

**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
<b>Section 2.</b> That existing section 4301.20 of the Revised Code is hereby repealed.	145 146