

**As Introduced**

**129th General Assembly  
Regular Session  
2011-2012**

**H. B. No. 243**

**Representatives Kozlowski, Young**

**Cosponsors: Representatives Huffman, Beck, Thompson, Ramos, Maag,  
Hall**

**—**

**A B I L L**

To amend section 4303.041 of the Revised Code to 1  
eliminate the restriction on the number of A-3a 2  
liquor permits that may be issued per county and 3  
to specify that new A-3a permits issued after the 4  
act's effective date are subject to local option 5  
election. 6

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That section 4303.041 of the Revised Code be 7  
amended to read as follows: 8

**Sec. 4303.041.** (A) An A-3a permit may be issued to a 9  
distiller that manufactures less than ten thousand gallons of 10  
spirituous liquor per year. An A-3a permit holder may sell to a 11  
personal consumer, in sealed containers for consumption off the 12  
premises where manufactured, spirituous liquor that the permit 13  
holder manufactures, but sales to the personal consumer may occur 14  
only by an in-person transaction at the permit premises. The A-3a 15  
permit holder shall not ship, send, or use an H permit holder to 16  
deliver spirituous liquor to the personal consumer. 17

"Distiller" means a person in this state who mashes, 18

ferments, distills, and ages spirituous liquor. 19

~~Not more than one A-3a permit may be issued per county and 20  
only in a county with a population exceeding eight hundred 21  
thousand. 22~~

(B)(1) Except as otherwise provided in this section, no new 23  
A-3a permit shall be issued unless a local option election held 24  
pursuant to sections 4301.32 to 4301.41 of the Revised Code has 25  
permitted the sale of beer and intoxicating liquor in the precinct 26  
in which the A-3a permit is proposed to be located. 27

(2) Division (B)(1) of this section does not prohibit the 28  
issuance of an A-3a permit to an applicant for such a permit who 29  
has filed an application with the division of liquor control 30  
before the effective date of this section. 31

(C) An A-3a permit holder shall sell not more than one and 32  
one-half liters of spirituous liquor per day from the permit 33  
premises to the same personal consumer. 34

An A-3a permit holder may sell spirituous liquor in sealed 35  
containers for consumption off the premises where manufactured as 36  
an independent contractor under agreement, by virtue of the 37  
permit, with the division of liquor control. The price at which 38  
the A-3a permit holder shall sell each spirituous liquor product 39  
to a personal consumer is to be determined by the division of 40  
liquor control. For an A-3a permit holder to purchase and then 41  
offer spirituous liquor for retail sale, the spirituous liquor 42  
need not first leave the physical possession of the A-3a permit 43  
holder to be so registered. The spirituous liquor that the A-3a 44  
permit holder buys from the division of liquor control shall be 45  
maintained in a separate area of the permit premises for sale to 46  
personal consumers. The A-3a permit holder shall sell such 47  
spirituous liquor in sealed containers for consumption off the 48  
premises where manufactured as an independent contractor by virtue 49

of the permit issued by the division of liquor control, but the 50  
permit holder shall not be compensated as provided in division 51  
(A)(1) of section 4301.17 of the Revised Code. Each A-3a permit 52  
holder shall be subject to audit by the division of liquor 53  
control. 54

(D) The fee for the A-3a permit is three thousand nine 55  
hundred six dollars for each plant, but if the production capacity 56  
of a plant is less than five hundred wine barrels of fifty gallons 57  
each annually, the fee is two dollars per barrel. 58

(E) The holder of an A-3a permit may also exercise the same 59  
privileges as the holder of an A-3 permit. 60

**Section 2.** That existing section 4303.041 of the Revised Code 61  
is hereby repealed. 62