

Liquor Control

S.B. 102

Primary Sponsor: Sen. Roegner

Effective date: March 23, 2022

Home brewers

- Allows a home brewer to brew or ferment homemade beer or wine without obtaining a liquor permit if specific conditions apply.
- Allows a home brewer to serve homemade beer or wine for personal consumption on private property, to the home brewer's family, neighbors, co-workers, and friends on private property, and at certain events without a liquor permit.
- Allows a person to conduct, sponsor, or host (host) a home brewing event if the person:
 - Is a home brewer or fraternal organization that does not hold a valid liquor permit and hosts the event on private property or the premises of the fraternal organization; or
 - Is a small brewery, winery, microdistillery, club, or a restaurant associated with a winery, microdistillery, or small brewery and the person hosts the event on the permitted premises.
- Prohibits a person who is hosting the event from taking certain actions, including selling any homemade beer or wine.
- Exempts a liquor permit holder that hosts an event for home brewers from the restrictions on the interrelationship between alcoholic beverage manufacturers, distributors, and retailers.
- Exempts a person with an opened container of homemade beer or wine that is served on private property or at a home brewing event from the Open Container Law.

Sunday sales

- Authorizes a retail liquor permit holder or a liquor agency store to sell beer or intoxicating liquor on Sunday during the same hours that the permit holder or agency store may sell those products on Monday through Saturday.
- States that Sunday sales under an F class (temporary) liquor permit are not affected by whether Sunday sales are authorized for other liquor permit holders in the precinct, provided the F class permit is issued for other days of the week.
- For a Sunday sales question that is the sole local option question on a ballot for a particular location or in part or all of a precinct, requires 50 people to sign the petition, rather than 35% of the people who voted in the last gubernatorial election.

Special elections for local option

- Allows a local option election on the sale of beer and intoxicating liquor to be held at a special election on a day on which a primary election may be held, even if no primary election is held that day.

Outdoor refreshment areas (DORAs)

- Recategorizes local communities (municipal corporations and townships), with respect to regulating outdoor refreshment areas (DORAs), into two categories, those with a population of 50,000 or less and those above 50,000, instead of three (35,000 or less; 35,001 to 50,000; and above 50,000).
- Increases the acreage allowed for a DORA.
- Increases the number of DORAs allowed in a community.
- Reduces from four to two the number of qualified liquor permit holders that must be included in a DORA created in a community with a population of 50,000 or less.

Age of alcohol servers

- Reduces from 19 to 18 the minimum age to handle beer and intoxicating liquor in open containers as a waiter or waitress in a hotel, bar, or restaurant.

Cider growlers

Allows a D-2, D-5, or D-5a through p liquor permit holder to sell cider in growlers of up to one gallon for on- or off-premises consumption.

Use of social media to advertise

- Allows a distributor, manufacturer, trade marketing professional, solicitor, or broker of alcoholic beverages to use free services provided by social media to advertise an on-premises brand promotion or a product location communication.
- Prohibits them from using free services provided by social media to advertise to persons under 21.

Charitable organization fundraising prizes

- Allows a political organization or 501(c)(3) charitable organization to give away beer or intoxicating liquor, without a permit, as a prize in a raffle or silent auction or as a door prize (fundraiser).
- Requires beer or intoxicating liquor used in the fundraiser to be purchased from a person issued an Ohio liquor permit or from an Ohio-based agency store.
- Requires a donor of spirituous liquor to a political or charitable organization for a fundraiser to submit receipts to the organization showing that the donor purchased it from an Ohio-based agency store.

Use of gift card for alcohol purchases

- Eliminates the law that prohibited a person from using more than 30% of a food and beverage gift certificate (e.g., a restaurant gift card) to purchase beer or intoxicating liquor for on-premises consumption.

Expansion of sales area of liquor permit premises

- Extends law set to expire on December 31, 2022, to December 31, 2023, that allows a qualified permit holder to expand the outdoor area in which it may sell alcoholic beverages under certain circumstances.
- Modifies aspects of that law, including removing A-3a liquor permit holders (microdistilleries) from eligibility to expand outdoor areas and requiring all alcoholic beverages sold in an expanded outdoor area to be delivered by the qualified permit holder or their employees.

D-5 permit – hours of alcohol sales

- Codifies the authorized hours of alcohol sales for certain types of D-5 liquor permits by stating that a bar or restaurant may sell beer and intoxicating liquor from 5:30 a.m. to 2:30 a.m. the following day, but not between 2:30 a.m. and 5:30 a.m. on any day.
- Extends the authorized hours of alcohol sales for a D-5h (sales of beer and intoxicating liquor for on-premises consumption at an art museum or center or community) and D-5k (sales of beer and intoxicating liquor for on-premises consumption at specified botanical gardens) from 1:00 a.m. to 2:30 a.m.

F-10 permit

- Corrects a drafting error in the F-10 liquor permit (temporary permit to allow wineries to sell wine at a farmers market) by eliminating the authorization for large out-of-state wineries to sell at a farmers market.
- Allows farm wineries to sell their wine at a farmers market.