

**As Introduced**

**135th General Assembly**

**Regular Session**

**2023-2024**

**H. B. No. 306**

**Representatives Hillyer, Barhorst**

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**A BILL**

To amend sections 1333.82, 4303.02, and 4303.022 of  
the Revised Code to revise the Alcohol Franchise  
Law and other provisions of the liquor control  
laws. 1  
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**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 1333.82, 4303.02, and 4303.022 of  
the Revised Code be amended to read as follows: 5  
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**Sec. 1333.82.** As used in sections 1333.82 to 1333.87 of  
the Revised Code: 7  
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~~(A)~~—"Alcoholic beverages" means beer and wine as defined  
in section 4301.01 of the Revised Code. 9  
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"Barrel of beer" means thirty-one gallons of beer. 11

~~(B)~~—"Manufacturer" means a person, whether located in this  
state or elsewhere, that manufactures or supplies alcoholic  
beverages to distributors in this state. "Manufacturer" does not  
include a beer manufacturer that produced two hundred fifty  
thousand or less barrels of beer in the preceding calendar year. 12  
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~~(C)~~—"Distributor" means a person that sells or distributes  
alcoholic beverages to retail permit holders in this state, but 17  
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does not include the state or any of its political subdivisions. 19

~~(D)~~—"Franchise" means a contract or any other legal device 20  
used to establish a contractual relationship between a 21  
manufacturer and a distributor. 22

~~(E)~~—"Good faith" means the duty of any party to any 23  
franchise, and all officers, employees, or agents of any party 24  
to any franchise, to act in a fair and equitable manner toward 25  
each other so as to guarantee each party freedom from coercion 26  
or intimidation; except that recommendation, endorsement, 27  
exposition, persuasion, urging, or argument shall not be 28  
considered to constitute a lack of good faith or coercion. 29

~~(F)~~—"Brand," as applied to wine, means a wine different 30  
from any other wine in respect to type, brand, trade name, or 31  
container size. 32

~~(G)~~—"Sales area or territory" means an exclusive 33  
geographic area or territory that is assigned to a particular A 34  
or B permit holder and that either has one or more political 35  
subdivisions as its boundaries or consists of an area of land 36  
with readily identifiable geographic boundaries. "Sales area or 37  
territory" does not include, however, any particular retail 38  
location in an exclusive geographic area or territory that had 39  
been assigned to another A or B permit holder before April 9, 40  
2001. 41

**Sec. 4303.02.** As used in this section, "barrel of beer" 42  
means thirty-one gallons of beer. 43

Permit A-1 may be issued to a manufacturer to manufacture 44  
beer and sell beer products in bottles or containers ~~for home-~~ 45  
~~use and~~ to wholesale permit holders under rules adopted by the 46  
division of liquor control if the manufacturer's total 47

production of beer, wherever produced, will exceed ~~thirty-one-~~ 48  
one million gallons-barrels of beer in a calendar year. In 49  
addition, an A-1 permit holder may sell beer manufactured on the 50  
premises at retail, by individual drink in a glass or from a 51  
container, for consumption on the premises where sold. The fee 52  
for this permit is three thousand nine hundred six dollars for 53  
each plant during the year covered by the permit. 54

**Sec. 4303.022.** (A) As used in this section, "barrel of 55  
beer" has the same meaning as in section 4303.02 of the Revised 56  
Code. 57

(B) Permit A-1c may be issued to a manufacturer to 58  
manufacture beer and sell beer products in bottles or containers- 59  
for home use and to retail and wholesale permit holders under- 60  
rules adopted by the division of liquor control if the 61  
manufacturer's total production of beer, wherever produced, will 62  
not exceed ~~thirty-one~~ one million gallons-barrels of beer in a 63  
calendar year. An A-1c permit holder also may do either of the 64  
following: 65

(1) If a manufacturer's total production of beer, wherever 66  
produced, did not exceed two hundred fifty thousand barrels of 67  
beer in the preceding calendar year, sell beer products in 68  
bottles or containers for home use and to retail and wholesale 69  
permit holders under rules adopted by the division; 70

(2) If a manufacturer's total production of beer, wherever 71  
produced, exceeded two hundred fifty thousand barrels of beer in 72  
the preceding calendar year, sell beer products in bottles or 73  
containers to wholesale permit holders under rules adopted by 74  
the division. 75

(C) In addition, an A-1c permit holder may sell beer 76

manufactured on premises at retail, by individual drink in a 77  
glass or from a container, for consumption on the premises where 78  
sold. ~~The~~ 79

(D) The fee for ~~this~~ the A-1c permit is one thousand 80  
dollars for each plant during the year covered by the permit. 81

**Section 2.** That existing sections 1333.82, 4303.02, and 82  
4303.022 of the Revised Code are hereby repealed. 83