

As Introduced

135th General Assembly
Regular Session
2023-2024

S. B. No. 13

Senator Hoagland

A BILL

To enact section 4301.202 of the Revised Code to
allow a person to distill, serve, and ship
homemade spirituous liquor without a liquor
permit.

1
2
3
4

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

Section 1. That section 4301.202 of the Revised Code be
enacted to read as follows:

5
6

Sec. 4301.202. (A) As used in this section:

7

(1) "Home distiller" means a person who distills homemade
spirituous liquor using a still.

8
9

(2) "Homemade spirituous liquor" means spirituous liquor
that is distilled by an individual's own efforts via the use of
a still and not for commercial purposes.

10
11
12

(3) "Sell" does not include giving away homemade
spirituous liquor free of charge in accordance with division (C)
of this section.

13
14
15

(4) "Still" means an apparatus used for, or which is
capable of, distilling spirituous liquor.

16
17

(B) A home distiller may distill homemade spirituous 18
liquor without a permit issued under Chapter 4303. of the 19
Revised Code if both of the following apply: 20

(1) The home distiller does not sell homemade spirituous 21
liquor or offer homemade spirituous liquor for sale. 22

(2) The home distiller annually distills homemade 23
spirituous liquor in either of the following amounts: 24

(a) Not more than one hundred gallons if the home 25
distiller's household has only one person who is twenty-one 26
years of age or older; 27

(b) Not more than two hundred gallons if the home 28
distiller's household has two or more persons who are twenty-one 29
years of age or older. 30

(C) A home distiller may do all of the following: 31

(1) Use homemade spirituous liquor distilled by the home 32
distiller for personal consumption; 33

(2) Serve homemade spirituous liquor without a permit 34
issued under Chapter 4303. of the Revised Code to the home 35
distiller's family, neighbors, co-workers, and friends on 36
private property located in this state; 37

(3) Ship homemade spirituous liquor without a permit 38
issued under Chapter 4303. of the Revised Code to the primary 39
residence of the home distiller's family, neighbors, co-workers, 40
and friends, provided such primary residence is located in this 41
state. 42

(D) Notwithstanding any provision of the Revised Code to 43
the contrary, a home distiller may possess a still or any items 44
used to operate a still to distill homemade spirituous liquor in 45

accordance with this section.