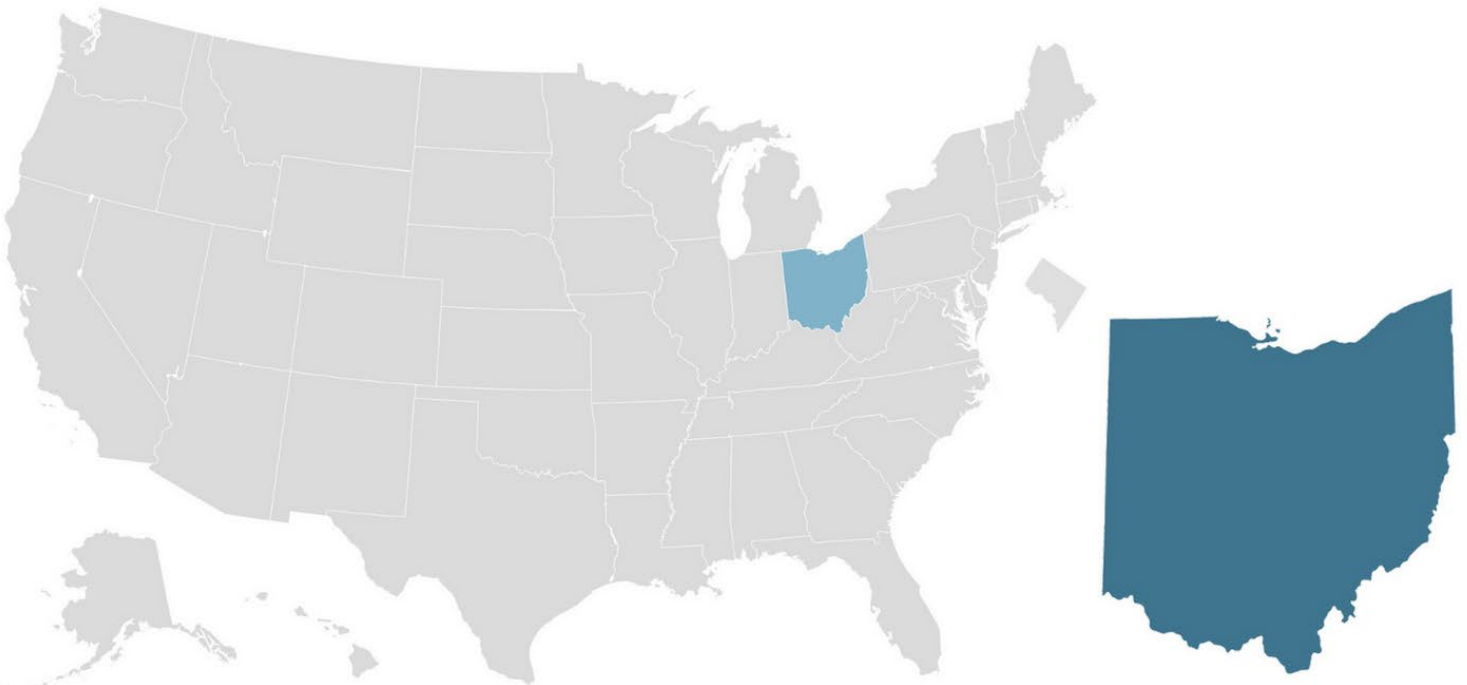




**SAMHSA**  
Substance Abuse and Mental Health  
Services Administration

Ohio

# 2022 STATE REPORTS – UNDERAGE DRINKING PREVENTION AND ENFORCEMENT



ICCPUD

THE INTERAGENCY COORDINATING COMMITTEE  
ON THE PREVENTION OF UNDERAGE DRINKING (ICCPUD)

This *State Report* is required by the Sober Truth on Preventing (STOP) Underage Drinking Act (Pub. L. 109-422), enacted by Congress in 2006 and reauthorized in December 2016 as part of the 21st Century Cures Act (Pub. L. 114-255). The STOP Act requires an annual report “on each State’s performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking.” As directed by the STOP Act, the State Reports were prepared by the Interagency Coordinating Committee on the Prevention of Underage Drinking (ICCPUD), chaired by Miriam Delphin-Rittmon, Ph.D., the Assistant Secretary for Mental Health and Substance Use, U.S. Department of Health and Human Services (HHS).

**Time Period Covered by this *State Report*:** This *State Report* primarily includes data from calendar year 2020 and 2021. Regional and state profile data were drawn from the most recently available federal survey data as of 2020. State legal data reflect the status of the law as of January 1, 2021. State survey data, collected in 2021, were drawn from the most recent 12-month period in which the states maintained the data.

**Source of Data:** For each state, overall population information was taken from 2010 Census data. Data about the portion of each state’s population comprising 12-to 20-year-olds, as well as facts about past-month alcohol use and binge use, were averaged from the 2017 through 2020 National Surveys on Drug Use and Health (NSDUH), SAMHSA’s Center for Behavioral Health Statistics and Quality (CBHSQ), and the NSDUH special data analysis (2021). Confidence intervals for these estimates are available from CBHSQ’s Division of Surveillance and Data Collection on request. The Centers for Disease Control and Prevention’s Alcohol-Related Disease Impact (ARDI) application (updated May 2022) served as the resource for data about alcohol-attributable deaths from 2015–2019 among youth under age 21. ARDI was also the source for state-level data on years of potential life lost as a result of underage alcohol-related fatalities. The National Center for Statistics and Analysis’s Fatality Analysis Reporting System (FARS) provided the 2020 data used to present statistics about fatalities among 15- to 20-year-old drivers. State legal policy data were obtained from the following sources: 1) the National Institute on Alcohol Abuse and Alcoholism’s Alcohol Policy Information System (APIS) website (<https://alcoholpolicy.niaaa.nih.gov/>); 2) legal research planned and managed by the ICCPUD.

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# OHIO



**SAMHSA**  
Substance Abuse and Mental Health  
Services Administration

THE INTERAGENCY COORDINATING COMMITTEE  
ON THE PREVENTION OF UNDERAGE DRINKING (ICCPUD)



## Ohio

**State Population: 11,693,217**

**Population Ages 12–20: 1,342,000**

Past-Month Alcohol Use	
<b>Ages 12–20</b>	
Past-Month Alcohol Use – Number (Percentage)	275,000 (20.5%)
Past-Month Binge Alcohol Use – Number (Percentage)	175,000 (13.1%)
<b>Ages 12–14</b>	
Past-Month Alcohol Use – Number (Percentage)	13,000 (2.8%)
Past-Month Binge Alcohol Use – Number (Percentage)	6,000 (1.4%)
<b>Ages 15–17</b>	
Past-Month Alcohol Use – Number (Percentage)	70,000 (15.8%)
Past-Month Binge Alcohol Use – Number (Percentage)	36,000 (8.2%)
<b>Ages 18–20</b>	
Past-Month Alcohol Use – Number (Percentage)	192,000 (42.6%)
Past-Month Binge Alcohol Use – Number (Percentage)	133,000 (29.4%)
<b>Adults Ages 21+</b>	
Past-Month Alcohol Use – (Percentage)	4,618,000 (54.5%)
Past-Month Binge Alcohol Use – (Percentage)	2,156,000 (25.4%)
Average Age of Initiation	
Average Age of Initiation	15.9
Alcohol-Attributable Deaths and Years of Potential Life Lost Under the Age of 21 <sup>1</sup>	
Alcohol-Attributable Deaths (under 21)	151
Years of Potential Life Lost (under 21)	8,790
Fatal Crashes Involving a 15- to 20-Year-Old Driver With Blood Alcohol Concentration (BAC) > 0.01% <sup>2</sup>	
Number of Fatalities Involving 15- to 20-Year-Old Driver With BAC > 0.01%	32
Percentage of All Fatal Crashes Involving a 15- to 20-Year-Old Driver	20%

<sup>1</sup> The Alcohol-Related Disease Impact Application was updated May 2022 to reflect new methodology for calculating the average annual alcohol-attributable deaths, and it reflects national and state annual averages from 2015–2019.

<sup>2</sup> Alcohol-related fatalities are estimates derived from a sophisticated statistical procedure. The estimates are rounded to the nearest whole number; however, percentages as displayed are calculated from the unrounded estimates and may not equal those calculated from the rounded estimates. Totals may not equal the sum of components due to independent rounding.



## Behavioral Health System Overview<sup>1</sup>

The Ohio Department of Mental Health and Addiction Services (OhioMHAS) was established in 2013 when the Ohio Department of Alcohol and Drug Addiction Services and the Ohio Department of Mental Health merged to become a single department. As a single state department, OhioMHAS is ensuring all Ohioans have access to mental health and substance use prevention, treatment, and recovery services in their homes, communities, and high-quality facilities.

OhioMHAS is a cabinet-level state agency that facilitates planning, establishes policy, distributes funding, delivers services, and regulates providers. The state agency operates six regional psychiatric hospitals with over 1,000 beds serving over 6,000 people each year. It also provides recovery services to over 17,000 men and women incarcerated with the Ohio Department of Rehabilitation and Correction each year, and operates Ohio Pharmacy Services, providing a diverse array of goods and services to state institutions and eligible community partners. OhioMHAS regulates over 2,000 mental health and addiction services providers statewide and protects the rights of those served by these organizations. OhioMHAS provides leadership to the behavioral health system of 50 Alcohol, Drug Addiction, and Mental Health (ADAMH) boards and local prevention, treatment, and recovery support providers meeting the needs of Ohioans across the lifespan in local communities.

Ohio's publicly funded system for behavioral health services is state supervised and administered at the county level by Alcohol Drug Addiction & Mental Health Services Boards (Boards). OhioMHAS allocates federal and state funding to these Boards. Boards determine local needs, plan and contract for services and issue provider payment. The Ohio Revised Code (ORC) outlines the legal mandate for the organization of local Alcohol Drug and Mental Health/Community Mental Health (ADAMH/CMH) Boards and their responsibilities.

Ohio's Substance Abuse Block Grant Plan is integrated with local Community Plans developed by Ohio's county behavioral health authorities (Boards) as mandated by ORC Section 340.03. These Boards plan, evaluate, and fund mental health and addiction services in 50 county and multi-county "Board" areas serving 88 counties. The Boards contract with a wide range of providers for prevention, treatment and recovery supports. With the expansion of Medicaid in Ohio, community behavioral health treatment providers receive a substantial portion of their revenue from the Ohio Department of Medicaid (ODM) and are licensed or certified by the Ohio Department of Mental Health and Addiction Services (OhioMHAS). Some "Medicaid only" providers do not contract with the county Boards, and many of the larger providers have expanded into multiple counties across the state. Mental health and addiction services provided in primary care clinics, community hospital emergency rooms and federally qualified health care centers are part of the behavioral health services available to Ohioans, but are not addressed in this plan, because they are not licensed, certified or operated by OhioMHAS. Ohio has a complex behavioral health care system that will continue to evolve in response to changes in local, federal and state policies.

<sup>1</sup> Extracted from FY 2022/2023 – (Ohio) State Behavioral Health Assessment and Plan, Substance Abuse Prevention and Treatment Block Grant (SABG), CSAP, Division of State Programs, Center for Substance Abuse Treatment, Division of State and Community Assistance: Planning Step One. Assess the strengths and needs of the service system to address the specific populations.

## Prevention System

Ohio's prevention funding is distributed through a combination of general allocations to the ADAMH Boards and targeted programming, typically through grants. The Office of Prevention Services relies heavily on key partnerships to enhance community capacity building efforts and coalition development targeting mental health promotion and stigma reduction, tobacco and vaping, alcohol and other drug abuse, suicide prevention, prescription drug abuse and problem gambling. Those partners include close relationships with other state departments and participation with the Governor's Recovery Ohio Initiative. Other partners that support the prevention infrastructure include Family and Children First Councils (county groups required by legislation), institutions of higher education, primary and secondary schools, advocacy groups and youth-led networks. Several statewide prevention providers support critical functions, such as workforce development, supporting coalition development, and other multi-sector efforts across the lifespan.

In February of 2020, the department partnered with the Ohio Suicide Prevention Foundation to launch Ohio's first ever Suicide Prevention Strategic Plan with an ongoing statewide coalition guiding implementation efforts. To date Ohio has 77 local suicide prevention coalitions across the state. OhioMHAS hosts a website with suicide prevention resources targeting schools and communities. Problem Gambling Services is a collaboration with the Ohio Lottery Commission, Ohio Casino Control Commission, and local communities to reduce problem gambling through prevention strategies and treatment services. The Urban Minority Alcohol and Drug Abuse Outreach Programs provide culturally appropriate services to African American and Hispanic/Latino American communities. Synar is conducted in partnership with the Department of Public Safety to decrease youth access to tobacco. The Ohio Healthy Youth Environments Survey was designed in partnership with Education and Health and several universities to offer a free student risk survey for schools. The Ohio toll free Careline was launched in 2020 to offer emotional support and crisis referrals.

The Office of Prevention supports Prevention Action Alliance, a statewide provider offering technical assistance, training, networking opportunities, toolkits and advocacy supports to our Statewide Prevention Coalition Association (117 coalitions) and the GAP (Grief Advocacy to Prevention for families losing loved ones to overdose) network (63 groups) and our Ohio College Initiative. Other workforce development efforts include activities such as annual prevention conferences, the Ohio Coaching and Mentoring Network, the Adult Allies Training Academy, training and support in the area of trauma informed care and motivational enhancement with the child welfare system. The Children of Incarcerated Parents program is a partnership with the Department of Rehabilitation and Corrections. The Ohio Youth-Led Network engages over 150 youth and youth-led organizations.

The core functions of the Prevention Services Office of OhioMHAS are focused on building the capacity of community-based prevention programs around data, best practices in service delivery and collaboration. This includes conducting or facilitating assessments (e.g. Gambling Screening Brief Intervention and Referral to Treatment, provider satisfaction survey, community focus

groups, etc.) providing administrative oversight of grants and contracts; engaging in community planning; developing trainings for the workforce and community members on prevention issues; conducting research and disseminating information and best practices to the community.

Ohio has a wide range of primary prevention providers. Each ADAMH Board plans services that meet the needs of the local population, and builds on the institutions, organizations and personal relationships that shape local systems of care. Many Boards use a portion of their local tax levies to support prevention efforts that are tailored to the needs of the population in their communities, which can lead to a more culturally sensitive and locally customized system of care.

OhioMHAS has found that community coalitions are one of the most effective means of creating community level change of mental, emotional and behavioral health problems and to address the social determinants of health. Additionally, OhioMHAS has partnered with county ADAMH Boards and other provider systems including schools and health care to embed prevention interventions into other systems such as schools, faith-based organizations, workplaces and health care systems. Ohio's behavioral health system is so large and diverse, that it is not possible to describe each individual prevention provider. All Ohio prevention programs utilize the six Center for Substance Abuse Prevention strategies targeted to the prioritized populations with different levels of risk.

### Expenditures for Substance Abuse Prevention and Treatment

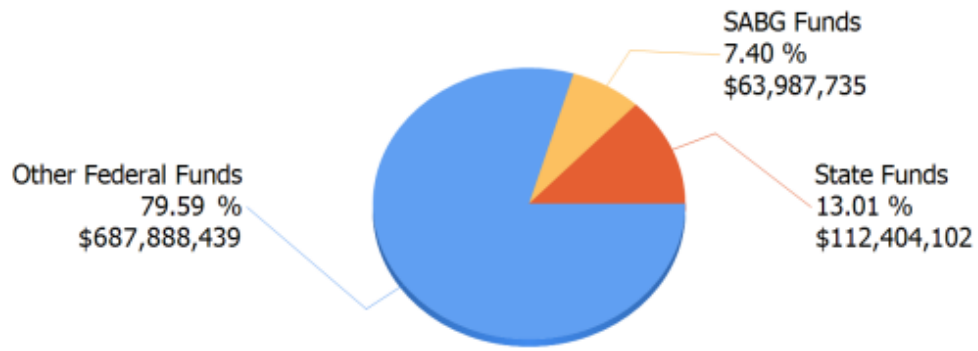
All states receive federal funds for substance abuse prevention through Substance Abuse Prevention and Treatment Block Grant (SABG) funds administered by the Substance Abuse and Mental Health Services Administration (SAMHSA). Exhibit 1 shows the sources that Ohio used for expenditures on substance abuse prevention and treatment in 2021. As indicated, other federal funds and state funds account for the largest sources (79.59 percent and 13.01 percent, respectively).<sup>2</sup>

States submit Behavioral Assessment and Plan reports that include their priorities for use of SABG funds, as well as planned expenditures. For FY 2022-2023, Ohio designated ensuring availability of prevention services to families with children and adolescents as the number two priority for use of SABG funds.<sup>3</sup>

#### Exhibit 1: Sources of Ohio's 2021 Expenditures for Substance Abuse Prevention and Treatment

<sup>2</sup> WebBGAS State Profile, 2021 SABG and MHBG Reports – Ohio 2021.

<sup>3</sup> FY 2022/2023 – (Ohio) State Behavioral Assessment and Plan, SABG, CSAP, Division of State Programs, Center for Substance Abuse Treatment, Division of State and Community Assistance: Table 1: Priority Areas and Annual Performance Indicators.





## State Performance: Laws, Enforcement, and Programs

As mandated by the STOP Act, this report details Ohio’s performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking.

The following sections address these measures:

***State Laws and Policies:*** These underage drinking prevention policies have been identified as best practices (or as promising practices suitable for ongoing evaluation) and fall into six categories:

- underage possession or purchase of alcohol
- underage drinking and driving
- alcohol availability
- sales and delivery to consumers at home
- alcohol pricing
- enforcement policies

***STOP Act State Survey Data:*** The STOP Act requires annual reporting of data from the 50 states and the District of Columbia on their performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking. Administered since 2011, the STOP Act State Survey collects data on the following topics:

- enforcement programs to promote compliance with underage drinking laws and regulations
- programs targeted to youth, parents, and caregivers to deter underage drinking
- state interagency collaborations to implement prevention programs, best-practice standards, collaborations with tribal governments, and participation in underage drinking media campaigns
- state expenditures on the prevention of underage drinking

## Underage Possession or Purchase of Alcohol

Ohio-Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
<ul style="list-style-type: none"> <li>• Is possession allowed if parent or guardian is present or consents?</li> <li>• Is possession allowed if spouse is present or consents?</li> </ul>	Yes Yes
Is there an exception based on location?	No

Ohio-Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
<ul style="list-style-type: none"> <li>• Is consumption allowed if parent or guardian is present or consents?</li> <li>• Is consumption allowed if spouse is present or consents?</li> </ul>	Yes Yes
Is there an exception based on location?	No

Ohio-Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
<ul style="list-style-type: none"> <li>• Is internal possession allowed if parent or guardian is present or consents?</li> <li>• Is internal possession allowed if spouse is present or consents?</li> </ul>	N/A N/A
Is there an exception based on location?	N/A

Ohio-Underage Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	Yes

Ohio-Underage False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor’s driver’s license suspension?	Yes, through an administrative process

Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	Yes
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	Yes
Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	Yes
Do state statutes or regulations mandate that state driver's licenses for persons under 21 be easily distinguishable from licenses for persons 21 and over?	Yes
May the retailer seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	No
Does an affirmative defense exist for the retailer?	Yes
<ul style="list-style-type: none"> <li>Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?</li> </ul>	Yes
<ul style="list-style-type: none"> <li>Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?</li> </ul>	No
Does the retailer have the right to sue the minor for use of a false ID?	No
May the retailer detain a minor who used a false ID?	No

### Underage Drinking and Driving

Ohio-Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0.02
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	0
What is the maximum age to which the limit applies?	21

Ohio-Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	No
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	N/A
• Possession of alcohol	N/A
• Consumption of alcohol	N/A
The law applies to people under what age?	N/A
Is suspension or revocation mandatory or discretionary?	N/A
What is the length of suspension/revocation?	
Minimum number of days	N/A
Maximum number of days	N/A

Ohio-Graduated Driver’s Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians or other adults (other than instructors)?	15 years, 6 months
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	6
What is the minimum number of hours of driving with parents, guardians or adults before advancing to intermediate stage?	50 (10 of which must be at night)
Intermediate Stage	
What is the minimum age for driving without adult supervision?	16
For night driving, when does adult supervision requirement begin?	Midnight (1:00 AM if license has been held for 12 months)
Can law enforcement stop a driver for night driving violation as a primary offense?	No
Are there restrictions on passengers?	Yes, no more than one non-family passenger, unless accompanied by parent or guardian.
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	Yes
License Stage	
What is the minimum age for full license privileges and lifting of restrictions?	18 (passenger restrictions are lifted if license has been held for 12 months; unsupervised night driving restrictions remain until age 18)

## Alcohol Availability

Ohio-Furnishing Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships? <ul style="list-style-type: none"> <li>• Is furnishing allowed if the parent or guardian supplies the alcohol?</li> <li>• Is furnishing allowed if the spouse supplies the alcohol?</li> </ul>	Yes Yes
Is there an exception based on location?	No
Affirmative Defense for Sellers and Licensees	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No

Ohio-Responsible Beverage Service (RBS) — Voluntary	
Is there a state law pertaining to Beverage Service Training?	Yes, voluntary
If training is mandatory, who must participate?	N/A
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	No
• Discounts in dram shop liability insurance, license fees, or other	No
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	Yes
• Protection against license revocation for sales to minors or sales to intoxicated persons	No
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Both
Does the RBS law apply to new or existing licensees?	Unspecified

Ohio-Minimum Ages for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)	
What is the minimum age requirement for off-premises retail establishments?	
Beer	18
Wine	18
Spirits	18
Does a manager or supervisor have to be present when an underage person is selling beverages?	No

<b>Ohio-Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)</b>	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	19
Wine	19
Spirits	19
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	19
Wine	21
Spirits	21
Does a manager or supervisor have to be present when an underage person is selling beverages?	No
Notes: Although employees must be at least 21 years old in order to sell spirits, wine, or mixed beverages across a bar, employees of any permit holder may sell beer across a bar if they are at least 19 years old.	

<b>Ohio-Distance Limitations Applied to New Alcohol Outlets Near Universities, Colleges, and Primary and Secondary Schools</b>	
<b>Colleges and Universities</b>	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A
<b>Primary and Secondary Schools</b>	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A

<b>Ohio-Dram Shop Liability</b>	
Does a statute create dram shop liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	No
Does common law dram shop liability exist?	No

<b>Ohio-Social Host Liability</b>	
Does a statute create social host liability?	No
Does the statute limit damages that may be recovered?	N/A
Does the statute limit who may be sued?	N/A
Does the statute limit elements or standards of proof?	N/A
Does common law social host liability exist?	Yes

<b>Ohio (3781)-Prohibitions Against Hosting Underage Drinking Parties – Law Applicable to Possession and Consumption</b>	
Does a statute prohibit hosting underage drinking parties?	Yes
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	General
What action by underage guest triggers a violation?	Possession and consumption
Property type covered by the law?	Residential/outdoor/other
What level of knowledge by the host is required?	Knowledge (Host must have actual knowledge of party)
Does host's preventive action protect him/her from being held liable?	No
Are there any exceptions for underage guests?	Yes, family members
Notes: In addition to the restrictions imposed on owners or occupants of public or private places, Ohio's provision regarding property states that no person shall engage or use accommodations at a hotel, inn, cabin, campground, or restaurant when the person knows or has reason to know that beer or intoxicating liquor will be consumed by an underage person on the premises. Owners or occupants of public or private places are held to a knowledge standard, while those who engage or use accommodations at a hotel, inn, cabin, campground, or restaurant are held to a negligence standard.	

<b>Ohio-Prohibitions Against Hosting Underage Drinking Parties – Law Applicable to Consumption</b>	
Does a statute prohibit hosting underage drinking parties?	Yes
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	General
What action by underage guest triggers a violation?	Consumption
Property type covered by the law?	Residential/other
What level of knowledge by the host is required?	Negligence (Host knew or should have known of the party)
Does host's preventive action protect him/her from being held liable?	No
Are there any exceptions for underage guests?	Yes, family members
Notes: In addition to the restrictions imposed on owners or occupants of public or private places, Ohio's provision regarding property states that no person shall engage or use accommodations at a	

hotel, inn, cabin, campground, or restaurant when the person knows or has reason to know that beer or intoxicating liquor will be consumed by an underage person on the premises. Owners or occupants of public or private places are held to a knowledge standard, while those who engage or use accommodations at a hotel, inn, cabin, campground, or restaurant are held to a negligence standard.

Ohio-Keg Registration	
How is a keg defined (in gallons)?	No law
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	No law
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	No law
What purchaser information is collected?	
Must the retailer collect the name and address?	No law
Must the retailer collect the ID number, name and address on license or other government information?	No law
Must the retailer collect the address at which keg will be consumed?	No law
Must warning information be given to purchaser?	No law
Is a deposit required?	No law
Does law cover disposable kegs?	No law

Ohio-High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No; however, this state is a control state, and control states may impose additional restrictions on the sale of products that are not reflected in statute or regulation.
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

### Sales and Delivery to Consumers at Home

Ohio-Retailer Interstate Shipments of Alcohol	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Prohibited
Wine	Prohibited
Spirits	Prohibited
Notes: An S-class permit allows an out-of-state beer or wine brand owner or United States importer to sell beer or wine directly to personal consumers (residents) in Ohio by receiving and filling orders that the personal consumer submits to the permit holder.	



Ohio-Direct Shipments/Sales	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Beer and wine
Must purchaser make mandatory trip to producer before delivery is authorized?	No
Age verification requirements	
Must the producer/shipper verify purchaser's age before sale?	Yes (prior to sending a shipment of beer or wine, the shipper must make a "bona fide" effort to ensure that the purchaser is at least 21 years of age)
Must the common carrier (deliverer) verify age of recipients?	Yes
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	Yes
Must the common carrier (deliverer) be approved by a state agency?	Yes
Recording/reporting requirements	
Must the producer/manufacture record/report purchaser's name?	Yes
Must the common carrier (deliverer) record/report recipient's name?	Yes
Shipping label requirements	
Must the label state "Package contains alcohol"?	Yes
Must the label state "Recipient must be 21 years old"?	No

Ohio-Home Delivery	
Is home delivery of alcohol permitted?	
Beer	No law
Wine	No law
Spirits	No law

Ohio- Direct to Consumer	
Is there a policy allowing on-premises retailers to deliver alcohol to a consumer at home?	Yes
Which on-premises retailers can provide delivery of alcoholic beverages?	
<ul style="list-style-type: none"> <li>• Restaurant</li> <li>• Bar license</li> <li>• Third party license</li> </ul>	Yes Yes Yes, with state permit

Which types of alcohol are permitted to be delivered? <ul style="list-style-type: none"> <li>• Beer</li> <li>• Wine</li> <li>• Spirits</li> <li>• Mixed Drinks</li> </ul>	Yes Yes Yes Yes
<b>Requirements and Restrictions</b>	
Are there restrictions in place addressing details of the delivery? <ul style="list-style-type: none"> <li>• Hours limited</li> <li>• Amount of alcohol limited</li> <li>• Food requirement</li> </ul>	No Yes Yes
Are there certain requirements that the delivery person must meet? <ul style="list-style-type: none"> <li>• Must be 21</li> <li>• Must check ID at point of delivery</li> <li>• Must receive payment regardless of delivery completion</li> </ul>	No No No
Notes: No more than three alcoholic beverages per meal.	

### Alcohol Pricing

Ohio-Alcohol Taxes	
<b>Beer</b>	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.18
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	

Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 3.2 – 6% alcohol beer if applicable	
<b>Wine</b>	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$0.32
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 6 – 14% alcohol wine if applicable	
<b>Spirits</b>	
Control system for spirits?	Yes
Specific excise tax per gallon for 40% alcohol spirits	Not relevant

Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	Not relevant
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	Not relevant
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	
Additional taxes for 15 – 50% alcohol spirits if applicable	

Ohio-Low-Price, High-Volume Drink Specials	
Are on-premises retailers prohibited from offering the following types of drink specials?	
Free beverages	Yes
Multiple servings at one time	No
Multiple servings for same price as single serving	Yes
Reduced price for a specified day or time (i.e., happy hours)	Restricted (Permitted before 9 p.m.)
Unlimited beverages for fixed price	Yes
Increased volume without increase in price	Yes

Ohio-Wholesaler Pricing Restrictions	
<b>Beer</b>	
Are volume discounts to retailers allowed?	Banned
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law

Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	No Law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No
<b>Wine</b>	
Are volume discounts to retailers allowed?	Banned
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	Yes, a 33.3 percent minimum markup
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	Post and hold (3 month minimum)
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No
<b>Spirits</b>	
Are volume discounts to retailers allowed?	N/A
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	N/A
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	N/A
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	N/A

## Enforcement Policies

<b>Ohio-Compliance Check Protocols</b>	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	Yes
What is the minimum age a decoy may be to participate in a compliance check?	17
What is the maximum age a decoy may be to participate in a compliance check?	19
Are there appearance requirements for the decoy?	Yes; age-appropriate appearance; hair and clothing consistent with what people in their age group are wearing. Male: No facial hair Female: Minimal makeup and jewelry
Does decoy carry ID during compliance check?	Required

May decoy verbally exaggerate his or her actual age?	Prohibited
Is decoy training mandated, recommended, prohibited, or not specified?	Mandated

<b>Ohio-Penalty Guidelines for Sales to Minors</b>	
Are there written guidelines for penalties that are imposed on retailers for furnishing to a minor?	No written guidelines
What is the time period for defining second, third, and subsequent offenses?	N/A
What is the penalty for the first offense?	N/A
What is the penalty for the second offense?	N/A
What is the penalty for the third offense?	N/A
What is the penalty for the fourth offense?	N/A

## Ohio State Survey Responses

## State Agency Information

Agency with primary responsibility for enforcing underage drinking laws:

Ohio Investigative Unit

## Enforcement Strategies

State law enforcement agencies use:

Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol–Related Fatality Investigations	Yes

Local law enforcement agencies use:

Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol–Related Fatality Investigations	No

State has a program to investigate and enforce direct sales/shipment laws Yes

Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors Ohio Investigative Unit

Such laws are also enforced by local law enforcement agencies Don't know

## Enforcement Statistics

State collects data on the number of minors found in possession Yes

Number of minors found in possession<sup>1</sup> by state law enforcement agencies 571

Number pertains to the 12 months ending 12/31/2020

Data include arrests/citations issued by local law enforcement agencies No

State conducts underage compliance checks/decoy operations<sup>2</sup> to determine whether alcohol retailers are complying with laws prohibiting sales to minors Yes

Data are collected on these activities Yes

Number of retail licensees in state<sup>3</sup> 24,000

Number of licensees checked for compliance by state agencies (including random checks) 28

Number of licensees that failed state compliance checks 3

Numbers pertain to the 12 months ending 12/31/2020

Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments On-sale establishments only

State conducts **random** underage compliance checks/decoy operations Yes

Number of licensees subject to **random** state compliance checks/decoy operations 28

Number of licensees that failed **random** state compliance checks 3

Local agencies conduct underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors Yes

Data are collected on these activities No

Number of licensees checked for compliance by local agencies Not applicable

Number of licensees that failed local compliance checks Not applicable

Numbers pertain to the 12 months ending Not applicable

## Sanctions

State collects data on fines imposed on retail establishments that furnish to minors Yes

Number of fines imposed by the state<sup>4</sup> 69

Total amount in fines across all licensees \$105,100

Smallest fine imposed	\$800
Largest fine imposed	\$10,000
Numbers pertain to the 12 months ending	12/31/2020
<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing to minors</i>	Yes
Number of suspensions imposed by the state <sup>5</sup>	66
Total days of suspensions across all licensees	652 days
Shortest period of suspension imposed (in days)	8 days
Longest period of suspension imposed (in days)	30 days
Numbers pertain to the 12 months ending	12/31/2020
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing to minors</i>	Yes
Number of license revocations imposed <sup>6</sup>	1
Numbers pertain to the 12 months ending	12/31/2020

**Additional Clarification**

There were dramatic decreases in numbers of Alcohol Compliance Checks and underage arrests in the year 2020. This is due to the pandemic and the addition of enforcing emergency mandates at liquor permit premises and due to the safety of our underage purchasers and never wanting to put them in harms way of getting sick and/or infecting their family.

As with many shutdowns, it also slowed down our commission hearings. Fewer cases were heard on alcohol violations due to the emphasis on public safety.

Our concern to keep alcohol out of the hands of your youth has not changed and we have put more of an emphasis on alcohol enforcement this year with reduced safety mandates.

<sup>1</sup> Or having consumed or purchased per state statutes.

<sup>2</sup> Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors.

<sup>3</sup> Excluding special licenses such as temporary, seasonal, and common carrier licenses.

<sup>4</sup> Does not include fines imposed by local agencies.

<sup>5</sup> Does not include suspensions imposed by local agencies.

<sup>6</sup> Does not include revocations imposed by local agencies.

**Underage Drinking Prevention Programs Operated or Funded by the State**

**Ohio College Initiative to Enhance Student Wellness**

Number of youth served	No data
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	<a href="https://preventionactionalliance.org/">https://preventionactionalliance.org/</a>
URL for more program information:	<a href="https://preventionactionalliance.org/">https://preventionactionalliance.org/</a>

**Program Description:** The Ohio College Initiative to Enhance Student Wellness seeks to enhance student wellness by promoting the creation of campus/community coalitions that implement community-based process and environmental strategies to strengthen the campus culture. The initiative focuses on the following areas: restricting marketing and promotion of alcohol, improving social and recreational options, limiting availability, increasing enforcement of policies, and creating a health promotion environment. The Prevention Action Alliance (formerly Drug-Free Action Alliance [DFAA]) works in partnership with the Higher Ed Center at the Ohio State University to carry out this important work. The intervention seeks to change the alcohol-related culture of students on college campuses by building a campus/community coalition that identifies and implements environmental strategies. The model provides training and technical support to campus faculty and top



administration officials to encourage and assist in the implementation of evidence-based prevention strategies. At this time, 54 four-year institutions and a number of community colleges are engaged in the College Initiative.

**BUZZKILL: Serve Under 21 and the Party's Over**

Number of youth served	No data
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	<a href="https://preventionactionalliance.org/">https://preventionactionalliance.org/</a>
URL for more program information:	<a href="https://preventionactionalliance.org/">https://preventionactionalliance.org/</a>

**Program Description:** BUZZKILL: Serve Under 21 and the Party's Over educates college students about the serious health and safety problems associated with underage drinking. In addition to the program's messaging, it supports enforcement of underage drinking laws at the local level by supporting communities to partner with law enforcement. The statewide program runs primarily from September to May, when college-hosted underage drinking parties are prevalent and campuses can provide community education. BUZZKILL has been implemented in nine states, including California, Georgia, Maryland, Michigan, New Jersey, New York, Pennsylvania, Texas, and Wisconsin.

**The Sober Truth**

Number of youth served	3,092
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	No data

**Program Description:** The Sober Truth program is presented by enforcement agents of the Ohio Investigative Unit to educate school-age children on alcohol prevention and laws. The program was designed to increase student awareness about the effects of alcohol to their bodies and future.

**Additional Underage Drinking Prevention Programs Operated or Funded by the State**

No data

**Additional Clarification**

There is a dramatic decrease in our numbers (for the Sober Truth program) in 2020 because our program is offered in the schools, and unfortunately, most were closed last year and/or not opened for visitors.

**Additional Information Related to Underage Drinking Prevention Programs**

<i>State collaborates with federally recognized tribal governments in the prevention of underage drinking</i>	No recognized tribal governments
Description of collaboration: Not applicable	
<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i>	No
Description of program: Not applicable	
<i>State collaborates with/participates in media campaigns to prevent underage drinking</i>	Yes
Federal campaigns: "Talk. They Hear You." (TTHY)	Yes
Regional and local media campaigns:	No
Local school district efforts:	No
Other:	No
<i>State collaborates with/participates in SAMHSA's national media campaign, "Talk. They Hear You."</i>	Yes
State officially endorses TTHY efforts	Yes
State commits state resources for TTHY	No

State forwards TTHY materials to local areas	Yes
Other:	No
<i>State procures funding for TTHY</i>	No
Pro bono	Not applicable
Donated air time	Not applicable
Earned media	Not applicable
Other:	Not applicable
<i>State has adopted or developed best practice standards for underage drinking prevention programs</i>	Yes
Agencies/organizations that established best practices standards:	
Federal agency(ies): SAMSHA	Yes
Agency(ies) within your state:	No
Nongovernmental agency(ies):	No
Other:	No
Best practice standards description: No data	
<b>Additional Clarification</b>	
No data	
<b>State Interagency Collaboration</b>	
<i>A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities</i>	No
<i>Committee contact information:</i>	
Not applicable	
<i>Agencies/organizations represented on the committee:</i>	
Not applicable	
<i>A website or other public source exists to describe committee activities</i>	Not applicable
URL or other means of access: Not applicable	
<b>Underage Drinking Reports</b>	
<i>State has prepared a plan for preventing underage drinking in the last 3 years</i>	No
Prepared by: Not applicable	
Plan can be accessed via: Not applicable	
<i>State has prepared a report on preventing underage drinking in the last 3 years</i>	No
Prepared by: Not applicable	
Report can be accessed via: Not applicable	
<b>Additional Clarification</b>	
No data	
<b>State Expenditures for the Prevention of Underage Drinking</b>	
<i>Compliance checks in retail outlets:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>Checkpoints and saturation patrols:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>Community-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	12/31/2020
<i>K–12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	12/31/2020
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	12/31/2020

<i>Programs that target youth in the juvenile justice system:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	12/31/2020
<i>Programs that target youth in the child welfare system:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>Other programs:</i>	
Programs or strategies included:	Data not available
Estimate of state funds expended:	Data not available
Estimate based on the 12 months ending:	Data not available

**Funds Dedicated to Underage Drinking**

*State derives funds dedicated to underage drinking from the following revenue streams:*

Taxes	No
Fines	No
Fees	No
Other: General Revenue Fund	Yes

*Description of funding streams and how they are used:*  
 The General Revenue Fund consists of money set aside in the Ohio State Budget for the Ohio Investigative Unit, including funding for the Sober Truth and Alcohol Server Knowledge program.

**Additional Clarification**

We are dedicated to the education and outreach of our underage alcohol prevention program. We have an enforcement agent assigned in each of our six districts who does the training in the schools as part of their everyday employment. We do not use special funds or grants to pay for these services. We at the Ohio Investigative Unit are dedicated to do everything we can to keep our youth safe and aware of the dangers of underage drinking.





**THE INTERAGENCY COORDINATING COMMITTEE  
ON THE PREVENTION OF UNDERAGE DRINKING (ICCPUD)**

ICCPUD