



## Ohio Revised Code

### Section 4301.201 Homemade beer and wine.

Effective: [March 23, 2022](#)

Legislation: [Senate Bill 102 - 134th General Assembly](#)

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(A) As used in this section:

(1) "Event" means a demonstration or competition that is not open to the public and at which tasting samples of homemade beer or wine are served.

(2) "Fraternal organization" means any society, order, or association within this state, except a college or high school fraternity, to which all of the following apply:

(a) It is not organized for profit.

(b) It is a branch, lodge, or chapter of a national or state organization.

(c) It exists exclusively for the common business or sodality of its members.

(3) "Homebrewer" means a person who brews or ferments homemade beer or wine.

(4) "Homemade beer or wine" means beer that is brewed or wine that is fermented by an individual's own efforts and not for commercial purposes.

(5) "Sell" does not include giving away homemade beer or wine free of charge.

(6) "Tasting sample" means an amount of beer or wine not to exceed two ounces.

(B) A homebrewer may brew or ferment homemade beer or wine without a permit issued under Chapter 4303. of the Revised Code if all of the following apply:

(1) The homebrewer does not sell homemade beer or wine or offer homemade beer or wine for sale.



(2) The homebrewer does not receive compensation for participating in any event. Both of the following are not considered compensation:

(a) Any prize that is cash or a cash equivalent awarded at an event;

(b) A free or discounted admission to an event.

(3) The homebrewer annually brews or ferments homemade beer or wine in either of the following amounts:

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

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

(C) A homebrewer may serve homemade beer or wine the homebrewer brews or ferments without a permit issued under Chapter 4303. of the Revised Code as follows:

(1) For personal consumption on private property or to the homebrewer's family, neighbors, co-workers, and friends on private property.

(2) At an event, if the event is held on private property, the premises of a fraternal organization, or on the premises for which an A-1-A, A-1c, A-2, A-2f, A-3a, or D-4 permit is issued.

(D) A homebrewer or the homebrewer's designated representative may transport homemade beer or wine brewed or fermented by the homebrewer without a permit issued under Chapter 4303. of the Revised Code.

(E) A person may conduct, sponsor, or host an event if the person:

(1) Is a homebrewer or fraternal organization that does not hold a permit issued under Chapter 4303. of the Revised Code and conducts, sponsors, or hosts the event on private property or the premises of



a fraternal organization; or

(2) Holds an A-1-A, A-1c, A-2, A-2f, A-3a, or D-4 permit and the person conducts, sponsors, or hosts the event on the permitted premises. The permit holder shall suspend its permit privileges in the portion of the permit premises where the event is to occur and for the duration of the event. The permit holder shall provide notice to the division of liquor control and the investigative unit of the department of public safety not later than ten days prior to the date of the event.

(F) A person described under division (E) of this section who is hosting an event shall not do any of the following:

(1) Sell any homemade beer or wine.

(2) Unless the person is the homebrewer of the homemade beer or wine, acquire an ownership interest in any homemade beer or wine served at the event.

(3) Charge a fee for the consumption of the homemade beer or wine at the event. If an event is hosted by a homebrewers club or group, division (F)(3) of this section does not apply to a registration fee charged to a member of the club or group to attend the event.

(4) If the person is a liquor permit holder and conducts, sponsors, or hosts the event on the permit holder's permitted premises, fail to store the homemade beer or wine on the premises so that it is clearly identified and kept separate from any beer or intoxicating liquor that is intended for sale by the permit holder under the authority of the applicable permit.