Jeff Grim

S.B. 82

128th General Assembly
(As Introduced)

Sens. Niehaus, Wagoner, Seitz, Patton, Goodman, Schuler, Kearney

BILL SUMMARY

- Creates an A-2a liquor permit the fee for which is \$76, authorizes the permit to be issued to an A-2 liquor permit holder to sell wine at retail at a location other than the premises where the wine is manufactured, and extends the laws governing the sale of wine by manufacturers to consumers and Sunday sales of liquor to include A-2a permits.

CONTENT AND OPERATION

The bill authorizes an A-2a liquor permit to be issued by the Division of Liquor Control to the holder of an A-2 liquor permit holder (manufacturer of wine) to sell wine at a location other than the premises where the wine is manufactured if the receipts from other goods and services, excluding wine sales, at the retail sales location will not exceed 25% of total gross receipts. An A-2a permit holder may sell wine either in glass or container for consumption on the premises where sold or in sealed containers for consumption off the premises where sold. In addition, an A-2a permit holder may sell only wine that is authorized for sale by the holder's A-2 permit.

Under the bill, no more than one A-2a permit may be issued to each A-2 permit holder. In addition, no more than one A-2a permit holder may sell wine at any retail sales location. The premises for which an A-2a permit is issued must be located in a precinct or a particular location in a precinct in which the sale of wine is permitted by law. The fee for an A-2a permit is \$76. (R.C. 4303.031.)

Under existing law, an A-2 permit holder cannot sell directly to a consumer unless the product is sold on the premises under specified conditions. In order to make sales to a consumer off the premises where the wine is manufactured, the manufacturer must obtain an S liquor permit (shipper of wine to personal consumers). The bill also

allows an A-2 permit holder to obtain an A-2a permit in order to make sales to a consumer off the premises where the wine is manufactured in lieu of an S permit. Current law specifies that nothing in the Liquor Permits Law prohibits an A-2 permit holder from also holding a B-2a (shipper of wine to retail permit holders) or S liquor permit. The bill includes an A-2a permit with those permits that an A-2 permit holder may hold. (R.C. 4303.03(B)(2) and (3).)

Under current law, D-6 liquor permits, which allow sales between either 10 a.m. and midnight or 1 p.m. and midnight on Sunday, generally must be issued to specified liquor permit holders only if Sunday sales have been authorized in a Sunday sales (local option) election. The bill retains that provision and adds A-2a permit holders to those permit holders that may be issued a D-6 permit. (R.C. 4303.182(A).)

HISTORY

ACTION	DATE
Introduced	03-19-09

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