



Ohio Legislative Service Commission

Bill Analysis

Jeff Grim

Am. H.B. 594*

130th General Assembly

(As Reported by H. Policy and Legislative Oversight)

Reps. Gerberry, Buchy

BILL SUMMARY

- Prohibits the sale or offering for sale for human consumption of powdered or crystalline alcohol.
- Allows a person to possess beer or intoxicating liquor on the premises of a publicly owned market without violating the Open Container Law if the beer or intoxicating liquor was purchased from the holder of a D liquor permit (generally allows sales of beer or intoxicating liquor for on-premises consumption) located in the market.
- Requires the D-6 liquor permit (Sunday sales of beer and intoxicating liquor) to be issued to a D liquor permit holder that is a retail food establishment or food service operation and is located in a state park that has a working farm on its property.

CONTENT AND OPERATION

Sale of powdered or crystalline alcohol

The bill prohibits the sale or offering for sale for human consumption of powdered or crystalline alcohol. Powdered or crystalline alcohol is a product that is manufactured into a powdered or crystalline form and that contains any amount of alcohol.¹

* This analysis was prepared before the report of the House Policy and Legislative Oversight Committee appeared in the House Journal. Note that the list of co-sponsors and the legislative history may be incomplete.

¹ R.C. 4301.71.

Open Container Law exemption

Current law generally prohibits a person from having in the person's possession an opened container of beer or intoxicating liquor in public places. The bill excludes from the prohibition a person who has in the person's possession an open container of beer or intoxicating liquor on the premises of a market if the beer or intoxicating liquor has been purchased from a D liquor permit holder (generally allows sales of beer or intoxicating liquor for on-premises consumption) that is located in the market. Under the bill, a market is an establishment that:

- (1) Leases space in the market to individual vendors, not less than 50% of which are retail food establishments or food service operations licensed under the law that governs those establishments and operations;
- (2) Has an indoor sales floor area of not less than 22,000 square feet;
- (3) Hosts a farmer's market on each Saturday from April through December; and
- (4) Is owned by a political subdivision.²

D-6 liquor permit for certain state parks

The bill requires the Division of Liquor Control to issue a D-6 liquor permit to the holder of any D liquor permit for a premises that is:

- (1) Licensed as a retail food establishment or food service operation; and
- (2) Located in a state park that is established or dedicated under state law and has a working farm on its property.

Under the bill, the D-6 permit authorizes Sunday sales of beer or intoxicating liquor at the D liquor permit premises between 10 a.m. and midnight regardless of whether the sales have been authorized by a local option election.³

Currently, the Division must issue a D-6 permit to certain A (manufacturers of beer, wine, mixed beverages, or spirituous liquor), C (retailers of beer or intoxicating liquor for off-premises consumption), and D liquor permit holders. Those liquor permit holders may sell beer, wine, mixed beverages, or spirituous liquor, as applicable, on Sunday under the D-6 permit. Sales must take place on Sunday between the hours of 10

² R.C. 4301.62(A)(3) and (F).

³ R.C. 4303.182(K).



a.m. to midnight or 11 a.m. to midnight depending on the local option held to authorize Sunday sales.⁴

HISTORY

ACTION	DATE
Introduced	07-14-14
Reported, H. Policy & Legislative Oversight	---

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⁴ R.C. 4303.182(A).

