

_____ moved to amend as follows: 1

Engross the bill as directed by the commands in the 2
amendments attached hereto, ignoring matter extraneous to those 3
commands 4

INDEX 5

The following amendments are attached hereto: 6

Amendment No.	Subject
am_136_1365	Penalty for smoking marijuana or hemp on a residential premises subject to rental agreement
am_136_1366	Division of Cannabis Control
am_136_1367	Expungement - amount of marihuana possessed
am_136_1481-4	Intoxicating hemp products and DCPs
am_136_1482	Disqualifying offenses

Amendment No.	Subject
am_136_1485-1	Adult-use marijuana excise tax revenue
am_136_1496	Factual basis for field sobriety test
am_136_1502	Corrective amendment
am_136_1582	Statement of intent

7

The motion was _____ agreed to.

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Sub. S. B. No. 56
As Passed by the House

_____ moved to amend as follows:

In line 4850, delete "(3)" and insert "(3) (a), (b), or (d)"

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The motion was _____ agreed to.

SYNOPSIS

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**Penalty for smoking marijuana or hemp on a residential
premises subject to rental agreement**

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R.C. 3796.99

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Removes the penalty, a minor misdemeanor, but retains the
prohibition on knowingly smoking, combusting, or vaporizing
marijuana or intoxicating hemp products on a residential
premises occupied pursuant to a rental agreement that prohibits
the smoking, combustion, or vaporization of marijuana or
intoxicating hemp products.

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_____ moved to amend as follows:

In line 1 of the title, after "109.572" insert ", 121.04, 121.08"	20
In line 3 of the title, after "3796.02" insert ", 3796.021"; after	21
"3796.03" insert ", 3796.032"; after "3796.06" insert ", 3796.061"; after	22
"3796.07" insert ", 3796.08"	23
In line 4 of the title, after "3796.10" insert ", 3796.11"	24
In line 5 of the title, after "3796.15" insert ", 3796.16"	25
In line 7 of the title, after "4506.01" insert ", 4729.80"	26
In line 8 of the title, after "4735.18" insert ", 4776.01"	27
In line 36, after "109.572" insert ", 121.04, 121.08"	28
In line 37, after "3796.02" insert ", 3796.021"; after "3796.03"	29
insert ", 3796.032"	30
In line 38, after "3796.06" insert ", 3796.061"; after "3796.07"	31
insert ", 3796.08"; after "3796.10" insert ", 3796.11"	32
In line 39, after "3796.15" insert ", 3796.16"	33
In line 41, after "4506.01" insert ", 4729.80"; after "4735.18"	34
insert ", 4776.01"	35

In line 277, delete " <u>marijuana</u> " and insert " <u>cannabis</u> "	36
After line 934, insert:	37
"Sec. 121.04. Offices are created within the several	38
departments as follows:	39
In the department of commerce:	40
Commissioner of securities;	41
Superintendent of real estate and professional	42
licensing;	43
Superintendent of financial institutions;	44
State fire marshal;	45
Superintendent of industrial compliance;	46
Superintendent of liquor control;	47
Superintendent of unclaimed funds;	48
Superintendent of marijuana - <u>cannabis</u> control.	49
In the department of administrative services:	50
Equal employment opportunity coordinator.	51
In the department of agriculture:	52
Chiefs of divisions as follows:	53
Administration;	54
Animal health;	55
Livestock environmental permitting;	56
Soil and water conservation;	57
Dairy;	58

Food safety;	59
Plant health;	60
Markets;	61
Meat inspection;	62
Consumer protection laboratory;	63
Amusement ride safety;	64
Enforcement;	65
Weights and measures.	66
In the department of natural resources:	67
Chiefs of divisions as follows:	68
Mineral resources management;	69
Oil and gas resources management;	70
Forestry;	71
Natural areas and preserves;	72
Wildlife;	73
Geological survey;	74
Parks and watercraft;	75
Water resources;	76
Engineering.	77
In the department of insurance:	78
Deputy superintendent of insurance;	79
Assistant superintendent of insurance,	80
technical;	81

Assistant superintendent of insurance, 82
administrative; 83

Assistant superintendent of insurance, research. 84

Sec. 121.08. (A) There is hereby created in the 85
department of commerce the position of deputy director of 86
administration. This officer shall be appointed by the director 87
of commerce, serve under the director's direction, supervision, 88
and control, perform the duties the director prescribes, and 89
hold office during the director's pleasure. The director of 90
commerce may designate an assistant director of commerce to 91
serve as the deputy director of administration. The deputy 92
director of administration shall perform the duties prescribed 93
by the director of commerce in supervising the activities of the 94
division of administration of the department of commerce. 95

(B) Except as provided in section 121.07 of the Revised 96
Code, the department of commerce shall have all powers and 97
perform all duties vested in the deputy director of 98
administration, the state fire marshal, the superintendent of 99
financial institutions, the superintendent of real estate and 100
professional licensing, the superintendent of liquor control, 101
the superintendent of industrial compliance, the superintendent 102
of unclaimed funds, the superintendent of ~~marijuana~~ cannabis 103
control, and the commissioner of securities, and shall have all 104
powers and perform all duties vested by law in all officers, 105
deputies, and employees of those offices. Except as provided in 106
section 121.07 of the Revised Code, wherever powers are 107
conferred or duties imposed upon any of those officers, the 108
powers and duties shall be construed as vested in the department 109
of commerce. 110

(C) (1) There is hereby created in the department of 111
commerce a division of financial institutions, which shall have 112

all powers and perform all duties vested by law in the 113
superintendent of financial institutions. Wherever powers are 114
conferred or duties imposed upon the superintendent of financial 115
institutions, those powers and duties shall be construed as 116
vested in the division of financial institutions. The division 117
of financial institutions shall be administered by the 118
superintendent of financial institutions. 119

(2) All provisions of law governing the superintendent of 120
financial institutions shall apply to and govern the 121
superintendent of financial institutions provided for in this 122
section; all authority vested by law in the superintendent of 123
financial institutions with respect to the management of the 124
division of financial institutions shall be construed as vested 125
in the superintendent of financial institutions created by this 126
section with respect to the division of financial institutions 127
provided for in this section; and all rights, privileges, and 128
emoluments conferred by law upon the superintendent of financial 129
institutions shall be construed as conferred upon the 130
superintendent of financial institutions as head of the division 131
of financial institutions. The director of commerce shall not 132
transfer from the division of financial institutions any of the 133
functions specified in division (C) (2) of this section. 134

(D) There is hereby created in the department of commerce 135
a division of liquor control, which shall have all powers and 136
perform all duties vested by law in the superintendent of liquor 137
control. Wherever powers are conferred or duties are imposed 138
upon the superintendent of liquor control, those powers and 139
duties shall be construed as vested in the division of liquor 140
control. The division of liquor control shall be administered by 141
the superintendent of liquor control. 142

(E) The director of commerce shall not be interested, 143

directly or indirectly, in any firm or corporation which is a 144
dealer in securities as defined in sections 1707.01 and 1707.14 145
of the Revised Code, or in any firm or corporation licensed 146
under sections 1321.01 to 1321.19 of the Revised Code. 147

(F) The director of commerce shall not have any official 148
connection with a savings and loan association, a savings bank, 149
a bank, a bank holding company, a savings and loan association 150
holding company, a consumer finance company, or a credit union 151
that is under the supervision of the division of financial 152
institutions, or a subsidiary of any of the preceding entities, 153
or be interested in the business thereof. 154

(G) There is hereby created in the state treasury the 155
division of administration fund. The fund shall receive 156
assessments on the operating funds of the department of commerce 157
in accordance with procedures prescribed by the director of 158
commerce. All operating expenses of the division of 159
administration shall be paid from the division of administration 160
fund. 161

(H) There is hereby created in the department of commerce 162
a division of real estate and professional licensing, which 163
shall be under the control and supervision of the director of 164
commerce. The division of real estate and professional licensing 165
shall be administered by the superintendent of real estate and 166
professional licensing. The superintendent of real estate and 167
professional licensing shall exercise the powers and perform the 168
functions and duties delegated to the superintendent under 169
Chapters 4735., 4763., 4764., 4767., and 4768. of the Revised 170
Code. 171

(I) There is hereby created in the department of commerce 172
a division of industrial compliance, which shall have all powers 173
and perform all duties vested by law in the superintendent of 174

industrial compliance. Wherever powers are conferred or duties 175
imposed upon the superintendent of industrial compliance, those 176
powers and duties shall be construed as vested in the division 177
of industrial compliance. The division of industrial compliance 178
shall be under the control and supervision of the director of 179
commerce and be administered by the superintendent of industrial 180
compliance. 181

(J) There is hereby created in the department of commerce 182
a division of unclaimed funds, which shall have all powers and 183
perform all duties delegated to or vested by law in the 184
superintendent of unclaimed funds. Wherever powers are conferred 185
or duties imposed upon the superintendent of unclaimed funds, 186
those powers and duties shall be construed as vested in the 187
division of unclaimed funds. The division of unclaimed funds 188
shall be under the control and supervision of the director of 189
commerce and shall be administered by the superintendent of 190
unclaimed funds. The superintendent of unclaimed funds shall 191
exercise the powers and perform the functions and duties 192
delegated to the superintendent by the director of commerce 193
under section 121.07 and Chapter 169. of the Revised Code, and 194
as may otherwise be provided by law. 195

(K) There is hereby created in the department of commerce 196
a division of ~~marijuana-cannabis~~ control, which shall have all 197
powers and perform all duties vested by law in the 198
superintendent of ~~marijuana-cannabis~~ control. Wherever powers 199
are conferred or duties are imposed upon the superintendent of 200
~~marijuana-cannabis~~ control, those powers and duties shall be 201
construed as vested in the division of ~~marijuana-cannabis~~ 202
control. The division of ~~marijuana-cannabis~~ control shall be 203
under the control and supervision of the director of commerce 204
and be administered by the superintendent of ~~marijuana-cannabis~~ 205
control. 206

(L) The department of commerce or a division of the 207
department created by the Revised Code that is acting with 208
authorization on the department's behalf may request from the 209
bureau of criminal identification and investigation pursuant to 210
section 109.572 of the Revised Code, or coordinate with 211
appropriate federal, state, and local government agencies to 212
accomplish, criminal records checks for the persons whose 213
identities are required to be disclosed by an applicant for the 214
issuance or transfer of a permit, license, certificate of 215
registration, or certification issued or transferred by the 216
department or division. At or before the time of making a 217
request for a criminal records check, the department or division 218
may require any person whose identity is required to be 219
disclosed by an applicant for the issuance or transfer of such a 220
license, permit, certificate of registration, or certification 221
to submit to the department or division valid fingerprint 222
impressions in a format and by any media or means acceptable to 223
the bureau of criminal identification and investigation and, 224
when applicable, the federal bureau of investigation. The 225
department or division may cause the bureau of criminal 226
identification and investigation to conduct a criminal records 227
check through the federal bureau of investigation only if the 228
person for whom the criminal records check would be conducted 229
resides or works outside of this state or has resided or worked 230
outside of this state during the preceding five years, or if a 231
criminal records check conducted by the bureau of criminal 232
identification and investigation within this state indicates 233
that the person may have a criminal record outside of this 234
state. 235

In the case of a criminal records check under section 236
109.572 of the Revised Code, the department or division shall 237
forward to the bureau of criminal identification and 238

investigation the requisite form, fingerprint impressions, and 239
fee described in division (C) of that section. When requested by 240
the department or division in accordance with this section, the 241
bureau of criminal identification and investigation shall 242
request from the federal bureau of investigation any information 243
it has with respect to the person who is the subject of the 244
requested criminal records check and shall forward the requisite 245
fingerprint impressions and information to the federal bureau of 246
investigation for that criminal records check. After conducting 247
a criminal records check or receiving the results of a criminal 248
records check from the federal bureau of investigation, the 249
bureau of criminal identification and investigation shall 250
provide the results to the department or division. 251

The department or division may require any person about 252
whom a criminal records check is requested to pay to the 253
department or division the amount necessary to cover the fee 254
charged to the department or division by the bureau of criminal 255
identification and investigation under division (C) (3) of 256
section 109.572 of the Revised Code, including, when applicable, 257
any fee for a criminal records check conducted by the federal 258
bureau of investigation. 259

(M) The director of commerce, or the director's designee, 260
may adopt rules to enhance compliance with statutes pertaining 261
to, and rules adopted by, divisions under the direction, 262
supervision, and control of the department or director by 263
offering incentive-based programs that ensure safety and 264
soundness while promoting growth and prosperity in the state." 265

In line 3227, delete "cannabis" and insert "marijuana" 266

In line 3228, delete "marijuana" and insert "cannabis" 267

In line 3229, delete "cannabis" and insert "marijuana" 268

In line 3230, delete " <u>marijuana</u> " and insert " <u>cannabis</u> "; delete	269
" <u>cannabis</u> " and insert " <u>marijuana</u> "	270
In line 3231, delete " <u>cannabis</u> " and insert " <u>marijuana</u> "	271
In line 3234, delete " <u>marijuana</u> " and insert " <u>cannabis</u> "	272
In line 3235, delete " <u>marijuana</u> " and insert " <u>cannabis</u> "	273
In line 3241, strike through "marijuana" and insert " <u>cannabis</u> "	274
In line 3244, strike through "marijuana" and insert " <u>cannabis</u> "	275
In line 3245, strike through "marijuana" and insert " <u>cannabis</u> "	276
In line 3250, strike through "marijuana" and insert " <u>cannabis</u> "	277
After line 3250, insert:	278
 "Sec. 3796.021. (A) The medical marijuana advisory	279
committee is hereby created in the state board of pharmacy. The	280
committee shall consist of the following:	281
 (1) Two members who are practicing pharmacists, at least	282
one of whom supports the use of marijuana for medical purposes	283
and at least one of whom is a member of the board of pharmacy;	284
 (2) Two members who are practicing physicians, at least	285
one of whom supports the use of marijuana for medical purposes	286
and at least one of whom is a member of the state medical board;	287
 (3) A member who represents local law enforcement;	288
 (4) A member who represents employers;	289
 (5) A member who represents labor;	290
 (6) A member who represents persons involved in mental	291
health treatment;	292
 (7) A member who is a nurse;	293

(8) A member who represents caregivers;	294
(9) A member who represents patients;	295
(10) A member who represents agriculture;	296
(11) A member who represents persons involved in the treatment of alcohol and drug addiction;	297 298
(12) A member who engages in academic research.	299
(B) The governor shall appoint the members described in divisions (A) (1), (2), (4), (10), (11), and (12) of this section. The senate president shall appoint the members described in divisions (A) (3) and (8) of this section. The minority leader of the senate shall appoint the member described in division (A) (7) of this section. The speaker of the house of representatives shall appoint the members described in divisions (A) (6) and (9) of this section. The minority leader of the house of representatives shall appoint the member described in division (A) (5) of this section. Not more than six members shall be of the same political party.	300 301 302 303 304 305 306 307 308 309 310
(C) Appointments to the committee shall be made not later than thirty days after the effective date of this section <u>September 8, 2016.</u>	311 312 313
(D) Each member of the committee shall serve from the date of appointment until the committee ceases to exist, except that members serve at the pleasure of the appointing authority. Vacancies shall be filled in the same manner as original appointments.	314 315 316 317 318
(E) The governor shall select a member of the committee to serve as its chairperson.	319 320
(F) Each member of the committee shall receive a per diem compensation determined in accordance with division (J) of	321 322

section 124.15 of the Revised Code. In addition, each member
shall receive actual and necessary travel expenses in connection
with committee meetings and business.

(G) The committee shall hold its initial meeting not later
than thirty days after the last member of the committee is
appointed. The committee may develop and submit to the
department of commerce, state board of pharmacy, and the state
medical board any recommendations related to ~~the~~ medical
marijuana and the cannabis control program and the
implementation and enforcement of Chapter 3796. of the Revised
Code.

(H) The committee is not subject to sections 101.82 to
101.87 of the Revised Code.

(I) The committee shall cease to exist on the date that
occurs five years and thirty days after the effective date of
this act September 8, 2016."

In line 3251, strike through "marijuana" and insert "cannabis"

In line 3253, strike through "marijuana" and insert "cannabis"

After line 3339, insert:

"Sec. 3796.032. This chapter does not authorize the
division of ~~marijuana~~ cannabis control to oversee or limit
research conducted at a state university, academic medical
center, or private research and development organization that is
related to marijuana and is approved by an agency, board,
center, department, or institute of the United States
government, including any of the following:

(A) The agency for health care research and quality;

(B) The national institutes of health;

(C) The national academy of sciences; 351

(D) The centers for medicare and medicaid services; 352

(E) The United States department of defense; 353

(F) The centers for disease control and prevention; 354

(G) The United States department of veterans affairs; 355

(H) The drug enforcement administration; 356

(I) The food and drug administration; 357

(J) Any board recognized by the national institutes of 358
health for the purpose of evaluating the medical value of health 359
care services." 360

In line 3408, strike through "marijuana" and insert "cannabis" 361

In line 3434, delete "marijuana" and insert "cannabis" 362

After line 3561, insert: 363

"Sec. 3796.061. (A) Any person may submit a petition to 364
the state division of ~~marijuana~~cannabis control requesting that 365
a form of or method of using medical marijuana be approved for 366
the purposes of section 3796.06 of the Revised Code. A petition 367
shall be submitted to the division in a manner prescribed by the 368
division. A petition shall not seek to approve a method of using 369
medical marijuana that involves smoking or combustion. 370

(B) On receipt of a petition, the division shall review it 371
to determine whether to approve the form of or method of using 372
medical marijuana described in the petition. The division may 373
consolidate the review of petitions for the same or similar 374
forms or methods. In making its determination, the division 375
shall consult with one or more experts and review any relevant 376
scientific evidence. 377

(C) The division shall approve or deny the petition in accordance with any rules adopted by the division under this section. The division's decision is final.

(D) The division may adopt rules as necessary to implement this section. The rules shall be adopted in accordance with Chapter 119. of the Revised Code."

In line 3593, delete "marijuana" and insert "cannabis"

After line 3617, insert:

"Sec. 3796.08. (A) (1) Until one hundred eighty days following ~~the effective date of this amendment~~ October 3, 2023, a patient seeking to use medical marijuana or a caregiver seeking to assist a patient in the use or administration of medical marijuana shall apply to the state board of pharmacy for registration. On and after one hundred eighty days following ~~the effective date of this amendment~~ October 3, 2023, a patient seeking to use medical marijuana or a caregiver seeking to assist a patient in the use or administration of medical marijuana shall apply to the division of ~~marijuana~~ cannabis control for registration. The physician who holds a certificate to recommend issued by the state medical board and is treating the patient or the physician's delegate shall submit the application on the patient's or caregiver's behalf in the manner established in rules adopted under section 3796.03 of the Revised Code.

(2) The application shall include all of the following:

(a) A statement from the physician certifying all of the following:

(i) That a bona fide physician-patient relationship exists between the physician and patient;

(ii) That the patient has been diagnosed with a qualifying medical condition; 407
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(iii) That the physician or physician delegate has 409
requested from the drug database a report of information related 410
to the patient that covers at least the twelve months 411
immediately preceding the date of the report; 412

(iv) That the physician has informed the patient of the 413
risks and benefits of medical marijuana as it pertains to the 414
patient's qualifying medical condition and medical history. 415

(b) In the case of an application submitted on behalf of a 416
patient, the name or names of the one or more caregivers that 417
will assist the patient in the use or administration of medical 418
marijuana; 419

(c) In the case of an application submitted on behalf of a 420
caregiver, the name of the patient or patients that the 421
caregiver seeks to assist in the use or administration of 422
medical marijuana. 423

(3) If the application is complete and meets the 424
requirements established in rules, the board or division, as 425
applicable, shall register the patient or caregiver and issue to 426
the patient or caregiver an identification card. 427

(B) The board or division, as applicable, shall not make 428
public any information reported to or collected by the board or 429
division, as applicable, under this section that identifies or 430
would tend to identify any specific patient. 431

Information collected by the board or division, as 432
applicable, pursuant to this section is confidential and not a 433
public record. The board or division, as applicable, may share 434
identifying information with a licensed retail dispensary for 435
the purpose of confirming that a person has a valid 436

registration. Information that does not identify a person may be 437
released in summary, statistical, or aggregate form. 438

(C) A registration expires according to the renewal 439
schedule established in rules adopted under section 3796.03 of 440
the Revised Code and may be renewed in accordance with 441
procedures established in those rules." 442

In line 3622, delete "marijuana" and insert "cannabis" 443

After line 3902, insert: 444

"Sec. 3796.11. (A) (1) Notwithstanding section 149.43 of 445
the Revised Code or any other public records law to the contrary 446
or any law relating to the confidentiality of tax return 447
information, upon the request of the division of ~~marijuana~~ 448
cannabis control, the department of taxation shall provide to 449
the division all of the following information: 450

(a) Whether an applicant for licensure under this chapter 451
is in compliance with the applicable tax laws of this state; 452

(b) Any past or pending violation by the applicant of 453
those tax laws, and any penalty imposed on the applicant for 454
such a violation. 455

(2) The division shall request the information only as it 456
pertains to an application for licensure that the division, as 457
applicable, is reviewing. 458

(3) The department of taxation may charge the division a 459
reasonable fee to cover the administrative cost of providing the 460
information. 461

(B) Information received under this section is 462
confidential. Except as otherwise permitted by other state law 463
or federal law, the division shall not make the information 464
available to any person other than the applicant for licensure 465

to whom the information applies." 466

In line 3907, strike through "marijuana" and insert "cannabis" 467

In line 3962, strike through "marijuana" and insert "cannabis" 468

In line 3994, delete "marijuana" and insert "cannabis" 469

In line 4004, delete "marijuana" and insert "cannabis" 470

In line 4005, delete "marijuana" and insert "cannabis" 471

In line 4008, strike through "marijuana" and insert "cannabis" 472

In line 4079, delete "marijuana" and insert "cannabis" 473

In line 4092, strike through "marijuana" and insert "cannabis" 474

In line 4112, strike through "marijuana" and insert "cannabis" 475

After line 4120, insert: 476

"Sec. 3796.16. (A) (1) The division of ~~marijuana~~cannabis 477

control shall attempt in good faith to negotiate and enter into 478

a reciprocity agreement with any other state under which a 479

medical marijuana registry identification card or equivalent 480

authorization that is issued by the other state is recognized in 481

this state, if the division determines that both of the 482

following apply: 483

(a) The eligibility requirements imposed by the other 484

state for that authorization are substantially comparable to the 485

eligibility requirements for a patient or caregiver registration 486

and identification card issued under this chapter. 487

(b) The other state recognizes a patient or caregiver 488

registration and identification card issued under this chapter. 489

(2) The division shall not negotiate any agreement with 490

any other state under which an authorization issued by the other 491

state is recognized in this state other than as provided in 492

division (A) (1) of this section. 493

(B) If a reciprocity agreement is entered into in 494
accordance with division (A) of this section, the authorization 495
issued by the other state shall be recognized in this state, 496
shall be accepted and valid in this state, and grants the 497
patient or caregiver the same right to use, possess, obtain, or 498
administer medical marijuana in this state as a patient or 499
caregiver who was registered and issued an identification card 500
under this chapter. 501

(C) The division may adopt any rules as necessary to 502
implement this section." 503

In line 4121, strike through "marijuana" and insert "cannabis" 504

In line 4156, delete "marijuana" and insert "cannabis" 505

In line 4263, delete "marijuana" and insert "cannabis" 506

In line 4625, strike through "marijuana" and insert "cannabis" 507

In line 4667, delete "marijuana" and insert "cannabis" 508

In line 4859, delete "marijuana" and insert "cannabis" 509

After line 5274, insert: 510

"Sec. 4729.80. (A) If the state board of pharmacy 511
establishes and maintains a drug database pursuant to section 512
4729.75 of the Revised Code, the board is authorized or required 513
to provide information from the database only as follows: 514

(1) On receipt of a request from a designated 515
representative of a government entity responsible for the 516
licensure, regulation, or discipline of health care 517
professionals with authority to prescribe, administer, or 518
dispense drugs, the board may provide to the representative 519
information from the database relating to the professional who 520

is the subject of an active investigation being conducted by the 521
government entity or relating to a professional who is acting as 522
an expert witness for the government entity in such an 523
investigation. 524

(2) On receipt of a request from a federal officer, or a 525
state or local officer of this or any other state, whose duties 526
include enforcing laws relating to drugs, the board shall 527
provide to the officer information from the database relating to 528
the person who is the subject of an active investigation of a 529
drug abuse offense, as defined in section 2925.01 of the Revised 530
Code, being conducted by the officer's employing government 531
entity. 532

(3) Pursuant to a subpoena issued by a grand jury, the 533
board shall provide to the grand jury information from the 534
database relating to the person who is the subject of an 535
investigation being conducted by the grand jury. 536

(4) Pursuant to a subpoena, search warrant, or court order 537
in connection with the investigation or prosecution of a 538
possible or alleged criminal offense, the board shall provide 539
information from the database as necessary to comply with the 540
subpoena, search warrant, or court order. 541

(5) On receipt of a request from a prescriber or the 542
prescriber's delegate approved by the board, the board shall 543
provide to the prescriber a report of information from the 544
database relating to a patient who is either a current patient 545
of the prescriber or a potential patient of the prescriber based 546
on a referral of the patient to the prescriber, if all of the 547
following conditions are met: 548

(a) The prescriber certifies in a form specified by the 549
board that it is for the purpose of providing medical treatment 550
to the patient who is the subject of the request; 551

(b) The prescriber has not been denied access to the 552
database by the board. 553

(6) On receipt of a request from a pharmacist or the 554
pharmacist's delegate approved by the board, the board shall 555
provide to the pharmacist information from the database relating 556
to a current patient of the pharmacist, if the pharmacist 557
certifies in a form specified by the board that it is for the 558
purpose of the pharmacist's practice of pharmacy involving the 559
patient who is the subject of the request and the pharmacist has 560
not been denied access to the database by the board. 561

(7) On receipt of a request from an individual seeking the 562
individual's own database information in accordance with the 563
procedure established in rules adopted under section 4729.84 of 564
the Revised Code, the board may provide to the individual the 565
individual's own prescription history. 566

(8) On receipt of a request from a medical director or a 567
pharmacy director of a managed care organization that has 568
entered into a contract with the department of medicaid under 569
section 5167.10 of the Revised Code and a data security 570
agreement with the board required by section 5167.14 of the 571
Revised Code, the board shall provide to the medical director or 572
the pharmacy director information from the database relating to 573
a medicaid recipient enrolled in the managed care organization, 574
including information in the database related to prescriptions 575
for the recipient that were not covered or reimbursed under a 576
program administered by the department of medicaid. 577

(9) On receipt of a request from the medicaid director, 578
the board shall provide to the director information from the 579
database relating to a recipient of a program administered by 580
the department of medicaid, including information in the 581
database related to prescriptions for the recipient that were 582

not covered or paid by a program administered by the department. 583

(10) On receipt of a request from a medical director of a 584
managed care organization that has entered into a contract with 585
the administrator of workers' compensation under division (B) (4) 586
of section 4121.44 of the Revised Code and a data security 587
agreement with the board required by section 4121.447 of the 588
Revised Code, the board shall provide to the medical director 589
information from the database relating to a claimant under 590
Chapter 4121., 4123., 4127., or 4131. of the Revised Code 591
assigned to the managed care organization, including information 592
in the database related to prescriptions for the claimant that 593
were not covered or reimbursed under Chapter 4121., 4123., 594
4127., or 4131. of the Revised Code, if the administrator of 595
workers' compensation confirms, upon request from the board, 596
that the claimant is assigned to the managed care organization. 597

(11) On receipt of a request from the administrator of 598
workers' compensation, the board shall provide to the 599
administrator information from the database relating to a 600
claimant under Chapter 4121., 4123., 4127., or 4131. of the 601
Revised Code, including information in the database related to 602
prescriptions for the claimant that were not covered or 603
reimbursed under Chapter 4121., 4123., 4127., or 4131. of the 604
Revised Code. 605

(12) On receipt of a request from a prescriber or the 606
prescriber's delegate approved by the board, the board shall 607
provide to the prescriber information from the database relating 608
to a patient's mother, if the prescriber certifies in a form 609
specified by the board that it is for the purpose of providing 610
medical treatment to a newborn or infant patient diagnosed as 611
opioid dependent and the prescriber has not been denied access 612
to the database by the board. 613

(13) On receipt of a request from the director of health,
the board shall provide to the director information from the
database relating to the duties of the director or the
department of health in implementing the Ohio violent death
reporting system established under section 3701.93 of the
Revised Code.

(14) On receipt of a request from a requestor described in
division (A)(1), (2), (5), or (6) of this section who is from or
participating with another state's prescription monitoring
program, the board may provide to the requestor information from
the database, but only if there is a written agreement under
which the information is to be used and disseminated according
to the laws of this state.

(15) On receipt of a request from a delegate of a retail
dispensary licensed under Chapter 3796. of the Revised Code who
is approved by the board to serve as the dispensary's delegate,
the board shall provide to the delegate a report of information
from the database pertaining only to a patient's use of medical
marijuana, if both of the following conditions are met:

(a) The delegate certifies in a form specified by the
board that it is for the purpose of dispensing medical marijuana
for use in accordance with Chapter 3796. of the Revised Code.

(b) The retail dispensary or delegate has not been denied
access to the database by the board.

(16) On receipt of a request from a judge of a program
certified by the Ohio supreme court as a specialized docket
program for drugs, the board shall provide to the judge, or an
employee of the program who is designated by the judge to
receive the information, information from the database that
relates specifically to a current or prospective program
participant.

(17) On receipt of a request from a coroner, deputy coroner, or coroner's delegate approved by the board, the board shall provide to the requestor information from the database relating to a deceased person about whom the coroner is conducting or has conducted an autopsy or investigation.

(18) On receipt of a request from a prescriber, the board may provide to the prescriber a summary of the prescriber's prescribing record if such a record is created by the board. Information in the summary is subject to the confidentiality requirements of this chapter.

(19) On receipt of a request from a pharmacy's responsible person designated under section 4729.54 of the Revised Code, the board may provide to the responsible person a summary of the pharmacy's dispensing record if such a record is created by the board. Information in the summary is subject to the confidentiality requirements of this chapter.

(20) The board may provide information from the database without request to a prescriber or pharmacist who is authorized to use the database pursuant to this chapter.

(21) (a) On receipt of a request from a prescriber or pharmacist, or the prescriber's or pharmacist's delegate, who is a designated representative of a peer review committee, the board shall provide to the committee information from the database relating to a prescriber who is subject to the committee's evaluation, supervision, or discipline if the information is to be used for one of those purposes. The board shall provide only information that it determines, in accordance with rules adopted under section 4729.84 of the Revised Code, is appropriate to be provided to the committee.

(b) As used in division (A) (21) (a) of this section, "peer review committee" has the same meaning as in section 2305.25 of

the Revised Code, except that it includes only a peer review
committee of a hospital or a peer review committee of a
nonprofit health care corporation that is a member of the
hospital or of which the hospital is a member.

(22) On receipt of a request from a requestor described in
division (A)(5) or (6) of this section who is from or
participating with a prescription monitoring program that is
operated by a federal agency and approved by the board, the
board may provide to the requestor information from the
database, but only if there is a written agreement under which
the information is to be used and disseminated according to the
laws of this state.

(23) Any personal health information submitted to the
board pursuant to section 4729.772 of the Revised Code may be
provided by the board only as authorized by the submitter of the
information and in accordance with rules adopted under section
4729.84 of the Revised Code.

(24) On receipt of a request from a person described in
division (A)(5), (6), or (17) of this section who is
participating in a drug overdose fatality review committee
described in section 307.631 of the Revised Code, the board may
provide to the requestor information from the database, but only
if there is a written agreement under which the information is
to be used and disseminated according to the laws of this state.

(25) On receipt of a request from a person described in
division (A)(5), (6), or (17) of this section who is
participating in a suicide fatality review committee described
in section 307.641 of the Revised Code, the board may provide to
the requestor information from the database, but only if there
is a written agreement under which the information is to be used
and disseminated according to the laws of this state.

(26) On receipt of a request from a designated
representative of the division of ~~marijuana~~-cannabis control in
the department of commerce, the board shall provide to the
representative information from the database relating to an
individual who, or entity that, is the subject of an active
investigation being conducted by the division.

(B) The state board of pharmacy shall maintain a record of
each individual or entity that requests information from the
database pursuant to this section. In accordance with rules
adopted under section 4729.84 of the Revised Code, the board may
use the records to document and report statistics and law
enforcement outcomes.

The board may provide records of an individual's requests
for database information only to the following:

(1) A designated representative of a government entity
that is responsible for the licensure, regulation, or discipline
of health care professionals with authority to prescribe,
administer, or dispense drugs who is involved in an active
criminal or disciplinary investigation being conducted by the
government entity of the individual who submitted the requests
for database information;

(2) A federal officer, or a state or local officer of this
or any other state, whose duties include enforcing laws relating
to drugs and who is involved in an active investigation being
conducted by the officer's employing government entity of the
individual who submitted the requests for database information;

(3) A designated representative of the department of
medicaid regarding a prescriber who is treating or has treated a
recipient of a program administered by the department and who
submitted the requests for database information.

(C) Information contained in the database and any
information obtained from it is confidential and is not a public
record. Information contained in the records of requests for
information from the database is confidential and is not a
public record. Information contained in the database that does
not identify a person, including any licensee or registrant of
the board or other entity, may be released in summary,
statistical, or aggregate form.

(D) A pharmacist or prescriber shall not be held liable in
damages to any person in any civil action for injury, death, or
loss to person or property on the basis that the pharmacist or
prescriber did or did not seek or obtain information from the
database."

After line 5512, insert:

"Sec. 4776.01. As used in this chapter:

(A) "License" means an authorization evidenced by a
license, certificate, registration, permit, card, or other
authority that is issued or conferred by a licensing agency to a
licensee or to an applicant for an initial license by which the
licensee or initial license applicant has or claims the
privilege to engage in a profession, occupation, or occupational
activity, or, except in the case of the state dental board, to
have control of and operate certain specific equipment,
machinery, or premises, over which the licensing agency has
jurisdiction.

(B) Except as provided in section 4776.20 of the Revised
Code, "licensee" means the person to whom the license is issued
by a licensing agency. "Licensee" includes a person who, for
purposes of section 3796.13 of the Revised Code, has complied
with sections 4776.01 to 4776.04 of the Revised Code and has
been determined by the division of ~~marijuana~~-cannabis control,

as the applicable licensing agency, to meet the requirements for 768
employment. 769

(C) Except as provided in section 4776.20 of the Revised 770
Code, "licensing agency" means any of the following: 771

(1) The board authorized by Chapters 4701., 4717., 4725., 772
4729., 4730., 4731., 4732., 4734., 4740., 4741., 4747., 4751., 773
4753., 4755., 4757., 4759., 4760., 4761., 4762., 4772., 4774., 774
4778., 4779., and 4783. of the Revised Code to issue a license 775
to engage in a specific profession, occupation, or occupational 776
activity, or to have charge of and operate certain specific 777
equipment, machinery, or premises. 778

(2) The state dental board, relative to its authority to 779
issue a license pursuant to section 4715.12, 4715.16, 4715.21, 780
or 4715.27 of the Revised Code; 781

(3) The division of marijuana control, relative to its 782
authority under Chapter 3796. of the Revised Code and any rules 783
adopted under that chapter with respect to a person who is 784
subject to section 3796.13 of the Revised Code; 785

(4) The director of agriculture, relative to the 786
director's authority to issue licenses under Chapter 928. of the 787
Revised Code. 788

(D) "Applicant for an initial license" includes persons 789
seeking a license for the first time and persons seeking a 790
license by reciprocity, endorsement, or similar manner of a 791
license issued in another state. "Applicant for an initial 792
license" also includes a person who, for purposes of section 793
3796.13 of the Revised Code, is required to comply with sections 794
4776.01 to 4776.04 of the Revised Code. 795

(E) "Applicant for a restored license" includes persons 796
seeking restoration of a license under section 4730.14, 4730.28, 797

4731.222, 4731.281, 4759.062, 4759.063, 4760.06, 4760.061,
4761.06, 4761.061, 4762.06, 4762.061, 4772.08, 4772.082,
4774.06, 4774.061, 4778.07, or 4778.071 of the Revised Code.
"Applicant for a restored license" does not include a person
seeking restoration of a license under section 4751.33 of the
Revised Code.

(F) "Criminal records check" has the same meaning as in
section 109.572 of the Revised Code."

In line 6419, after "109.572" insert ", 121.04, 121.08"

In line 6421, after "3796.02" insert ", 3796.021"; after "3796.03"
insert ", 3796.032"; after "3796.06" insert ", 3796.061"; after "3796.07"
insert ", 3796.08"; after "3796.10" insert ", 3796.11"

In line 6422, after "3796.15" insert ", 3796.16"

In line 6424, after "4506.01" insert ", 4729.80"; after "4735.18"
insert ", 4776.01"

In line 6446, delete "of Marijuana Control"

In line 6459, delete "of Marijuana Control"

In line 6463, delete "Marijuana" and insert "Cannabis"

The motion was _____ agreed to.

SYNOPSIS

Division of Cannabis Control

R.C. Chapter 3796.(numerous sections); Section 5

Renames the Division of Marijuana Control the Division of
Cannabis Control, which is responsible for overseeing both the

medical marijuana program and the adult-use marijuana program.

821

_____ moved to amend as follows:

In line 1458, delete " <u>or (b)</u> "	822
In line 1476, delete the first " <u>or (b)</u> "	823
In line 1508, delete " <u>or (b)</u> "	824
In line 1525, delete " <u>or (b)</u> "	825
In line 1544, delete the first " <u>or (b)</u> "	826

The motion was _____ agreed to.

SYNOPSIS 827

Expungement - amount of marihuana possessed 828

R.C. 2953.321 829

Removes a provision that allows a person to expunge a	830
prior marihuana possession offense if the conduct that was the	831
basis of the violation of the possession offense was 100 grams	832
or more, but less than 200 grams of marihuana, but retains the	833

provision that allows a person to expunge a marihuana possession	834
offense if the conduct that was the basis of the violation of	835
the possession offense was less than 100 grams of marihuana.	836

_____ moved to amend as follows:

In line 2 of the title, delete "928.01" and insert "928.02"; after 837
"928.03" insert ", 928.04, 2925.01"; after "3376.07" insert ", 3719.01, 838
3719.41" 839

In line 7 of the title, after "4506.01" insert ", 4729.01" 840

In line 9 of the title, delete "5703.053, 5703.19, 5703.263, 841
5703.50," 842

In line 10 of the title, delete "5703.70, 5703.77," and insert 843
"and"; delete ", and 5743.45" 844

In line 13 of the title, after "enact" insert "new section 928.01 845
and"; delete "sections 928.08," 846

Delete lines 14 through 17 of the title 847

In line 18 of the title, delete "3779.23, 3779.24, 3779.25, 848
3779.26,3779.27," 849

In line 19 of the title, delete "3779.28" and insert "sections 850
928.031"; delete "3779.29" and insert "928.08"; delete "3779.30" and 851
insert "2953.321"; delete "3779.40" and insert "3779.21"; delete "3779.41" 852
and insert "3779.211" 853

In line 20 of the title, delete "3779.42" and insert "3779.22";	854
delete "3779.43" and insert "3779.23"; delete "3779.431" and insert	855
"3779.24"; delete "3779.44" and insert "3779.25"; delete "3779.45" and	856
insert "3779.26"	857
 In line 21 of the title, delete "3779.451" and insert "3779.27";	858
delete "3779.46" and insert "3779.28"; delete "3779.47" and insert	859
"3779.29"; delete "3779.48" and insert "3779.30"	860
 In line 24 of the title, after "sections" insert "928.01,"	861
 In line 31 of the title, after "Code" insert "; and to repeal the	862
versions of sections 3779.21, 3779.211, 3779.22, 3779.23, 3779.24,	863
3779.25, 3779.26, 3779.27, 3779.28, 3779.29, 3779.30, and 3779.99 of the	864
Revised Code enacted by this act effective December 31, 2026,"	865
 In line 33 of the title, delete ", to"	866
 In line 34 of the title, delete "levy taxes on certain hemp	867
products,"	868
 In line 35 of the title, after "appropriation" insert ", and to	869
amend section 4506.01 of the Revised Code effective December 31, 2026, to	870
revise the law governing commercial driver's licenses"	871
 In line 37, delete "928.01" and insert "928.02"; after "928.03"	872
insert ", 928.04, 2925.01"; after "3376.07" insert ", 3719.01, 3719.41"	873
 In line 41, after "4506.01" insert ", 4729.01"	874
 In line 42, delete ", 5703.053, 5703.19, 5703.263, 5703.50, 5703.70"	875
 In line 43, delete "5703.77," and insert "and"; delete ", and	876
5743.45"	877
 In line 45, after "parentheses;" insert "and new section 928.01";	878
after "sections" insert "928.031,"	879
 In line 46, delete ", 3779.01, 3779.02, 3779.021, 3779.022,	880

3779.03," 881

Delete line 47 882

In line 48, delete "3779.07, 3779.08, 3779.09, 3779.10, 3779.11"; 883
after "3779.21" insert ", 3779.211"; delete the seventh "," 884

In line 49, delete "3779.221" 885

In line 50, delete ", 3779.40, 3779.41, 3779.42, 3779.43, 3779.431," 886

In line 51, delete "3779.44, 3779.45, 3779.451, 3779.46, 3779.47, 887
3779.48" 888

Delete lines 761 through 792 889

In line 804, delete "3779.05," 890

In line 996, delete "3779.," 891

In line 1068, delete "3779.44," 892

In line 1190, delete "3779.," 893

Delete lines 1210 through 1310 894

After line 1310, insert: 895

"Sec. 928.01. As used in this chapter: 896

(A) "Container" means the innermost wrapping, packaging, 897
or vessel in direct contact with a final hemp-derived 898
cannabinoid product in which the final hemp-derived cannabinoid 899
product is enclosed for retail sale to consumers, such as a jar, 900
bottle, bag, box, packet, can, carton, or cartridge. "Container" 901
does not include bulk shipping containers or outer wrappings 902
that are not essential for the final retail delivery or sale to 903
an end consumer for personal or household use. 904

(B) "Cultivate" or "cultivating" means to plant, water, 905
grow, fertilize, till, or harvest a plant or crop. "Cultivating" 906

includes possessing or storing a plant or crop on a premises 907
where the plant or crop was cultivated until transported to the 908
first point of sale. 909

(C) "Hemp" means the plant Cannabis sativa L. and any part 910
of that plant, including the seeds thereof and all derivatives, 911
extracts, cannabinoids, isomers, acids, salts, and salts of 912
isomers, whether growing or not, with a total 913
tetrahydrocannabinols concentration, including 914
tetrahydrocannabinolic acid, of not more than three-tenths per 915
cent on a dry weight basis. "Hemp" includes industrial hemp. 916
"Hemp" does not include any of the following: 917

(1) Any viable seeds from a Cannabis sativa L. plant that 918
exceeds a total tetrahydrocannabinols concentration, including 919
tetrahydrocannabinolic acid, of three-tenths per cent in the 920
plant on a dry weight basis; 921

(2) Any intermediate hemp-derived cannabinoid product 922
containing any of the following: 923

(a) Cannabinoids that are not capable of being naturally 924
produced by a Cannabis sativa L. plant; 925

(b) Cannabinoids that are capable of being naturally 926
produced by a Cannabis sativa L. plant and were synthesized or 927
manufactured outside the plant; 928

(c) More than three-tenths per cent combined total of 929
total tetrahydrocannabinols, including tetrahydrocannabinolic 930
acid, and any other cannabinoids that have similar effects or 931
are marketed to have similar effects on humans or animals as a 932
tetrahydrocannabinol as established by the superintendent of 933
cannabis control in lists adopted under section 928.031 of the 934
Revised Code. 935

(3) Any intermediate hemp-derived cannabinoid product that 936

<u>is marketed or sold as a final product or directly to an end</u>	937
<u>consumer for personal or household use;</u>	938
<u>(4) Any final hemp-derived cannabinoid product containing</u>	939
<u>any of the following:</u>	940
<u>(a) Cannabinoids that are not capable of being naturally</u>	941
<u>produced by a Cannabis sativa L. plant;</u>	942
<u>(b) Cannabinoids that are capable of being naturally</u>	943
<u>produced by a Cannabis sativa L. plant and were synthesized or</u>	944
<u>manufactured outside the plant;</u>	945
<u>(c) Greater than four-tenths of a milligram combined total</u>	946
<u>per container of total tetrahydrocannabinols, including</u>	947
<u>tetrahydrocannabinolic acid, and any other cannabinoids that</u>	948
<u>have similar effects, or are marketed to have similar effects,</u>	949
<u>on humans or animals as a tetrahydrocannabinol as established by</u>	950
<u>the superintendent of cannabis control in lists adopted under</u>	951
<u>section 928.031 of the Revised Code.</u>	952
<u>(D) "Hemp cultivation license" means a license to</u>	953
<u>cultivate hemp issued under section 928.02 of the Revised Code.</u>	954
<u>(E) "Hemp-derived cannabinoid product" means any</u>	955
<u>intermediate or final product derived from hemp, other than</u>	956
<u>industrial hemp, that contains cannabinoids in any form and is</u>	957
<u>intended for human or animal use through any means of</u>	958
<u>application or administration, such as inhalation, ingestion, or</u>	959
<u>topical application. "Hemp-derived cannabinoid product" does not</u>	960
<u>include a drug that is the subject of an application approved</u>	961
<u>under subsection (c) or (j) of 21 U.S.C. 355.</u>	962
<u>(F) "Hemp processing license" means a license to process</u>	963
<u>hemp issued under section 928.02 of the Revised Code.</u>	964
<u>(G) "Industrial hemp" means hemp to which any of the</u>	965

following apply: 966

(1) It is grown for the use of the stalk of the plant, 967
fiber produced from such a stalk, or any other non-cannabinoid 968
derivative, mixture, preparation, or manufacture of such a 969
stalk; 970

(2) It is grown for the use of the whole grain, oil, cake, 971
nut, hull, or any other non-cannabinoid compound, derivative, 972
mixture, preparation, or manufacture of the seeds of such plant; 973

(3) It is grown for purposes of producing microgreens or 974
other edible hemp leaf products intended for human consumption 975
that are derived from an immature hemp plant that is grown from 976
seeds that do not exceed the threshold for total 977
tetrahydrocannabinols concentration specified in division (C) (1) 978
of this section; 979

(4) It is a plant that does not enter the stream of 980
commerce and is intended to support hemp research at a 981
university or an independent research institute as the term 982
"independent research institute" is defined by the director 983
under section 928.031 of the Revised Code; 984

(5) It is grown for the use of a viable seed of the plant 985
produced solely for the production or manufacture of any 986
material described in division (H) (1) to (4) of this section. 987

(H) "Intermediate hemp-derived cannabinoid product" means 988
a hemp-derived cannabinoid product that is either of the 989
following: 990

(1) Not yet in the final form or preparation marketed or 991
intended to be used or consumed by a human or animal; 992

(2) A powder, liquid, tablet, oil, or other product form 993
that is intended or marketed to be mixed, dissolved, formulated, 994

<u>or otherwise added to or prepared with or into any other</u>	995
<u>substance prior to administration or consumption.</u>	996
<u>(J) "Marihuana" has the same meaning as in section 3719.01</u>	997
<u>of the Revised Code.</u>	998
<u>(I) "Medical marijuana" has the same meaning as in section</u>	999
<u>3796.01 of the Revised Code.</u>	1000
<u>(J) "Process" or "processing" means converting hemp into a</u>	1001
<u>hemp product.</u>	1002
<u>(K) "University" means an institution of higher education</u>	1003
<u>as defined in section 3345.12 of the Revised Code and a private</u>	1004
<u>nonprofit institution with a certificate of authorization issued</u>	1005
<u>pursuant to Chapter 1713. of the Revised Code.</u>	1006
<u>(L) "USDA" means the United States department of</u>	1007
<u>agriculture.</u>	1008
Sec. 928.02. (A) (1) The director of agriculture may	1009
establish a program to monitor and regulate hemp cultivation and	1010
shall establish a program to monitor and regulate hemp	1011
processing in this state.	1012
(2) If the director establishes a program to monitor and	1013
regulate hemp cultivation in this state and subsequently intends	1014
to transfer authority to the United States department of	1015
agriculture to monitor and regulate hemp cultivation in this	1016
state, the director shall take whatever actions necessary to	1017
effectuate such transfer.	1018
(3) If the director implements a program to monitor and	1019
regulate hemp cultivation under division (A) (1) of this section,	1020
the director shall issue hemp cultivation licenses in accordance	1021
with rules adopted under section 928.03 of the Revised Code.	1022
(4) If the director implements a program to monitor and	1023

regulate hemp cultivation under division (A) (1) of this section 1024
and as authorized by the director, the department of agriculture 1025
or a university may cultivate hemp without a hemp cultivation 1026
license for research purposes. 1027

(5) As authorized by the director, the department of 1028
agriculture or a university may process hemp without a hemp 1029
processing license for research purposes. 1030

(B) If the director implements a program to monitor and 1031
regulate hemp cultivation under division (A) (1) of this section 1032
and except as authorized under division (A) (4) or (E) of this 1033
section, any person that wishes to cultivate hemp shall apply 1034
for and obtain a hemp cultivation license from the director in 1035
accordance with rules adopted under section 928.03 of the 1036
Revised Code. Except as authorized under division (A) (5) or (E) 1037
of this section, any person that wishes to process hemp shall 1038
apply for and obtain a hemp processing license from the director 1039
in accordance with those rules. Such licenses are valid for 1040
three years unless earlier suspended or revoked by the director. 1041

(C) The department, a university, or any person may, 1042
without a hemp cultivation license or hemp processing license, 1043
possess, buy, or sell hemp or a product made with hemp~~product~~. 1044

(D) Notwithstanding any other provision of the Revised 1045
Code to the contrary, the addition of hemp or a product made 1046
with hemp ~~product~~ to any other product does not adulterate that 1047
other product. 1048

(E) If the director implements a program to monitor and 1049
regulate hemp cultivation under division (A) (1) of this section, 1050
the director shall issue a hemp cultivation license in 1051
accordance with Chapter 4796. of the Revised Code to an 1052
individual if either of the following applies: 1053

(1) The individual holds the applicable license in another state. 1054
1055

(2) The individual has satisfactory work experience, a government certification, or a private certification as described in that chapter as a hemp cultivator in a state that does not issue the applicable license. 1056
1057
1058
1059

(F) The director shall issue a hemp processing license in accordance with Chapter 4796. of the Revised Code to an individual if either of the following applies: 1060
1061
1062

(1) The individual holds the applicable license in another state. 1063
1064

(2) The individual has satisfactory work experience, a government certification, or a private certification as described in that chapter as a hemp processor in a state that does not issue the applicable license." 1065
1066
1067
1068

In line 1381, strike through "delta-9" 1069

In line 1411, strike through "delta-9" 1070

In line 1433, after "and" insert "products made with"; strike through "products" 1071
1072

In line 1440, after the second "and" insert "products made with"; strike through "products" 1073
1074

In line 1441, after "(BB)" insert "A definition of "independent research institute" for purposes of section 928.01 of the Revised Code;" 1075
1076

(CC) " 1077

After line 1442, insert: 1078

"Sec. 928.031. (A) The superintendent of cannabis control, in consultation with the director of agriculture, shall 1079
1080

establish the following lists for purposes of section 928.01 of 1081
the Revised Code: 1082

(1) Cannabinoids known to be capable of being naturally 1083
produced by a Cannabis sativa L. plant; 1084

(2) Tetrahydrocannabinol class cannabinoids known to the 1085
superintendent to be naturally occurring in the plant Cannabis 1086
sativa L.; 1087

(3) All other known cannabinoids with similar effects to, 1088
or marketed to have similar effects to, tetrahydrocannabinol 1089
class cannabinoids; 1090

(4) Any additional cannabinoids that have similar effects 1091
or are marketed to have similar effects on humans or animals as 1092
a tetrahydrocannabinol. 1093

(B) The superintendent, in consultation with the director 1094
of agriculture, shall establish any additional information and 1095
specificity about the term "container" as defined under section 1096
928.01 of the Revised Code. 1097

(C) When congress, or pursuant to the federal hemp laws in 1098
7 U.S.C. 139o, et. seq., the secretary of the United States 1099
department of health and human services, or the United States 1100
food and drug administration, as applicable, adds, changes, or 1101
removes anything from any of the lists of items established in 1102
the division (A) of this section, then such addition, change, or 1103
removal is automatically effected in the corresponding list, 1104
subject to amendment pursuant to division (D) of this section 1105
and the superintendent shall immediately publish an updated list 1106
containing the change. 1107

(D) The superintendent may add, change, or remove any of 1108
the items included in the lists established in division (A) of 1109
this section. In so doing, the superintendent shall review any 1110

determinations made by the federal government in any 1111
corresponding changes it has made and determine whether the 1112
changes are in accordance with Ohio law, the current scientific 1113
knowledge of the material at issue, and the risk to the public 1114
health. 1115

(E) Upon initial publication of the lists established in 1116
division (A) of this section and upon any addition, change, or 1117
removal in division (C) or (D) of this section, the 1118
superintendent, in consultation with the director, shall adopt a 1119
rule under Chapter 119. of the Revised Code, to codify the list. 1120
The rule shall be filed with the joint committee on agency rule 1121
review within six months of the list being adopted or changed. 1122

Sec. 928.04. (A) Except as authorized under division (A) 1123
(4) or (5) of section 928.02 of the Revised Code, no person 1124
shall cultivate hemp without a hemp cultivation license issued 1125
by the director of agriculture under this chapter, if the 1126
director implements a program to monitor and regulate hemp 1127
cultivation under division (A) (1) of section 928.02 of the 1128
Revised Code, or process hemp without a hemp processing license 1129
issued by the director of agriculture under this chapter. 1130

(B) No person who holds a hemp cultivation license or hemp 1131
processing license issued by the director under this chapter 1132
shall violate this chapter or rules adopted under it. 1133

(C) No person subject to a corrective action plan issued 1134
by the director of agriculture under section 928.05 of the 1135
Revised Code shall fail to comply with the plan. 1136

(D) No person shall transport hemp or a product made with 1137
hemp ~~product~~ in violation of rules adopted under section 928.03 1138
of the Revised Code." 1139

After line 1445, insert: 1140

"Sec. 2925.01. As used in this chapter:	1141
(A) "Administer," "controlled substance," "controlled substance analog," "dispense," "distribute," "hypodermic," "manufacturer," "official written order," "person," "pharmacist," "pharmacy," "sale," "schedule I," "schedule II," "schedule III," "schedule IV," "schedule V," and "wholesaler" have the same meanings as in section 3719.01 of the Revised Code.	1142 1143 1144 1145 1146 1147 1148
(B) "Drug of abuse" and "person with a drug dependency" have the same meanings as in section 3719.011 of the Revised Code.	1149 1150 1151
(C) "Drug," "dangerous drug," "licensed health professional authorized to prescribe drugs," and "prescription" have the same meanings as in section 4729.01 of the Revised Code.	1152 1153 1154 1155
(D) "Bulk amount" of a controlled substance means any of the following:	1156 1157
(1) For any compound, mixture, preparation, or substance included in schedule I, schedule II, or schedule III, with the exception of any controlled substance analog, marihuana, cocaine, L.S.D., heroin, any fentanyl-related compound, and hashish and except as provided in division (D)(2), (5), or (6) of this section, whichever of the following is applicable:	1158 1159 1160 1161 1162 1163
(a) An amount equal to or exceeding ten grams or twenty-five unit doses of a compound, mixture, preparation, or substance that is or contains any amount of a schedule I opiate or opium derivative;	1164 1165 1166 1167
(b) An amount equal to or exceeding ten grams of a compound, mixture, preparation, or substance that is or contains any amount of raw or gum opium;	1168 1169 1170

(c) An amount equal to or exceeding thirty grams or ten unit doses of a compound, mixture, preparation, or substance that is or contains any amount of a schedule I hallucinogen other than tetrahydrocannabinol or lysergic acid amide, or a schedule I stimulant or depressant;

(d) An amount equal to or exceeding twenty grams or five times the maximum daily dose in the usual dose range specified in a standard pharmaceutical reference manual of a compound, mixture, preparation, or substance that is or contains any amount of a schedule II opiate or opium derivative;

(e) An amount equal to or exceeding five grams or ten unit doses of a compound, mixture, preparation, or substance that is or contains any amount of phencyclidine;

(f) An amount equal to or exceeding one hundred twenty grams or thirty times the maximum daily dose in the usual dose range specified in a standard pharmaceutical reference manual of a compound, mixture, preparation, or substance that is or contains any amount of a schedule II stimulant that is in a final dosage form manufactured by a person authorized by the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, as amended, and the federal drug abuse control laws, as defined in section 3719.01 of the Revised Code, that is or contains any amount of a schedule II depressant substance or a schedule II hallucinogenic substance;

(g) An amount equal to or exceeding three grams of a compound, mixture, preparation, or substance that is or contains any amount of a schedule II stimulant, or any of its salts or isomers, that is not in a final dosage form manufactured by a person authorized by the Federal Food, Drug, and Cosmetic Act and the federal drug abuse control laws.

(2) An amount equal to or exceeding one hundred twenty

grams or thirty times the maximum daily dose in the usual dose 1202
range specified in a standard pharmaceutical reference manual of 1203
a compound, mixture, preparation, or substance that is or 1204
contains any amount of a schedule III or IV substance other than 1205
an anabolic steroid or a schedule III opiate or opium 1206
derivative; 1207

(3) An amount equal to or exceeding twenty grams or five 1208
times the maximum daily dose in the usual dose range specified 1209
in a standard pharmaceutical reference manual of a compound, 1210
mixture, preparation, or substance that is or contains any 1211
amount of a schedule III opiate or opium derivative; 1212

(4) An amount equal to or exceeding two hundred fifty 1213
milliliters or two hundred fifty grams of a compound, mixture, 1214
preparation, or substance that is or contains any amount of a 1215
schedule V substance; 1216

(5) An amount equal to or exceeding two hundred solid 1217
dosage units, sixteen grams, or sixteen milliliters of a 1218
compound, mixture, preparation, or substance that is or contains 1219
any amount of a schedule III anabolic steroid; 1220

(6) For any compound, mixture, preparation, or substance 1221
that is a combination of a fentanyl-related compound and any 1222
other compound, mixture, preparation, or substance included in 1223
schedule III, schedule IV, or schedule V, if the defendant is 1224
charged with a violation of section 2925.11 of the Revised Code 1225
and the sentencing provisions set forth in divisions (C)(10)(b) 1226
and (C)(11) of that section will not apply regarding the 1227
defendant and the violation, the bulk amount of the controlled 1228
substance for purposes of the violation is the amount specified 1229
in division (D)(1), (2), (3), (4), or (5) of this section for 1230
the other schedule III, IV, or V controlled substance that is 1231
combined with the fentanyl-related compound. 1232

(E) "Unit dose" means an amount or unit of a compound, mixture, or preparation containing a controlled substance that is separately identifiable and in a form that indicates that it is the amount or unit by which the controlled substance is separately administered to or taken by an individual.

(F) "Cultivate" includes planting, watering, fertilizing, or tilling.

(G) "Drug abuse offense" means any of the following:

(1) A violation of division (A) of section 2913.02 that constitutes theft of drugs, or a violation of section 2925.02, 2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.11, 2925.12, 2925.13, 2925.22, 2925.23, 2925.24, 2925.31, 2925.32, 2925.36, or 2925.37 of the Revised Code;

(2) A violation of an existing or former law of this or any other state or of the United States that is substantially equivalent to any section listed in division (G) (1) of this section;

(3) An offense under an existing or former law of this or any other state, or of the United States, of which planting, cultivating, harvesting, processing, making, manufacturing, producing, shipping, transporting, delivering, acquiring, possessing, storing, distributing, dispensing, selling, inducing another to use, administering to another, using, or otherwise dealing with a controlled substance is an element;

(4) A conspiracy to commit, attempt to commit, or complicity in committing or attempting to commit any offense under division (G) (1), (2), or (3) of this section.

(H) "Felony drug abuse offense" means any drug abuse offense that would constitute a felony under the laws of this state, any other state, or the United States.

(I) "Harmful intoxicant" does not include beer or	1263
intoxicating liquor but means any of the following:	1264
(1) Any compound, mixture, preparation, or substance the	1265
gas, fumes, or vapor of which when inhaled can induce	1266
intoxication, excitement, giddiness, irrational behavior,	1267
depression, stupefaction, paralysis, unconsciousness,	1268
asphyxiation, or other harmful physiological effects, and	1269
includes, but is not limited to, any of the following:	1270
(a) Any volatile organic solvent, plastic cement, model	1271
cement, fingernail polish remover, lacquer thinner, cleaning	1272
fluid, gasoline, or other preparation containing a volatile	1273
organic solvent;	1274
(b) Any aerosol propellant;	1275
(c) Any fluorocarbon refrigerant;	1276
(d) Any anesthetic gas.	1277
(2) Gamma Butyrolactone;	1278
(3) 1,4 Butanediol.	1279
(J) "Manufacture" means to plant, cultivate, harvest,	1280
process, make, prepare, or otherwise engage in any part of the	1281
production of a drug, by propagation, extraction, chemical	1282
synthesis, or compounding, or any combination of the same, and	1283
includes packaging, repackaging, labeling, and other activities	1284
incident to production.	1285
(K) "Possess" or "possession" means having control over a	1286
thing or substance, but may not be inferred solely from mere	1287
access to the thing or substance through ownership or occupation	1288
of the premises upon which the thing or substance is found.	1289
(L) "Sample drug" means a drug or pharmaceutical	1290

preparation that would be hazardous to health or safety if used 1291
without the supervision of a licensed health professional 1292
authorized to prescribe drugs, or a drug of abuse, and that, at 1293
one time, had been placed in a container plainly marked as a 1294
sample by a manufacturer. 1295

(M) "Standard pharmaceutical reference manual" means the 1296
current edition, with cumulative changes if any, of references 1297
that are approved by the state board of pharmacy. 1298

(N) "Juvenile" means a person under eighteen years of age. 1299

(O) "Counterfeit controlled substance" means any of the 1300
following: 1301

(1) Any drug that bears, or whose container or label 1302
bears, a trademark, trade name, or other identifying mark used 1303
without authorization of the owner of rights to that trademark, 1304
trade name, or identifying mark; 1305

(2) Any unmarked or unlabeled substance that is 1306
represented to be a controlled substance manufactured, 1307
processed, packed, or distributed by a person other than the 1308
person that manufactured, processed, packed, or distributed it; 1309

(3) Any substance that is represented to be a controlled 1310
substance but is not a controlled substance or is a different 1311
controlled substance; 1312

(4) Any substance other than a controlled substance that a 1313
reasonable person would believe to be a controlled substance 1314
because of its similarity in shape, size, and color, or its 1315
markings, labeling, packaging, distribution, or the price for 1316
which it is sold or offered for sale. 1317

(P) An offense is "committed in the vicinity of a school" 1318
if the offender commits the offense on school premises, in a 1319

school building, or within one thousand feet of the boundaries 1320
of any school premises, regardless of whether the offender knows 1321
the offense is being committed on school premises, in a school 1322
building, or within one thousand feet of the boundaries of any 1323
school premises. 1324

(Q) "School" means any school operated by a board of 1325
education, any community school established under Chapter 3314. 1326
of the Revised Code, or any nonpublic school for which the 1327
director of education and workforce prescribes minimum standards 1328
under section 3301.07 of the Revised Code, whether or not any 1329
instruction, extracurricular activities, or training provided by 1330
the school is being conducted at the time a criminal offense is 1331
committed. 1332

(R) "School premises" means either of the following: 1333

(1) The parcel of real property on which any school is 1334
situated, whether or not any instruction, extracurricular 1335
activities, or training provided by the school is being 1336
conducted on the premises at the time a criminal offense is 1337
committed; 1338

(2) Any other parcel of real property that is owned or 1339
leased by a board of education of a school, the governing 1340
authority of a community school established under Chapter 3314. 1341
of the Revised Code, or the governing body of a nonpublic school 1342
for which the director of education and workforce prescribes 1343
minimum standards under section 3301.07 of the Revised Code and 1344
on which some of the instruction, extracurricular activities, or 1345
training of the school is conducted, whether or not any 1346
instruction, extracurricular activities, or training provided by 1347
the school is being conducted on the parcel of real property at 1348
the time a criminal offense is committed. 1349

(S) "School building" means any building in which any of 1350

the instruction, extracurricular activities, or training 1351
provided by a school is conducted, whether or not any 1352
instruction, extracurricular activities, or training provided by 1353
the school is being conducted in the school building at the time 1354
a criminal offense is committed. 1355

(T) "Disciplinary counsel" means the disciplinary counsel 1356
appointed by the board of commissioners on grievances and 1357
discipline of the supreme court under the Rules for the 1358
Government of the Bar of Ohio. 1359

(U) "Certified grievance committee" means a duly 1360
constituted and organized committee of the Ohio state bar 1361
association or of one or more local bar associations of the 1362
state of Ohio that complies with the criteria set forth in Rule 1363
V, section 6 of the Rules for the Government of the Bar of Ohio. 1364

(V) "Professional license" means any license, permit, 1365
certificate, registration, qualification, admission, temporary 1366
license, temporary permit, temporary certificate, or temporary 1367
registration that is described in divisions (W) (1) to (37) of 1368
this section and that qualifies a person as a professionally 1369
licensed person. 1370

(W) "Professionally licensed person" means any of the 1371
following: 1372

(1) A person who has received a certificate or temporary 1373
certificate as a certified public accountant or who has 1374
registered as a public accountant under Chapter 4701. of the 1375
Revised Code and who holds an Ohio permit issued under that 1376
chapter; 1377

(2) A person who holds a certificate of qualification to 1378
practice architecture issued or renewed and registered under 1379
Chapter 4703. of the Revised Code; 1380

(3) A person who is registered as a landscape architect	1381
under Chapter 4703. of the Revised Code or who holds a permit as	1382
a landscape architect issued under that chapter;	1383
(4) A person licensed under Chapter 4707. of the Revised	1384
Code;	1385
(5) A person who has been issued a barber's license,	1386
barber instructor's license, assistant barber instructor's	1387
license, or independent contractor's license under Chapter 4709.	1388
of the Revised Code;	1389
(6) A person licensed and regulated to engage in the	1390
business of a debt pooling company by a legislative authority,	1391
under authority of Chapter 4710. of the Revised Code;	1392
(7) A person who has been issued a cosmetologist's	1393
license, hair designer's license, manicurist's license,	1394
esthetician's license, natural hair stylist's license, advanced	1395
license to practice cosmetology, advanced license to practice	1396
hair design, advanced license to practice manicuring, advanced	1397
license to practice esthetics, advanced license to practice	1398
natural hair styling, cosmetology instructor's license, hair	1399
design instructor's license, manicurist instructor's license,	1400
esthetics instructor's license, natural hair style instructor's	1401
license, independent contractor's license, or tanning facility	1402
permit under Chapter 4713. of the Revised Code;	1403
(8) A person who has been issued a license to practice	1404
dentistry, a general anesthesia permit, a conscious sedation	1405
permit, a limited resident's license, a limited teaching	1406
license, a dental hygienist's license, or a dental hygienist's	1407
teacher's certificate under Chapter 4715. of the Revised Code;	1408
(9) A person who has been issued an embalmer's license, a	1409
funeral director's license, a funeral home license, or a	1410

crematory license, or who has been registered for an embalmer's	1411
or funeral director's apprenticeship under Chapter 4717. of the	1412
Revised Code;	1413
(10) A person who has been licensed as a registered nurse	1414
or practical nurse, or who has been issued a certificate for the	1415
practice of nurse-midwifery under Chapter 4723. of the Revised	1416
Code;	1417
(11) A person who has been licensed to practice optometry	1418
or to engage in optical dispensing under Chapter 4725. of the	1419
Revised Code;	1420
(12) A person licensed to act as a pawnbroker under	1421
Chapter 4727. of the Revised Code;	1422
(13) A person licensed to act as a precious metals dealer	1423
under Chapter 4728. of the Revised Code;	1424
(14) A person licensed under Chapter 4729. of the Revised	1425
Code as a pharmacist or pharmacy intern or registered under that	1426
chapter as a registered pharmacy technician, certified pharmacy	1427
technician, or pharmacy technician trainee;	1428
(15) A person licensed under Chapter 4729. of the Revised	1429
Code as a manufacturer of dangerous drugs, outsourcing facility,	1430
third-party logistics provider, repackager of dangerous drugs,	1431
wholesale distributor of dangerous drugs, or terminal	1432
distributor of dangerous drugs;	1433
(16) A person who is authorized to practice as a physician	1434
assistant under Chapter 4730. of the Revised Code;	1435
(17) A person who has been issued a license to practice	1436
medicine and surgery, osteopathic medicine and surgery, or	1437
podiatric medicine and surgery under Chapter 4731. of the	1438
Revised Code or has been issued a certificate to practice a	1439

limited branch of medicine under that chapter;	1440
(18) A person licensed as a psychologist, independent	1441
school psychologist, or school psychologist under Chapter 4732.	1442
of the Revised Code;	1443
(19) A person registered to practice the profession of	1444
engineering or surveying under Chapter 4733. of the Revised	1445
Code;	1446
(20) A person who has been issued a license to practice	1447
chiropractic under Chapter 4734. of the Revised Code;	1448
(21) A person licensed to act as a real estate broker or	1449
real estate salesperson under Chapter 4735. of the Revised Code;	1450
(22) A person registered as a registered environmental	1451
health specialist under Chapter 3776. of the Revised Code;	1452
(23) A person licensed to operate or maintain a junkyard	1453
under Chapter 4737. of the Revised Code;	1454
(24) A person who has been issued a motor vehicle salvage	1455
dealer's license under Chapter 4738. of the Revised Code;	1456
(25) A person who has been licensed to act as a steam	1457
engineer under Chapter 4739. of the Revised Code;	1458
(26) A person who has been issued a license or temporary	1459
permit to practice veterinary medicine or any of its branches,	1460
or who is registered as a graduate animal technician under	1461
Chapter 4741. of the Revised Code;	1462
(27) A person who has been issued a hearing aid dealer's	1463
or fitter's license or trainee permit under Chapter 4747. of the	1464
Revised Code;	1465
(28) A person who has been issued a class A, class B, or	1466
class C license or who has been registered as an investigator or	1467

security guard employee under Chapter 4749. of the Revised Code;	1468
(29) A person licensed to practice as a nursing home administrator under Chapter 4751. of the Revised Code;	1469 1470
(30) A person licensed to practice as a speech-language pathologist or audiologist under Chapter 4753. of the Revised Code;	1471 1472 1473
(31) A person issued a license as an occupational therapist or physical therapist under Chapter 4755. of the Revised Code;	1474 1475 1476
(32) A person who is licensed as a licensed professional clinical counselor, licensed professional counselor, social worker, independent social worker, independent marriage and family therapist, or marriage and family therapist, or registered as a social work assistant under Chapter 4757. of the Revised Code;	1477 1478 1479 1480 1481 1482
(33) A person issued a license to practice dietetics under Chapter 4759. of the Revised Code;	1483 1484
(34) A person who has been issued a license or limited permit to practice respiratory therapy under Chapter 4761. of the Revised Code;	1485 1486 1487
(35) A person who has been issued a real estate appraiser certificate under Chapter 4763. of the Revised Code;	1488 1489
(36) A person who has been issued a home inspector license under Chapter 4764. of the Revised Code;	1490 1491
(37) A person who has been admitted to the bar by order of the supreme court in compliance with its prescribed and published rules;	1492 1493 1494
(38) A person who has been issued a license to practice as	1495

a certified mental health assistant under Chapter 4772. of the 1496
Revised Code. 1497

(X) "Cocaine" means any of the following: 1498

(1) A cocaine salt, isomer, or derivative, a salt of a 1499
cocaine isomer or derivative, or the base form of cocaine; 1500

(2) Coca leaves or a salt, compound, derivative, or 1501
preparation of coca leaves, including ecgonine, a salt, isomer, 1502
or derivative of ecgonine, or a salt of an isomer or derivative 1503
of ecgonine; 1504

(3) A salt, compound, derivative, or preparation of a 1505
substance identified in division (X) (1) or (2) of this section 1506
that is chemically equivalent to or identical with any of those 1507
substances, except that the substances shall not include 1508
decocainized coca leaves or extraction of coca leaves if the 1509
extractions do not contain cocaine or ecgonine. 1510

(Y) "L.S.D." means lysergic acid diethylamide. 1511

(Z) "Hashish" means a resin or a preparation of a resin to 1512
which both of the following apply: 1513

(1) It is contained in or derived from any part of the 1514
plant of the genus cannabis, whether in solid form or in a 1515
liquid concentrate, liquid extract, or liquid distillate form. 1516

(2) It has a delta-9 tetrahydrocannabinol concentration of 1517
more than three-tenths per cent. 1518

"Hashish" does not include a hemp byproduct in the 1519
possession of a licensed hemp processor under Chapter 928. of 1520
the Revised Code, provided that the hemp byproduct is being 1521
produced, stored, and disposed of in accordance with rules 1522
adopted under section 928.03 of the Revised Code. 1523

(AA) "Marihuana" has the same meaning as in section 1524
3719.01 of the Revised Code, except that it does not include 1525
hashish. 1526

(BB) An offense is "committed in the vicinity of a 1527
juvenile" if the offender commits the offense within one hundred 1528
feet of a juvenile or within the view of a juvenile, regardless 1529
of whether the offender knows the age of the juvenile, whether 1530
the offender knows the offense is being committed within one 1531
hundred feet of or within view of the juvenile, or whether the 1532
juvenile actually views the commission of the offense. 1533

(CC) "Presumption for a prison term" or "presumption that 1534
a prison term shall be imposed" means a presumption, as 1535
described in division (D) of section 2929.13 of the Revised 1536
Code, that a prison term is a necessary sanction for a felony in 1537
order to comply with the purposes and principles of sentencing 1538
under section 2929.11 of the Revised Code. 1539

(DD) "Major drug offender" has the same meaning as in 1540
section 2929.01 of the Revised Code. 1541

(EE) "Minor drug possession offense" means either of the 1542
following: 1543

(1) A violation of section 2925.11 of the Revised Code as 1544
it existed prior to July 1, 1996; 1545

(2) A violation of section 2925.11 of the Revised Code as 1546
it exists on and after July 1, 1996, that is a misdemeanor or a 1547
felony of the fifth degree. 1548

(FF) "Mandatory prison term" has the same meaning as in 1549
section 2929.01 of the Revised Code. 1550

(GG) "Adulterate" means to cause a drug to be adulterated 1551
as described in section 3715.63 of the Revised Code. 1552

(HH) "Public premises" means any hotel, restaurant,	1553
tavern, store, arena, hall, or other place of public	1554
accommodation, business, amusement, or resort.	1555
(II) "Methamphetamine" means methamphetamine, any salt,	1556
isomer, or salt of an isomer of methamphetamine, or any	1557
compound, mixture, preparation, or substance containing	1558
methamphetamine or any salt, isomer, or salt of an isomer of	1559
methamphetamine.	1560
(JJ) "Deception" has the same meaning as in section	1561
2913.01 of the Revised Code.	1562
(KK) "Fentanyl-related compound" means any of the	1563
following:	1564
(1) Fentanyl;	1565
(2) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-	1566
phenyl)ethyl-4- piperidyl]propionanilide; 1-(1-methyl-2-	1567
phenylethyl)-4-(N-propanilido) piperidine);	1568
(3) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-	1569
thienyl)ethyl-4- piperidinyl]-N-phenylpropanamide);	1570
(4) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl-4-	1571
piperidinyl] -N-phenylpropanamide);	1572
(5) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-	1573
hydroxy-2- phenethyl)-3-methyl-4-piperidinyl]-N-	1574
phenylpropanamide);	1575
(6) 3-methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-	1576
piperidyl]-N- phenylpropanamide);	1577
(7) 3-methylthiofentanyl (N-[3-methyl-1-[2-	1578
(thienyl)ethyl]-4- piperidinyl]-N-phenylpropanamide);	1579
(8) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-	1580

phenethyl)-4- piperidinyl]propanamide;	1581
(9) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-	1582
piperidinyl]- propanamide;	1583
(10) Alfentanil;	1584
(11) Carfentanil;	1585
(12) Remifentanil;	1586
(13) Sufentanil;	1587
(14) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-	1588
phenethyl)-4- piperidinyl]-N-phenylacetamide); and	1589
(15) Any compound that meets all of the following fentanyl	1590
pharmacophore requirements to bind at the mu receptor, as	1591
identified by a report from an established forensic laboratory,	1592
including acetylfentanyl, furanylfentanyl, valerylfentanyl,	1593
butyrylfentanyl, isobutyrylfentanyl, 4-methoxybutyrylfentanyl,	1594
para-fluorobutyrylfentanyl, acrylfentanyl, and ortho-	1595
fluorofentanyl:	1596
(a) A chemical scaffold consisting of both of the	1597
following:	1598
(i) A five, six, or seven member ring structure containing	1599
a nitrogen, whether or not further substituted;	1600
(ii) An attached nitrogen to the ring, whether or not that	1601
nitrogen is enclosed in a ring structure, including an attached	1602
aromatic ring or other lipophilic group to that nitrogen.	1603
(b) A polar functional group attached to the chemical	1604
scaffold, including but not limited to a hydroxyl, ketone,	1605
amide, or ester;	1606
(c) An alkyl or aryl substitution off the ring nitrogen of	1607
the chemical scaffold; and	1608

(d) The compound has not been approved for medical use by the United States food and drug administration.

(LL) "First degree felony mandatory prison term" means one of the definite prison terms prescribed in division (A) (1) (b) of section 2929.14 of the Revised Code for a felony of the first degree, except that if the violation for which sentence is being imposed is committed on or after March 22, 2019, it means one of the minimum prison terms prescribed in division (A) (1) (a) of that section for a felony of the first degree.

(MM) "Second degree felony mandatory prison term" means one of the definite prison terms prescribed in division (A) (2) (b) of section 2929.14 of the Revised Code for a felony of the second degree, except that if the violation for which sentence is being imposed is committed on or after March 22, 2019, it means one of the minimum prison terms prescribed in division (A) (2) (a) of that section for a felony of the second degree.

(NN) "Maximum first degree felony mandatory prison term" means the maximum definite prison term prescribed in division (A) (1) (b) of section 2929.14 of the Revised Code for a felony of the first degree, except that if the violation for which sentence is being imposed is committed on or after March 22, 2019, it means the longest minimum prison term prescribed in division (A) (1) (a) of that section for a felony of the first degree.

(OO) "Maximum second degree felony mandatory prison term" means the maximum definite prison term prescribed in division (A) (2) (b) of section 2929.14 of the Revised Code for a felony of the second degree, except that if the violation for which sentence is being imposed is committed on or after March 22, 2019, it means the longest minimum prison term prescribed in division (A) (2) (a) of that section for a felony of the second

degree. 1640

(PP) "~~Delta-9 tetrahydrocannabinol~~" ~~has the same meaning~~ 1641
~~as in section 928.01 of the Revised Code~~means the sum of the 1642
percentage by weight of tetrahydrocannabinolic acid multiplied 1643
by 0.877 plus the percentage by weight of delta-9 1644
tetrahydrocannabinol. 1645

(QQ) An offense is "committed in the vicinity of a 1646
substance addiction services provider or a recovering addict" if 1647
either of the following apply: 1648

(1) The offender commits the offense on the premises of a 1649
substance addiction services provider's facility, including a 1650
facility licensed prior to June 29, 2019, under section 5119.391 1651
of the Revised Code to provide methadone treatment or an opioid 1652
treatment program licensed on or after that date under section 1653
5119.37 of the Revised Code, or within five hundred feet of the 1654
premises of a substance addiction services provider's facility 1655
and the offender knows or should know that the offense is being 1656
committed within the vicinity of the substance addiction 1657
services provider's facility. 1658

(2) The offender sells, offers to sell, delivers, or 1659
distributes the controlled substance or controlled substance 1660
analog to a person who is receiving treatment at the time of the 1661
commission of the offense, or received treatment within thirty 1662
days prior to the commission of the offense, from a substance 1663
addiction services provider and the offender knows that the 1664
person is receiving or received that treatment. 1665

(RR) "Substance addiction services provider" means an 1666
agency, association, corporation or other legal entity, 1667
individual, or program that provides one or more of the 1668
following at a facility: 1669

(1) Either alcohol addiction services, or drug addiction services, or both such services that are certified by the director of mental health and addiction services under section 5119.36 of the Revised Code;

(2) Recovery supports that are related to either alcohol addiction services, or drug addiction services, or both such services and paid for with federal, state, or local funds administered by the department of ~~mental health and addiction services~~ behavioral health or a board of alcohol, drug addiction, and mental health services.

(SS) "Premises of a substance addiction services provider's facility" means the parcel of real property on which any substance addiction service provider's facility is situated.

(TT) "Alcohol and drug addiction services" has the same meaning as in section 5119.01 of the Revised Code."

After line 1593, insert:

"Sec. 3719.01. As used in this chapter:

(A) "Administer" means the direct application of a drug, whether by injection, inhalation, ingestion, or any other means to a person or an animal.

(B) "Drug enforcement administration" means the drug enforcement administration of the United States department of justice or its successor agency.

(C) "Controlled substance" means a drug, compound, mixture, preparation, or substance included in schedule I, II, III, IV, or V.

(D) "Dangerous drug" has the same meaning as in section 4729.01 of the Revised Code.

(E) "Dispense" means to sell, leave with, give away,
dispose of, or deliver.

(F) "Distribute" means to deal in, ship, transport, or
deliver but does not include administering or dispensing a drug.

(G) "Drug" has the same meaning as in section 4729.01 of
the Revised Code.

(H) "Drug abuse offense" and "felony drug abuse offense"
have the same meanings as in section 2925.01 of the Revised
Code.

(I) "Federal drug abuse control laws" means the
"Comprehensive Drug Abuse Prevention and Control Act of 1970,"
84 Stat. 1242, 21 U.S.C. 801, as amended.

(J) "Hospital" means a facility registered as a hospital
with the department of health under section 3701.07 of the
Revised Code.

(K) "Hypodermic" means a hypodermic syringe or needle, or
other instrument or device for the injection of medication.

(L) "Manufacturer" means a person who manufactures a
controlled substance, as "manufacture" is defined in section
3715.01 of the Revised Code, and includes a "manufacturer of
dangerous drugs" as defined in section 4729.01 of the Revised
Code.

(M) "Marihuana" means all parts of a plant of the genus
cannabis, whether growing or not; the seeds of a plant of that
type; the resin extracted from a part of a plant of that type;
and every compound, manufacture, salt, derivative, mixture, or
preparation of a plant of that type or of its seeds or resin.
"Marihuana" does not include the mature stalks of the plant,
fiber produced from the stalks, oils or cake made from the seeds

of the plant, or any other compound, manufacture, salt, 1727
derivative, mixture, or preparation of the mature stalks, except 1728
the resin extracted from the mature stalks, fiber, oil or cake, 1729
or the sterilized seed of the plant that is incapable of 1730
germination. "Marihuana" does not include "hemp" ~~or a "hemp~~ 1731
~~product"~~ as those terms are that term is defined in section 1732
928.01 of the Revised Code. 1733

(N) "Narcotic drugs" means coca leaves, opium, 1734
isonipecaine, amidone, isoamidone, ketobemidone, as defined in 1735
this division, and every substance not chemically distinguished 1736
from them and every drug, other than cannabis, that may be 1737
included in the meaning of "narcotic drug" under the federal 1738
drug abuse control laws. As used in this division: 1739

(1) "Coca leaves" includes cocaine and any compound, 1740
manufacture, salt, derivative, mixture, or preparation of coca 1741
leaves, except derivatives of coca leaves, that does not contain 1742
cocaine, ecgonine, or substances from which cocaine or ecgonine 1743
may be synthesized or made. 1744

(2) "Isonipecaine" means any substance identified 1745
chemically as 1-methyl-4-phenyl-piperidine-4-carboxylic acid 1746
ethyl ester, or any salt thereof, by whatever trade name 1747
designated. 1748

(3) "Amidone" means any substance identified chemically as 1749
4-4-diphenyl-6-dimethylamino-heptanone-3, or any salt thereof, 1750
by whatever trade name designated. 1751

(4) "Isoamidone" means any substance identified chemically 1752
as 4-4-diphenyl-5-methyl-6-dimethylaminohexanone-3, or any salt 1753
thereof, by whatever trade name designated. 1754

(5) "Ketobemidone" means any substance identified 1755
chemically as 4-(3-hydroxyphenyl)-1-methyl-4-piperidyl ethyl 1756

ketone hydrochloride, or any salt thereof, by whatever trade 1757
name designated. 1758

(6) "Cocaine" has the same meaning as in section 2925.01 1759
of the Revised Code. 1760

(O) "Official written order" means an order written on a 1761
form provided for that purpose by the director of the United 1762
States drug enforcement administration, under any laws of the 1763
United States making provision for the order, if the order forms 1764
are authorized and required by federal law. 1765

(P) "Person" means any individual, corporation, 1766
government, governmental subdivision or agency, business trust, 1767
estate, trust, partnership, association, or other legal entity. 1768

(Q) "Pharmacist" means a person licensed under Chapter 1769
4729. of the Revised Code to engage in the practice of pharmacy. 1770

(R) "Pharmacy" has the same meaning as in section 4729.01 1771
of the Revised Code. 1772

(S) "Poison" means any drug, chemical, or preparation 1773
likely to be deleterious or destructive to adult human life in 1774
quantities of four grams or less. 1775

(T) "Licensed health professional authorized to prescribe 1776
drugs," "prescriber," and "prescription" have the same meanings 1777
as in section 4729.01 of the Revised Code. 1778

(U) "Sale" includes delivery, barter, exchange, transfer, 1779
or gift, or offer thereof, and each transaction of those natures 1780
made by any person, whether as principal, proprietor, agent, 1781
servant, or employee. 1782

(V) "Schedule I," "schedule II," "schedule III," "schedule 1783
IV," and "schedule V" mean controlled substance schedules I, II, 1784
III, IV, and V, respectively, as established by rule adopted 1785

under section 3719.41 of the Revised Code, as amended pursuant 1786
to section 3719.43 or 3719.44 of the Revised Code, or as 1787
established by emergency rule adopted under section 3719.45 of 1788
the Revised Code. 1789

(W) "Wholesaler" means a person who, on official written 1790
orders other than prescriptions, supplies controlled substances 1791
that the person has not manufactured, produced, or prepared 1792
personally and includes a "wholesale distributor of dangerous 1793
drugs" as defined in section 4729.01 of the Revised Code. 1794

(X) "Animal shelter" means a facility operated by a humane 1795
society or any society organized under Chapter 1717. of the 1796
Revised Code or a dog pound operated pursuant to Chapter 955. of 1797
the Revised Code. 1798

(Y) "Terminal distributor of dangerous drugs" has the same 1799
meaning as in section 4729.01 of the Revised Code. 1800

(Z) (1) "Controlled substance analog" means, except as 1801
provided in division (Z) (2) of this section, a substance to 1802
which both of the following apply: 1803

(a) The chemical structure of the substance is 1804
substantially similar to the structure of a controlled substance 1805
in schedule I or II. 1806

(b) One of the following applies regarding the substance: 1807

(i) The substance has a stimulant, depressant, or 1808
hallucinogenic effect on the central nervous system that is 1809
substantially similar to or greater than the stimulant, 1810
depressant, or hallucinogenic effect on the central nervous 1811
system of a controlled substance in schedule I or II. 1812

(ii) With respect to a particular person, that person 1813
represents or intends the substance to have a stimulant, 1814

depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance in schedule I or II.

(2) "Controlled substance analog" does not include any of the following:

(a) A controlled substance;

(b) Any substance for which there is an approved new drug application;

(c) With respect to a particular person, any substance if an exemption is in effect for investigational use for that person pursuant to federal law to the extent that conduct with respect to that substance is pursuant to that exemption;

(d) Any substance to the extent it is not intended for human consumption before the exemption described in division (Z) (2) (b) of this section takes effect with respect to that substance.

(AA) "Benzodiazepine" means a controlled substance that has United States food and drug administration approved labeling indicating that it is a benzodiazepine, benzodiazepine derivative, triazolobenzodiazepine, or triazolobenzodiazepine derivative, including the following drugs and their varying salt forms or chemical congeners: alprazolam, chlordiazepoxide hydrochloride, clobazam, clonazepam, clorazepate, diazepam, estazolam, flurazepam hydrochloride, lorazepam, midazolam, oxazepam, quazepam, temazepam, and triazolam.

(BB) "Opioid analgesic" means a controlled substance that has analgesic pharmacologic activity at the opioid receptors of the central nervous system, including the following drugs and their varying salt forms or chemical congeners: buprenorphine,

butorphanol, codeine (including acetaminophen and other
combination products), dihydrocodeine, fentanyl, hydrocodone
(including acetaminophen combination products), hydromorphone,
meperidine, methadone, morphine sulfate, oxycodone (including
acetaminophen, aspirin, and other combination products),
oxymorphone, tapentadol, and tramadol.

(CC) "Outsourcing facility," "repackager of dangerous
drugs," and "third-party logistics provider" have the same
meanings as in section 4729.01 of the Revised Code.

Sec. 3719.41. (A) For purposes of administration,
enforcement, and regulation of the manufacture, distribution,
dispensing, and possession of controlled substances, the state
board of pharmacy shall adopt rules in accordance with Chapter
119. of the Revised Code establishing schedule I, schedule II,
schedule III, schedule IV, and schedule V incorporating the five
schedules of controlled substances under the federal drug abuse
control laws.

The board may include in the schedules any compound,
mixture, preparation, or substance that was included in the
schedules immediately prior to March 22, 2020, as long as the
inclusion does not have the effect of providing less stringent
control of the compound, mixture, preparation, or substance than
is provided under the federal drug abuse control laws or
regulations adopted under those laws.

(B) Except as provided in section 3719.45 of the Revised
Code, the board periodically shall update the schedules by rule
adopted in accordance with Chapter 119. of the Revised Code to
correspond to any change in the federal drug abuse control laws
or regulations adopted under those laws, any addition, transfer,
or removal by congress or the attorney general of the United
States as described in section 3719.43 of the Revised Code, and

any addition, transfer, or removal by the board by rule adopted 1876
under section 3719.44 of the Revised Code. 1877

(C) Notwithstanding divisions (A) and (B) of this section, 1878
the board shall not adopt rules including hemp ~~or a hemp product~~ 1879
in a schedule as a controlled substance. 1880

(D) As used in this section, "hemp" ~~and "hemp product"~~ 1881
~~have~~ has the same ~~meanings~~ meaning as in section 928.01 of the 1882
Revised Code." 1883

Delete lines 1594 through 2164 1884

In line 2165, delete "3779.29 and" 1885

In line 2166, delete "3779.40 to 3779.48" and insert "3779.30"; 1886
delete ", except as provided in" 1887

In line 2167, delete "section 3779.40 of the Revised Code" 1888

In line 2168, after "(A)" insert ""AD retailer" means an A-1-A, A- 1889
1c, or class D permit holder under Chapter 4303. of the Revised Code. 1890

(B)"; delete "and "identification card" have the same" 1891

In line 2169, delete "meanings as in section 3779.01 of the Revised 1892
Code" and insert "means for use or consumption by the ultimate consumer 1893
and not for resale" 1894

In line 2170, delete "(B)" and insert "(C)"C retailer" means a class 1895
C permit holder under Chapter 4303. of the Revised Code. 1896

(D) "Delta-9 tetrahydrocannabinol" means the sum of the 1897
percentage by weight of tetrahydrocannabinolic acid multiplied 1898
by 0.877 plus the percentage by weight of delta-9 1899
tetrahydrocannabinol. 1900

(E) " 1901

In line 2173, delete ", offers for sale, arranges for sale, or" 1902

In line 2174, delete " <u>delivers</u> "; delete " <u>low-level or high-level</u> "	1903
In line 2175, delete " <u>a low-level or high-level</u> " and insert " <u>an AD or C</u> "	1904 1905
In line 2179, delete " <u>low-level or high-level</u> "	1906
In line 2180, delete " <u>a</u> " and insert " <u>an AD or C</u> "	1907
Delete lines 2181 through 2206	1908
In line 2207, delete " <u>level DCP</u> " and insert:	1909
"(F) " <u>Drinkable cannabinoid product</u> "	1910
Delete lines 2222 and 2223	1911
In line 2224, delete " <u>"Low-level retailer" means an A-1-A, A-1c, or class D</u> "	1912 1913
Delete line 2225 and insert " <u>"Hemp" means the plant Cannabis sativa L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than three-tenths per cent on a dry weight basis.</u> "	1914 1915 1916 1917 1918 1919
(H) " <u>Liquid hemp product</u> " means a liquid product, containing a delta-9 tetrahydrocannabinol concentration of not more than three-tenths per cent, that is made with hemp."	1920 1921 1922
In line 2226, delete " <u>(H)</u> " and insert " <u>(I) "Identification card" means a driver's or commercial driver's license, an identification card issued under sections 4507.50 to 4507.52 of the Revised Code or an equivalent identification card issued by another state, a military identification card issued by the United States department of defense, or a United States or foreign passport that displays a picture of the individual for whom the license, card, or passport is issued and shows</u> "	1923 1924 1925 1926 1927 1928 1929

<u>that the person buying is then at least twenty-one years of age.</u>	1930
<u>(J) "</u>	1931
In line 2227, delete " <u>low-level or</u> "	1932
In line 2228, delete " <u>high-level</u> "	1933
In line 2229, delete " <u>(I) "</u> and insert " <u>(K) "Ohio investigative unit"</u>	1934
<u>means the investigative unit maintained by the department of public safety</u>	1935
<u>under section 5502.13 of the Revised Code.</u>	1936
<u>(L) "</u>	1937
In line 2231, delete " <u>low-level or high-level</u> "	1938
In line 2234, delete " <u>(J) "</u> and insert " <u>(M) "; after "ounces." insert:</u>	1939
<u>"(N) "Tetrahydrocannabinol" means naturally occurring or</u>	1940
<u>synthetic equivalents, regardless of whether artificially or</u>	1941
<u>naturally derived, of the substances contained in the plant, or</u>	1942
<u>in the resinous extractives of cannabis, sp. or derivatives, and</u>	1943
<u>their isomers with similar chemical structure to delta-1-cis or</u>	1944
<u>trans tetrahydrocannabinol, and their optical isomers, salts and</u>	1945
<u>salts of isomers. "Tetrahydrocannabinol" includes, but is not</u>	1946
<u>limited to, delta-8 tetrahydrocannabinol, delta-10</u>	1947
<u>tetrahydrocannabinol, tetrahydrocannabinol-o acetate,</u>	1948
<u>tetrahydrocannabiphorol, tetrahydrocannabivarin,</u>	1949
<u>hexahydrocannabinol, delta-6-cis or trans tetrahydrocannabinol,</u>	1950
<u>delta-3, 4-cis or trans tetrahydrocannabinol, 9-</u>	1951
<u>hexahydrocannabinol, and delta-9-tetrahydrocannabinol acetate.</u>	1952
<u>Since nomenclature of these substances is not internationally</u>	1953
<u>standardized, compounds of these structures, regardless of</u>	1954
<u>designation of atomic positions, are included.</u>	1955
<u>"Tetrahydrocannabinol" does not include the following:</u>	1956
<u>(1) Tetrahydrocannabinols approved by the United States</u>	1957

<u>food and drug administration for marketing as a medication or</u>	1958
<u>recognized by the United States food and drug administration as</u>	1959
<u>generally recognized as safe.</u>	1960
<u>(2) Cannabichromene (CBC);</u>	1961
<u>(3) Cannabicyclol (CBL);</u>	1962
<u>(4) Cannabidiol (CBD);</u>	1963
<u>(5) Cannabidivarinol (CBDV);</u>	1964
<u>(6) Cannabielsoin (CBE);</u>	1965
<u>(7) Cannabigerol (CBG);</u>	1966
<u>(8) Cannabigerovarin (CBGV);</u>	1967
<u>(9) Cannabinol (CBN);</u>	1968
<u>(10) Cannabivarin (CBV).</u>	1969
<u>Sec. 3779.211.</u> Sections 3779.21 to 3779.30 of the Revised	1970
<u>Code are operative notwithstanding any other provision of the</u>	1971
<u>Revised Code to the contrary, including Chapter 928. of the</u>	1972
<u>Revised Code."</u>	1973
In line 2235, delete " <u>A low-level</u> " and insert " <u>An AD</u> "	1974
In line 2236, delete " <u>low-level</u> "	1975
In line 2237, after " <u>sold</u> " insert " <u>and for consumption off the</u>	1976
<u>premises where sold"</u>	1977
In line 2238, delete " <u>A high-level</u> " and insert " <u>A C</u> "; delete " <u>low-</u>	1978
<u>level or</u> "	1979
In line 2239, delete " <u>high-level</u> "	1980
In line 2242, delete " <u>low-level or high-level</u> "	1981
In line 2245, delete " <u>If the person is a manufacturer, sell a low-</u>	1982
<u>level or</u> "	1983

Delete lines 2246 and 2247	1984
In line 2248, delete " <u>(3)</u> "; delete " <u>low-level</u> "	1985
In line 2249, delete " <u>a low-</u> "	1986
In line 2250, delete " <u>level</u> " and insert " <u>an AD</u> "; delete " <u>high-level</u> " and insert " <u>C</u> "	1987 1988
Delete lines 2251 through 2253	1989
In line 2254, delete " <u>(5)</u> " and insert " <u>(3)</u> "; delete " <u>low-level or high-level</u> "	1990 1991
In line 2257, delete " <u>(6)</u> " and insert " <u>(4)</u> "; delete " <u>low-level</u> "	1992
In line 2259, delete " <u>a low-level or high-level</u> " and insert " <u>an AD or C</u> "	1993 1994
Delete lines 2260 through 2262	1995
In line 2263, delete " <u>(8)</u> " and insert " <u>(5)</u> "; delete " <u>low-level or high-level</u> "	1996 1997
In line 2266, delete " <u>(9)</u> " and insert " <u>(6)</u> "	1998
In line 2267, delete " <u>low-level or high-level</u> "	1999
In line 2270, delete " <u>(10)</u> " and insert " <u>(7)</u> "; delete " <u>low-level or high-level</u> "	2000 2001
Delete lines 2272 through 2277	2002
In line 2278, delete " <u>(12)</u> " and insert " <u>(8)</u> "; delete " <u>do</u> "	2003
Delete line 2279	2004
In line 2280, delete " <u>(a) Pay</u> " and insert " <u>pay</u> "; delete " <u>a low-level</u> " and insert " <u>an AD or C</u> "	2005 2006
In line 2282, delete " <u>low-level</u> "	2007
Delete lines 2284 through 2287	2008

In line 2288, delete " <u>(13)</u> " and insert " <u>(9)</u> "; delete " <u>a low-level or high-level</u> " and insert " <u>an AD or C</u> "	2009 2010
In line 2290, delete " <u>low-level or high-level</u> "	2011
In line 2291, delete " <u>, as applicable,</u> "	2012
In line 2293, delete " <u>(14)</u> " and insert " <u>(10)</u> "; delete " <u>a low-level</u> " and insert " <u>an AD</u> "	2013 2014
In line 2297, delete " <u>(15)</u> " and insert " <u>(11)</u> "; delete " <u>a low-level or high-level</u> " and insert " <u>an AD or C</u> "	2015 2016
In line 2298, delete " <u>low-level or high-level</u> "; delete " <u>, as</u> "	2017
In line 2299, delete " <u>applicable,</u> "	2018
In line 2301, delete " <u>(16)</u> " and insert " <u>(12)</u> "; delete " <u>a low-level or high-level</u> " and insert " <u>an AD or C</u> "	2019 2020
In line 2302, delete " <u>low-level or high-level</u> "	2021
In line 2303, delete " <u>, as applicable,</u> "	2022
In line 2304, delete " <u>low-level or high-level</u> "	2023
In line 2305, delete " <u>, as applicable,</u> "	2024
In line 2308, delete " <u>(17)</u> " and insert " <u>(13)</u> "; after " <u>distributor</u> " insert " <u>or manufacturer</u> "	2025 2026
In line 2309, delete " <u>a low-level or high-level</u> " and insert " <u>an AD or C</u> "; delete the second " <u>low-level or</u> "	2027 2028
In line 2310, delete " <u>high-level</u> "; delete " <u>, as applicable,</u> "	2029
In line 2313, delete " <u>(18)</u> " and insert " <u>(14)</u> "; delete " <u>low-level or high-level</u> "	2030 2031
In line 2325, delete " <u>(19)</u> " and insert " <u>(15)Advertise a drinkable cannabinoid product in a false or misleading manner;</u> "	2032 2033

(16) Advertise a drinkable cannabinoid product in a manner 2034
that is targeted or attractive to minors; 2035

(17) Advertise a drinkable cannabinoid product in a manner 2036
that promotes illegal activity or is obscene or indecent; 2037

(18)"; delete "rule" and insert "policy"; delete "3779.23" 2038
and insert "3779.24" 2039

Delete lines 2327 through 2343 2040

In line 2344, delete "3779.221" and insert "3779.23"; after the 2041
third "." insert "(A) The Ohio investigative unit shall enforce this 2042
chapter or cause it to be enforced. If the unit has information that this 2043
chapter has been violated, it may investigate the matter and take any 2044
action as it considers appropriate. The authority of the Ohio 2045
investigative unit is concurrent to the jurisdiction of any law 2046
enforcement officer to enforce this chapter. Nothing in this chapter shall 2047
be construed to limit or supersede the authority of any law enforcement 2048
officer or agency." 2049

(B)"; delete "The" and insert "Except as provided in 2050
division (C) of this section, the" 2051

In line 2346, delete "who" and insert "that"; delete "division (B) 2052
of section" 2053

In line 2347, delete "3779.22" and insert "sections 3779.21 to 2054
3779.30"; after "Code" insert ", including"; delete "or any rules" and 2055
insert "any policies"; after "under" insert "division (A) of" 2056

In line 2348, delete "3779.23" and insert "3779.24" 2057

In line 2349, delete "rules" and insert "policies"; delete "3779.23" 2058
and insert "3779.24" 2059

Delete lines 2351 through 2360 and insert "(C) The superintendent of 2060
cannabis control may impose an administrative penalty or take other 2061

enforcement actions against a person that violates a policy established 2062
under division (B) of section 3779.24 of the Revised Code. Administrative 2063
penalties shall be set forth in policies adopted under section 3779.24 of 2064
the Revised Code. 2065

(D) (1) A person that has an administrative penalty imposed 2066
or has other enforcement action taken against the person under 2067
division (B) of this section may appeal the penalty or action to 2068
the liquor control commission in accordance with Chapter 4301. 2069
of the Revised Code and rules adopted under it. 2070

(2) A person that has an administrative penalty imposed or 2071
has other enforcement action taken against the person under 2072
division (C) of this section may appeal the penalty or action in 2073
accordance with the requirements and procedures established in 2074
rules adopted under section 3796.03 of the Revised Code for 2075
medical marijuana and adult-use marijuana." 2076

In line 2361, delete "3779.23" and insert "3779.24"; delete "Not 2077
later than six months after" and insert "(A) On" 2078

In line 2363, delete "adopt rules in accordance with Chapter 119. of 2079
the" 2080

In line 2364, delete "Revised Code" and insert "establish policies" 2081

In line 2365, delete "rules" and insert "policies" 2082

Delete lines 2367 through 2373 2083

In line 2374, delete "(C)" and insert "(1)"; delete "low-level and 2084
high-level" 2085

Delete lines 2376 through 2385 2086

In line 2386, delete "(F)" and insert "(2)"; delete "Establish the" 2087
and insert "The" 2088

In line 2387, delete "3779.221" and insert "3779.23" 2089

After line 2388, insert: 2090

"(3) Any other enforcement actions that may be taken by 2091
the superintendent under section 3779.23 of the Revised Code. 2092

(B) On the effective date of this section, the 2093
superintendent of cannabis control shall establish policies for 2094
all of the following: 2095

(1) The testing of drinkable cannabinoid products under 2096
section 3779.25 of the Revised Code, including policies 2097
governing the issuance of a certificate of analysis as required 2098
under section 3779.25 of the Revised Code; 2099

(2) Creation and maintenance of a list of approved 2100
tetrahydrocannabinols that may be included for use in drinkable 2101
cannabinoid products; 2102

(3) The amount of administrative penalties to be imposed 2103
by the superintendent under section 3779.23 of the Revised Code 2104
and procedures for imposing such penalties." 2105

Delete lines 2389 through 2399 2106

In line 2400, delete "low-level or" 2107

In line 2401, delete "high-level" 2108

In line 2402, delete "rules" and insert "policies"; delete "3779.23" 2109
and insert "3779.24" 2110

In line 2405, delete "low-level" and insert "AD" 2111

In line 2406, delete "high-level" and insert "C"; delete "low-level" 2112
or" 2113

In line 2407, delete "high-level"; delete ", as applicable," 2114

In line 2408, delete "rules" and insert "policies" 2115

In line 2409, delete "3779.23" and insert "3779.24" 2116

In line 2411, delete " <u>rules</u> " and insert " <u>policies</u> "	2117
In line 2415, delete " <u>low-level or high-</u> "	2118
In line 2416, delete " <u>level</u> "	2119
In line 2419, delete " <u>liquor control</u> " and insert " <u>the division of cannabis control</u> "	2120 2121
In line 2425, delete " <u>rules</u> " and insert " <u>policies</u> "; delete " <u>3779.23</u> " and insert " <u>3779.24</u> "	2122 2123
In line 2426, after " <u>Code.</u> " insert " <u>The facility shall retain records relating to the certificate of analysis for one year after the testing is conducted.</u> "	2124 2125 2126
In line 2427, delete " <u>low-level</u> " and insert " <u>AD</u> "; delete " <u>high-level</u> " and insert " <u>C</u> "	2127 2128
In line 2429, delete " <u>low-level or high-level</u> "	2129
In line 2434, delete " <u>(A)</u> "; delete " <u>rules</u> " and insert " <u>policies</u> "; delete " <u>adopted</u> " and insert " <u>established</u> "	2130 2131
In line 2435, delete " <u>3779.23</u> " and insert " <u>3779.24</u> "	2132
In line 2436, delete " <u>low-level or high-level</u> "	2133
In line 2438, delete " <u>the following information in legible</u> "	2134
Delete lines 2439 through 2448	2135
In line 2449, delete " <u>(7) The</u> " and insert " <u>the</u> "	2136
In line 2450, delete " <u>as required</u> " and insert " <u>issued</u> "	2137
In line 2451, delete " <u>;</u> "	2138
Delete lines 2452 through 2466	2139
In line 2467, delete " <u>symbol (D8441/D8441M)</u> "	2140
In line 2468, delete " <u>A manufacturer shall include the amount of</u> "	2141

Delete lines 2469 through 2475	2142
In line 2476, delete " <u>(C)</u> "	2143
In line 2487, delete " <u>low-level or high-level</u> "	2144
In line 2493, delete " <u>low-level or high-level</u> "	2145
In line 2498, delete " <u>a low-level</u> " and insert " <u>an AD</u> "; delete " <u>high-level</u> " and insert " <u>C</u> "	2146 2147
In line 2501, delete " <u>low-level</u> " and insert " <u>AD</u> "; delete " <u>high-level</u> " and insert " <u>C</u> "	2148 2149
Delete lines 2503 through 2526	2150
In line 2527, delete " <u>(D)</u> " and insert " <u>(B)</u> "	2151
In line 2528, delete " <u>low-level</u> " and insert " <u>AD</u> "; delete " <u>high-level</u> " and insert " <u>C</u> "	2152 2153
In line 2529, delete " <u>low-level</u> " and insert " <u>AD</u> "	2154
In line 2530, delete " <u>high-level</u> " and insert " <u>C</u> "; delete " <u>low-level</u> " and insert " <u>AD</u> "	2155 2156
In line 2531, delete " <u>high-level</u> " and insert " <u>C</u> "	2157
In line 2532, delete " <u>low-level or high-level</u> "	2158
Delete lines 2536 and 2537	2159
In line 2544, delete " <u>low-level or high-level</u> "	2160
In line 2559, delete " <u>low-level</u> "	2161
In line 2560, delete " <u>a low-level</u> " and insert " <u>an AD</u> "; delete the second " <u>low-level</u> " and insert " <u>AD</u> "	2162 2163
In line 2561, delete " <u>low-level</u> "	2164
In line 2565, delete " <u>low-level or high-level</u> "	2165

In line 2575, delete " <u>(A) As used in this section:</u> "	2166
Delete lines 2576 through 2591 and insert " <u>A person may manufacture</u>	2167
<u>a liquid hemp product that is a beverage intended for human consumption</u>	2168
<u>that is not in compliance with the requirements for drinkable cannabinoid</u>	2169
<u>products established in this chapter, provided the product is solely for</u>	2170
<u>export outside of this state.</u> "	2171
Delete lines 2592 through 3018	2172
In line 3019, delete " <u>Except as provided in division (B) of</u> "	2173
Delete lines 3020 through 3045	2174
In line 3046, delete " <u>(E)</u> "	2175
In line 3050, delete " <u>(F)</u> " and insert " <u>(B)</u> "; delete " <u>(B) (8)</u> " and	2176
insert " <u>(B) (5)</u> "	2177
In line 3054, delete " <u>(G)</u> " and insert " <u>(C)</u> "	2178
Delete lines 3056 through 3068	2179
In line 3220, delete " <u>"Intoxicating hemp product" has the same</u>	2180
<u>meaning as"</u>	2181
Delete line 3221	2182
In line 3222, delete " <u>(27)</u> "	2183
In line 3492, after " <u>marijuana,</u> " insert " <u>and</u> "; delete " <u>, and</u> "	2184
In line 3493, delete " <u>intoxicating hemp products</u> "	2185
In line 3497, after " <u>marijuana,</u> " insert " <u>or</u> "; delete " <u>, or</u>	2186
<u>intoxicating hemp products"</u>	2187
In line 3505, delete " <u>or intoxicating hemp products</u> "	2188
In line 3515, delete " <u>or intoxicating hemp products</u> "	2189
In line 5057, delete " <u>intoxicating hemp product as defined in</u>	2190

<u>section"</u>	2191
In line 5058, delete " <u>3779.01 of the Revised Code,</u> "	2192
After line 5274, insert:	2193
"Sec. 4729.01. As used in this chapter:	2194
(A) "Pharmacy," except when used in a context that refers	2195
to the practice of pharmacy, means any area, room, rooms, place	2196
of business, department, or portion of any of the foregoing	2197
where the practice of pharmacy is conducted.	2198
(B) "Practice of pharmacy" means providing pharmacist care	2199
requiring specialized knowledge, judgment, and skill derived	2200
from the principles of biological, chemical, behavioral, social,	2201
pharmaceutical, and clinical sciences. As used in this division,	2202
"pharmacist care" includes the following:	2203
(1) Interpreting prescriptions;	2204
(2) Dispensing drugs and drug therapy related devices;	2205
(3) Compounding drugs;	2206
(4) Counseling individuals with regard to their drug	2207
therapy, recommending drug therapy related devices, and	2208
assisting in the selection of drugs and appliances for treatment	2209
of common diseases and injuries and providing instruction in the	2210
proper use of the drugs and appliances;	2211
(5) Performing drug regimen reviews with individuals by	2212
discussing all of the drugs that the individual is taking and	2213
explaining the interactions of the drugs;	2214
(6) Performing drug utilization reviews with licensed	2215
health professionals authorized to prescribe drugs when the	2216
pharmacist determines that an individual with a prescription has	2217
a drug regimen that warrants additional discussion with the	2218

prescriber;	2219
(7) Advising an individual and the health care professionals treating an individual with regard to the individual's drug therapy;	2220 2221 2222
(8) Acting pursuant to a consult agreement, if an agreement has been established;	2223 2224
(9) Engaging in the administration of immunizations to the extent authorized by section 4729.41 of the Revised Code;	2225 2226
(10) Engaging in the administration of drugs to the extent authorized by section 4729.45 of the Revised Code.	2227 2228
(C) "Compounding" means the preparation, mixing, assembling, packaging, and labeling of one or more drugs in any of the following circumstances:	2229 2230 2231
(1) Pursuant to a prescription issued by a licensed health professional authorized to prescribe drugs;	2232 2233
(2) Pursuant to the modification of a prescription made in accordance with a consult agreement;	2234 2235
(3) As an incident to research, teaching activities, or chemical analysis;	2236 2237
(4) In anticipation of orders for drugs pursuant to prescriptions, based on routine, regularly observed dispensing patterns;	2238 2239 2240
(5) Pursuant to a request made by a licensed health professional authorized to prescribe drugs for a drug that is to be used by the professional for the purpose of direct administration to patients in the course of the professional's practice, if all of the following apply:	2241 2242 2243 2244 2245
(a) At the time the request is made, the drug is not	2246

commercially available regardless of the reason that the drug is 2247
not available, including the absence of a manufacturer for the 2248
drug or the lack of a readily available supply of the drug from 2249
a manufacturer. 2250

(b) A limited quantity of the drug is compounded and 2251
provided to the professional. 2252

(c) The drug is compounded and provided to the 2253
professional as an occasional exception to the normal practice 2254
of dispensing drugs pursuant to patient-specific prescriptions. 2255

(D) "Consult agreement" means an agreement that has been 2256
entered into under section 4729.39 of the Revised Code. 2257

(E) "Drug" means: 2258

(1) Any article recognized in the United States 2259
pharmacopoeia and national formulary, or any supplement to them, 2260
intended for use in the diagnosis, cure, mitigation, treatment, 2261
or prevention of disease in humans or animals; 2262

(2) Any other article intended for use in the diagnosis, 2263
cure, mitigation, treatment, or prevention of disease in humans 2264
or animals; 2265

(3) Any article, other than food, intended to affect the 2266
structure or any function of the body of humans or animals; 2267

(4) Any article intended for use as a component of any 2268
article specified in division (E) (1), (2), or (3) of this 2269
section; but does not include devices or their components, 2270
parts, or accessories. 2271

"Drug" does not include "hemp" ~~or a "hemp product"~~ as 2272
~~those terms are that term is~~ defined in section 928.01 of the 2273
Revised Code. 2274

(F) "Dangerous drug" means any of the following:	2275
(1) Any drug to which either of the following applies:	2276
(a) Under the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, as amended, the drug is required to bear a label containing the legend "Caution: Federal law prohibits dispensing without prescription" or "Caution: Federal law restricts this drug to use by or on the order of a licensed veterinarian" or any similar restrictive statement, or the drug may be dispensed only upon a prescription;	2277 2278 2279 2280 2281 2282 2283
(b) Under Chapter 3715. or 3719. of the Revised Code, the drug may be dispensed only upon a prescription.	2284 2285
(2) Any drug that contains a schedule V controlled substance and that is exempt from Chapter 3719. of the Revised Code or to which that chapter does not apply;	2286 2287 2288
(3) Any drug intended for administration by injection into the human body other than through a natural orifice of the human body;	2289 2290 2291
(4) Any drug that is a biological product, as defined in section 3715.01 of the Revised Code.	2292 2293
(G) "Federal drug abuse control laws" has the same meaning as in section 3719.01 of the Revised Code.	2294 2295
(H) "Prescription" means all of the following:	2296
(1) A written, electronic, or oral order for drugs or combinations or mixtures of drugs to be used by a particular individual or for treating a particular animal, issued by a licensed health professional authorized to prescribe drugs;	2297 2298 2299 2300
(2) For purposes of sections 4723.4810, 4729.282, 4730.432, and 4731.93 of the Revised Code, a written,	2301 2302

electronic, or oral order for a drug to treat chlamydia, 2303
gonorrhea, or trichomoniasis issued to and in the name of a 2304
patient who is not the intended user of the drug but is the 2305
sexual partner of the intended user; 2306

(3) For purposes of sections 3313.7110, 3313.7111, 2307
3314.143, 3326.28, 3328.29, 4723.483, 4729.88, 4730.433, 2308
4731.96, and 5180.26 of the Revised Code, a written, electronic, 2309
or oral order for an epinephrine autoinjector issued to and in 2310
the name of a school, school district, or camp; 2311

(4) For purposes of Chapter 3728. and sections 4723.483, 2312
4729.88, 4730.433, and 4731.96 of the Revised Code, a written, 2313
electronic, or oral order for an epinephrine autoinjector issued 2314
to and in the name of a qualified entity, as defined in section 2315
3728.01 of the Revised Code; 2316

(5) For purposes of sections 3313.7115, 3313.7116, 2317
3314.147, 3326.60, 3328.38, 4723.4811, 4730.437, 4731.92, and 2318
5180.262 of the Revised Code, a written, electronic, or oral 2319
order for injectable or nasally administered glucagon in the 2320
name of a school, school district, or camp. 2321

(I) "Licensed health professional authorized to prescribe 2322
drugs" or "prescriber" means an individual who is authorized by 2323
law to prescribe drugs or dangerous drugs or drug therapy 2324
related devices in the course of the individual's professional 2325
practice, including only the following: 2326

(1) A dentist licensed under Chapter 4715. of the Revised 2327
Code; 2328

(2) A clinical nurse specialist, certified nurse-midwife, 2329
or certified nurse practitioner who holds a current, valid 2330
license issued under Chapter 4723. of the Revised Code to 2331
practice nursing as an advanced practice registered nurse; 2332

(3) A certified registered nurse anesthetist who holds a	2333
current, valid license issued under Chapter 4723. of the Revised	2334
Code to practice nursing as an advanced practice registered	2335
nurse, but only to the extent of the nurse's authority under	2336
sections 4723.43 and 4723.434 of the Revised Code;	2337
(4) An optometrist licensed under Chapter 4725. of the	2338
Revised Code to practice optometry;	2339
(5) A physician authorized under Chapter 4731. of the	2340
Revised Code to practice medicine and surgery, osteopathic	2341
medicine and surgery, or podiatric medicine and surgery;	2342
(6) A physician assistant who holds a license to practice	2343
as a physician assistant issued under Chapter 4730. of the	2344
Revised Code, holds a valid prescriber number issued by the	2345
state medical board, and has been granted physician-delegated	2346
prescriptive authority;	2347
(7) A veterinarian licensed under Chapter 4741. of the	2348
Revised Code;	2349
(8) A certified mental health assistant licensed under	2350
Chapter 4772. of the Revised Code who has been granted	2351
physician-delegated prescriptive authority by the physician	2352
supervising the certified mental health assistant.	2353
(J) "Sale" or "sell" includes any transaction made by any	2354
person, whether as principal proprietor, agent, or employee, to	2355
do or offer to do any of the following: deliver, distribute,	2356
broker, exchange, gift or otherwise give away, or transfer,	2357
whether the transfer is by passage of title, physical movement,	2358
or both.	2359
(K) "Wholesale sale" and "sale at wholesale" mean any sale	2360
in which the purpose of the purchaser is to resell the article	2361
purchased or received by the purchaser.	2362

(L) "Retail sale" and "sale at retail" mean any sale other than a wholesale sale or sale at wholesale.

(M) "Retail seller" means any person that sells any dangerous drug to consumers without assuming control over and responsibility for its administration. Mere advice or instructions regarding administration do not constitute control or establish responsibility.

(N) "Price information" means the price charged for a prescription for a particular drug product and, in an easily understandable manner, all of the following:

(1) The proprietary name of the drug product;

(2) The established (generic) name of the drug product;

(3) The strength of the drug product if the product contains a single active ingredient or if the drug product contains more than one active ingredient and a relevant strength can be associated with the product without indicating each active ingredient. The established name and quantity of each active ingredient are required if such a relevant strength cannot be so associated with a drug product containing more than one ingredient.

(4) The dosage form;

(5) The price charged for a specific quantity of the drug product. The stated price shall include all charges to the consumer, including, but not limited to, the cost of the drug product, professional fees, handling fees, if any, and a statement identifying professional services routinely furnished by the pharmacy. Any mailing fees and delivery fees may be stated separately without repetition. The information shall not be false or misleading.

(O) "Wholesale distributor of dangerous drugs" or 2392
"wholesale distributor" means a person engaged in the sale of 2393
dangerous drugs at wholesale and includes any agent or employee 2394
of such a person authorized by the person to engage in the sale 2395
of dangerous drugs at wholesale. 2396

(P) "Manufacturer of dangerous drugs" or "manufacturer" 2397
means a person, other than a pharmacist or prescriber, who 2398
manufactures dangerous drugs and who is engaged in the sale of 2399
those dangerous drugs. 2400

(Q) "Terminal distributor of dangerous drugs" or "terminal 2401
distributor" means a person who is engaged in the sale of 2402
dangerous drugs at retail, or any person, other than a 2403
manufacturer, repackager, outsourcing facility, third-party 2404
logistics provider, wholesale distributor, or pharmacist, who 2405
has possession, custody, or control of dangerous drugs for any 2406
purpose other than for that person's own use and consumption. 2407
"Terminal distributor" includes pharmacies, hospitals, nursing 2408
homes, and laboratories and all other persons who procure 2409
dangerous drugs for sale or other distribution by or under the 2410
supervision of a pharmacist, licensed health professional 2411
authorized to prescribe drugs, or other person authorized by the 2412
state board of pharmacy. 2413

(R) "Promote to the public" means disseminating a 2414
representation to the public in any manner or by any means, 2415
other than by labeling, for the purpose of inducing, or that is 2416
likely to induce, directly or indirectly, the purchase of a 2417
dangerous drug at retail. 2418

(S) "Person" includes any individual, partnership, 2419
association, limited liability company, or corporation, the 2420
state, any political subdivision of the state, and any district, 2421
department, or agency of the state or its political 2422

subdivisions. 2423

(T) (1) "Animal shelter" means a facility operated by a 2424
humane society or any society organized under Chapter 1717. of 2425
the Revised Code or a dog pound operated pursuant to Chapter 2426
955. of the Revised Code. 2427

(2) "County dog warden" means a dog warden or deputy dog 2428
warden appointed or employed under section 955.12 of the Revised 2429
Code. 2430

(U) "Food" has the same meaning as in section 3715.01 of 2431
the Revised Code. 2432

(V) "Pain management clinic" has the same meaning as in 2433
section 4731.054 of the Revised Code. 2434

(W) "Investigational drug or product" means a drug or 2435
product that has successfully completed phase one of the United 2436
States food and drug administration clinical trials and remains 2437
under clinical trial, but has not been approved for general use 2438
by the United States food and drug administration. 2439
"Investigational drug or product" does not include controlled 2440
substances in schedule I, as defined in section 3719.01 of the 2441
Revised Code. 2442

(X) "Product," when used in reference to an 2443
investigational drug or product, means a biological product, 2444
other than a drug, that is made from a natural human, animal, or 2445
microorganism source and is intended to treat a disease or 2446
medical condition. 2447

(Y) "Third-party logistics provider" means a person that 2448
provides or coordinates warehousing or other logistics services 2449
pertaining to dangerous drugs including distribution, on behalf 2450
of a manufacturer, wholesale distributor, or terminal 2451
distributor of dangerous drugs, but does not take ownership of 2452

the drugs or have responsibility to direct the sale or 2453
disposition of the drugs. 2454

(Z) "Repackager of dangerous drugs" or "repackager" means 2455
a person that repacks and relabels dangerous drugs for sale or 2456
distribution. 2457

(AA) "Outsourcing facility" means a facility that is 2458
engaged in the compounding and sale of sterile drugs and is 2459
registered as an outsourcing facility with the United States 2460
food and drug administration. 2461

(BB) "Laboratory" means a laboratory licensed under this 2462
chapter as a terminal distributor of dangerous drugs and 2463
entrusted to have custody of any of the following drugs and to 2464
use the drugs for scientific and clinical purposes and for 2465
purposes of instruction: dangerous drugs that are not controlled 2466
substances, as defined in section 3719.01 of the Revised Code; 2467
dangerous drugs that are controlled substances, as defined in 2468
that section; and controlled substances in schedule I, as 2469
defined in that section. 2470

(CC) "Overdose reversal drug" means both of the following: 2471

(1) Naloxone; 2472

(2) Any other drug that the state board of pharmacy, 2473
through rules adopted in accordance with Chapter 119. of the 2474
Revised Code, designates as a drug that is approved by the 2475
federal food and drug administration for the reversal of a known 2476
or suspected opioid-related overdose." 2477

In line 5648, after "Chapters" insert "3779.," 2478

In line 5651, delete "3779.03," 2479

In line 5660, delete "rules" 2480

In line 5661, delete "adopted" and insert "policies established" 2481

In line 5775, delete " <u>3779.</u> ,"	2482
Delete lines 5824 through 6148	2483
Delete lines 6347 through 6418	2484
In line 6420, after "715.013" insert ", 928.02, 928.03, 928.04,	2485
2925.01, 3376.07, 3719.01, 3719.41, 3780.37, 3796.01, 3796.02, 3796.03,	2486
3796.05, 3796.06, 3796.07, 3796.09, 3796.10, 3796.12, 3796.13, 3796.14,	2487
3796.15, 3796.17, 3796.18, 3796.19, 3796.20, 3796.21, 3796.22, 3796.23,	2488
3796.24, 3796.27, 3796.28, 3796.29, 3796.30, 3796.31, 4506.01, 4729.01,	2489
4735.18, 4796.25, 5502.01, 5502.13, 5502.14, 5703.052, and 5713.30";	2490
delete ",928.01, 928.03, 3376.07, 3780.37, 3796.01,"	2491
Delete lines 6421 through 6425	2492
In line 6426, delete "5703.50, 5703.70, 5703.77, 5713.30, and	2493
5743.45"	2494
In line 6428, after "sections" insert "928.01,"	2495
After line 6434, insert:	2496
"Section 4. That sections 3779.21, 3779.211, 3779.22,	2497
3779.23, 3779.24, 3779.25, 3779.26, 3779.27, 3779.28, 3779.29,	2498
3779.30, and 3779.99 of the Revised Code are hereby repealed,	2499
effective December 31, 2026."	2500
Delete lines 6435 through 6440	2501
After line 6440, insert:	2502
"Section 5. That existing section 4506.01 of the Revised	2503
Code amended by Section 1 of this act be amended to read as	2504
follows:	2505
Sec. 4506.01. As used in this chapter:	2506
(A) "Alcohol concentration" means the concentration of	2507

alcohol in a person's blood, breath, or urine. When expressed as	2508
a percentage, it means grams of alcohol per the following:	2509
(1) One hundred milliliters of whole blood, blood serum,	2510
or blood plasma;	2511
(2) Two hundred ten liters of breath;	2512
(3) One hundred milliliters of urine.	2513
(B) "Commercial driver's license" means a license issued	2514
in accordance with this chapter that authorizes an individual to	2515
drive a commercial motor vehicle.	2516
(C) "Commercial driver's license information system" means	2517
the information system established pursuant to the requirements	2518
of the "Commercial Motor Vehicle Safety Act of 1986," 100 Stat.	2519
3207-171, 49 U.S.C.A. App. 2701.	2520
(D) Except when used in section 4506.25 of the Revised	2521
Code, "commercial motor vehicle" means any motor vehicle	2522
designed or used to transport persons or property that meets any	2523
of the following qualifications:	2524
(1) Any combination of vehicles with a gross vehicle	2525
weight or combined gross vehicle weight rating of twenty-six	2526
thousand one pounds or more, provided the gross vehicle weight	2527
or gross vehicle weight rating of the vehicle or vehicles being	2528
towed is in excess of ten thousand pounds;	2529
(2) Any single vehicle with a gross vehicle weight or	2530
gross vehicle weight rating of twenty-six thousand one pounds or	2531
more;	2532
(3) Any single vehicle or combination of vehicles that is	2533
not a class A or class B vehicle, but is designed to transport	2534
sixteen or more passengers including the driver;	2535

(4) Any school bus with a gross vehicle weight or gross
vehicle weight rating of less than twenty-six thousand one
pounds that is designed to transport fewer than sixteen
passengers including the driver;

(5) Is transporting hazardous materials for which
placarding is required under subpart F of 49 C.F.R. part 172, as
amended;

(6) Any single vehicle or combination of vehicles that is
designed to be operated and to travel on a public street or
highway and is considered by the federal motor carrier safety
administration to be a commercial motor vehicle, including, but
not limited to, a motorized crane, a vehicle whose function is
to pump cement, a rig for drilling wells, and a portable crane.

(E) "Controlled substance" means all of the following:

(1) Any substance classified as a controlled substance
under the "Controlled Substances Act," 80 Stat. 1242 (1970), 21
U.S.C.A. 802(6), as amended;

(2) Any substance included in schedules I through V of 21
C.F.R. part 1308, as amended;

(3) Any drug of abuse.

(F) "Conviction" means an unvacated adjudication of guilt
or a determination that a person has violated or failed to
comply with the law in a court of original jurisdiction or an
authorized administrative tribunal, an unvacated forfeiture of
bail or collateral deposited to secure the person's appearance
in court, a plea of guilty or nolo contendere accepted by the
court, the payment of a fine or court cost, or violation of a
condition of release without bail, regardless of whether or not
the penalty is rebated, suspended, or probated.

(G) "Disqualification" means any of the following:	2565
(1) The suspension, revocation, or cancellation of a	2566
person's privileges to operate a commercial motor vehicle;	2567
(2) Any withdrawal of a person's privileges to operate a	2568
commercial motor vehicle as the result of a violation of state	2569
or local law relating to motor vehicle traffic control other	2570
than parking, vehicle weight, or vehicle defect violations;	2571
(3) A determination by the federal motor carrier safety	2572
administration that a person is not qualified to operate a	2573
commercial motor vehicle under 49 C.F.R. 391.	2574
(H) "Domiciled" means having a true, fixed, principal, and	2575
permanent residence to which an individual intends to return.	2576
(I) "Downgrade" means any of the following, as applicable:	2577
(1) A change in the commercial driver's license, or	2578
commercial driver's license temporary instruction permit,	2579
holder's self-certified status as described in division (A) (1)	2580
of section 4506.10 of the Revised Code;	2581
(2) A change to a lesser class of vehicle;	2582
(3) Removal of commercial driver's license privileges from	2583
the individual's driver's license;	2584
(4) A change in the commercial driver's license, or	2585
commercial driver's license temporary instruction permit,	2586
holder's privileges as described in division (F) (1) of section	2587
4506.13 of the Revised Code.	2588
(J) "Drive" means to drive, operate, or be in physical	2589
control of a motor vehicle.	2590
(K) "Driver" means any person who drives, operates, or is	2591
in physical control of a commercial motor vehicle or is required	2592

to have a commercial driver's license. 2593

(L) "Driver's license" means a license issued by the 2594
bureau of motor vehicles that authorizes an individual to drive. 2595

(M) "Drug of abuse" means any controlled substance, 2596
dangerous drug as defined in section 4729.01 of the Revised 2597
Code, harmful intoxicant as defined in section 2925.01 of the 2598
Revised Code, ~~drinkable cannabinoid product as defined in~~ 2599
~~section 3779.21 of the Revised Code,~~ or over-the-counter 2600
medication that, when taken in quantities exceeding the 2601
recommended dosage, can result in impairment of judgment or 2602
reflexes. 2603

(N) "Electronic device" includes a cellular telephone, a 2604
personal digital assistant, a pager, a computer, and any other 2605
device used to input, write, send, receive, or read text. 2606

(O) "Eligible unit of local government" means a village, 2607
township, or county that has a population of not more than three 2608
thousand persons according to the most recent federal census. 2609

(P) "Employer" means any person, including the federal 2610
government, any state, and a political subdivision of any state, 2611
that owns or leases a commercial motor vehicle or assigns a 2612
person to drive such a motor vehicle. 2613

(Q) "Endorsement" means an authorization on a person's 2614
commercial driver's license that is required to permit the 2615
person to operate a specified type of commercial motor vehicle. 2616

(R) "Farm truck" means a truck controlled and operated by 2617
a farmer for use in the transportation to or from a farm, for a 2618
distance of not more than one hundred fifty miles, of products 2619
of the farm, including livestock and its products, poultry and 2620
its products, floricultural and horticultural products, and in 2621
the transportation to the farm, from a distance of not more than 2622

one hundred fifty miles, of supplies for the farm, including 2623
tile, fence, and every other thing or commodity used in 2624
agricultural, floricultural, horticultural, livestock, and 2625
poultry production, and livestock, poultry, and other animals 2626
and things used for breeding, feeding, or other purposes 2627
connected with the operation of the farm, when the truck is 2628
operated in accordance with this division and is not used in the 2629
operations of a motor carrier, as defined in section 4923.01 of 2630
the Revised Code. 2631

(S) "Fatality" means the death of a person as the result 2632
of a motor vehicle accident occurring not more than three 2633
hundred sixty-five days prior to the date of death. 2634

(T) "Felony" means any offense under federal or state law 2635
that is punishable by death or specifically classified as a 2636
felony under the law of this state, regardless of the penalty 2637
that may be imposed. 2638

(U) "Foreign jurisdiction" means any jurisdiction other 2639
than a state. 2640

(V) "Gross vehicle weight rating" means the value 2641
specified by the manufacturer as the maximum loaded weight of a 2642
single or a combination vehicle. The gross vehicle weight rating 2643
of a combination vehicle is the gross vehicle weight rating of 2644
the power unit plus the gross vehicle weight rating of each 2645
towed unit. 2646

(W) "Hazardous materials" means any material that has been 2647
designated as hazardous under 49 U.S.C. 5103 and is required to 2648
be placarded under subpart F of 49 C.F.R. part 172 or any 2649
quantity of a material listed as a select agent or toxin in 42 2650
C.F.R. part 73, as amended. 2651

(X) "Imminent hazard" means the existence of a condition 2652

that presents a substantial likelihood that death, serious
illness, severe personal injury, or a substantial endangerment
to health, property, or the environment may occur before the
reasonably foreseeable completion date of a formal proceeding
begun to lessen the risk of that death, illness, injury, or
endangerment.

(Y) "Medical variance" means one of the following received
by a driver from the federal motor carrier safety administration
that allows the driver to be issued a medical certificate:

(1) An exemption letter permitting operation of a
commercial motor vehicle under 49 C.F.R. 381, subpart C or 49
C.F.R. 391.64;

(2) A skill performance evaluation certificate permitting
operation of a commercial motor vehicle pursuant to 49 C.F.R.
391.49.

(Z) "Mobile telephone" means a mobile communication device
that falls under or uses any commercial mobile radio service as
defined in 47 C.F.R. 20, except that mobile telephone does not
include two-way or citizens band radio services.

(AA) "Motor vehicle" means a vehicle, machine, tractor,
trailer, or semitrailer propelled or drawn by mechanical power
used on highways, except that such term does not include a
vehicle, machine, tractor, trailer, or semitrailer operated
exclusively on a rail.

(BB) "Out-of-service order" means a declaration by an
authorized enforcement officer of a federal, state, local,
Canadian, or Mexican jurisdiction declaring that a driver,
commercial motor vehicle, or commercial motor carrier operation
is out of service as defined in 49 C.F.R. 390.5.

(CC) "Peace officer" has the same meaning as in section

2935.01 of the Revised Code.	2683
(DD) "Portable tank" means a liquid or gaseous packaging designed primarily to be loaded onto or temporarily attached to a vehicle and equipped with skids, mountings, or accessories to facilitate handling of the tank by mechanical means.	2684 2685 2686 2687
(EE) "Public safety vehicle" has the same meaning as in divisions (E) (1) and (3) of section 4511.01 of the Revised Code.	2688 2689
(FF) "Recreational vehicle" includes every vehicle that is defined as a recreational vehicle in section 4501.01 of the Revised Code and is used exclusively for purposes other than engaging in business for profit.	2690 2691 2692 2693
(GG) "Residence" means any person's residence determined in accordance with standards prescribed in rules adopted by the registrar.	2694 2695 2696
(HH) "School bus" has the same meaning as in section 4511.01 of the Revised Code.	2697 2698
(II) "Serious traffic violation" means any of the following:	2699 2700
(1) A conviction arising from a single charge of operating a commercial motor vehicle in violation of any provision of section 4506.03 of the Revised Code;	2701 2702 2703
(2) (a) Except as provided in division (II) (2) (b) of this section, a violation while operating a commercial motor vehicle of a law of this state, or any municipal ordinance or county or township resolution, or any other substantially similar law of another state or political subdivision of another state prohibiting either of the following:	2704 2705 2706 2707 2708 2709
(i) Texting while driving;	2710

(ii) Using a handheld mobile telephone.	2711
(b) It is not a serious traffic violation if the person	2712
was texting or using a handheld mobile telephone to contact law	2713
enforcement or other emergency services.	2714
(3) A conviction arising from the operation of any motor	2715
vehicle that involves any of the following:	2716
(a) A single charge of any speed in excess of the posted	2717
speed limit by fifteen miles per hour or more;	2718
(b) Violation of section 4511.20 or 4511.201 of the	2719
Revised Code or any similar ordinance or resolution, or of any	2720
similar law of another state or political subdivision of another	2721
state;	2722
(c) Violation of a law of this state or an ordinance or	2723
resolution relating to traffic control, other than a parking	2724
violation, or of any similar law of another state or political	2725
subdivision of another state, that results in a fatal accident;	2726
(d) Violation of section 4506.03 of the Revised Code or a	2727
substantially similar municipal ordinance or county or township	2728
resolution, or of any similar law of another state or political	2729
subdivision of another state, that involves the operation of a	2730
commercial motor vehicle without a valid commercial driver's	2731
license with the proper class or endorsement for the specific	2732
vehicle group being operated or for the passengers or type of	2733
cargo being transported;	2734
(e) Violation of section 4506.03 of the Revised Code or a	2735
substantially similar municipal ordinance or county or township	2736
resolution, or of any similar law of another state or political	2737
subdivision of another state, that involves the operation of a	2738
commercial motor vehicle without a valid commercial driver's	2739
license being in the person's possession;	2740

(f) Violation of section 4511.33 or 4511.34 of the Revised Code, or any municipal ordinance or county or township resolution substantially similar to either of those sections, or any substantially similar law of another state or political subdivision of another state; 2741
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(g) Violation of any other law of this state, any law of another state, or any ordinance or resolution of a political subdivision of this state or another state that meets both of the following requirements: 2746
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(i) It relates to traffic control, other than a parking violation; 2750
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(ii) It is determined to be a serious traffic violation by the United States secretary of transportation and is designated by the director as such by rule. 2752
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(JJ) "State" means a state of the United States and includes the District of Columbia. 2755
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(KK) "Tank vehicle" means any commercial motor vehicle that is designed to transport any liquid or gaseous materials within a tank or tanks that are either permanently or temporarily attached to the vehicle or its chassis and have an individual rated capacity of more than one hundred nineteen gallons and an aggregate rated capacity of one thousand gallons or more. "Tank vehicle" does not include a commercial motor vehicle transporting an empty storage container tank that is not designed for transportation, has a rated capacity of one thousand gallons or more, and is temporarily attached to a flatbed trailer. 2757
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(LL) "Tester" means a person or entity acting pursuant to a valid agreement entered into pursuant to division (B) of section 4506.09 of the Revised Code. 2768
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(MM) "Texting" means manually entering alphanumeric text into, or reading text from, an electronic device. Texting includes short message service, e-mail, instant messaging, a command or request to access a world wide web page, pressing more than a single button to initiate or terminate a voice communication using a mobile telephone, or engaging in any other form of electronic text retrieval or entry, for present or future communication. Texting does not include the following:

(1) Using voice commands to initiate, receive, or terminate a voice communication using a mobile telephone;

(2) Inputting, selecting, or reading information on a global positioning system or navigation system;

(3) Pressing a single button to initiate or terminate a voice communication using a mobile telephone; or

(4) Using, for a purpose that is not otherwise prohibited by law, a device capable of performing multiple functions, such as a fleet management system, a dispatching device, a mobile telephone, a citizens band radio, or a music player.

(NN) "Texting while driving" means texting while operating a commercial motor vehicle, with the motor running, including while temporarily stationary because of traffic, a traffic control device, or other momentary delays. Texting while driving does not include operating a commercial motor vehicle with or without the motor running when the driver has moved the vehicle to the side of, or off, a highway and is stopped in a location where the vehicle can safely remain stationary.

(OO) "United States" means the fifty states and the District of Columbia.

(PP) "Upgrade" means a change in the class of vehicles, endorsements, or self-certified status as described in division

(A) (1) of section 4506.10 of the Revised Code, that expands the
ability of a current commercial driver's license holder to
operate commercial motor vehicles under this chapter.

(QQ) "Use of a handheld mobile telephone" means:

(1) Using at least one hand to hold a mobile telephone to
conduct a voice communication;

(2) Dialing or answering a mobile telephone by pressing
more than a single button; or

(3) Reaching for a mobile telephone in a manner that
requires a driver to maneuver so that the driver is no longer in
a seated driving position, or restrained by a seat belt that is
installed in accordance with 49 C.F.R. 393.93 and adjusted in
accordance with the vehicle manufacturer's instructions.

(RR) "Vehicle" has the same meaning as in section 4511.01
of the Revised Code.

Section 6. That existing section 4506.01 of the Revised
Code as amended by Section 1 of this act is hereby repealed.

Section 7. Sections 5 and 6 of this act take effect
December 31, 2026."

In line 6441, delete "5" and insert "8"

In line 6468, delete "6" and insert "9"

In line 6474, delete "7" and insert "10"

In line 6483, delete "8" and insert "11"

In line 6490, delete "9" and insert "12"

In line 6499, delete "10" and insert "13"

The motion was _____ agreed to.

SYNOPSIS

Intoxicating hemp products and DCPs

**R.C. sections 928.01, 928.03, 928.031, and Chapter 3779;
various R.C. cross-references; Sections 4 and 5**

Removes the bill's provisions governing intoxicating hemp products, including the tax levied on those products, and replaces those provisions with new federally compliant hemp definitions that narrow the scope of what is considered hemp by specifying, in part, that hemp does not include any final hemp-derived cannabinoid product that:

1. Exceeds .4 mg of total tetrahydrocannabinol (THC) per container;

2. Includes cannabinoids that are not capable of being naturally produced by a Cannabis sativa L. plant; and

3. Includes cannabinoids that are capable of being naturally produced by a Cannabis sativa L. plant and were synthesized or manufactured outside the plant.

As a result, requires products that fall outside the scope of the new narrowed hemp definition to be considered marijuana and sold exclusively in marijuana dispensaries.

Requires the Superintendent of Cannabis Control, in consultation with the Director of Agriculture, to establish certain lists related to the definition of hemp, including:

1. Cannabinoids known to be capable of being naturally produced by a Cannabis sativa L. plant;

2. THC class cannabinoids known to the Superintendent to be naturally occurring in the plant Cannabis sativa L.;

3. All other known cannabinoids with similar effects to,

or marketed to have similar effects to, THC class cannabinoids;	2854
and	2855
4. Any additional cannabinoids that have similar effects	2856
or are marketed to have similar effects on humans or animals as	2857
a THC.	2858
Requires the Superintendent to update the lists based on	2859
changes made by applicable federal agencies.	2860
Eliminates the bill's permanent drinkable cannabinoid	2861
product (DCP) program and replaces it with a temporary program	2862
that remains in effect until December 31, 2026.	2863
Regarding the temporary DCP program, does the following:	2864
1. Eliminates the low-level and high-level DCP categories	2865
in the Passed-House version, and replaces those categories with	2866
only one category - DCPs;	2867
2. Allows A-1-A, A-1c (added by the amendment), and D	2868
class liquor permit holders to sell DCPs for on- and off-	2869
premises consumption;	2870
3. Allows C class liquor permit holders to sell DCPs for	2871
off-premises consumption;	2872
4. Requires the Superintendent of Liquor Control to	2873
establish policies, rather than adopting rules, for the	2874
administration and enforcement of the temporary DCP program,	2875
including policies governing the labeling of DCPs and	2876
administrative penalties for violations of the DCP law;	2877
5. Requires the Superintendent of Cannabis Control, rather	2878
than the Superintendent of Liquor Control as in the House-passed	2879
version, to adopt policies governing all of the following:	2880
--The testing of DCPs;	2881

--Creation and maintenance of a list of approved THC's that	2882
may be included in DCP's; and	2883
--The amount of administrative penalties for violating	2884
those policies.	2885
6. Eliminates the requirement that a DCP manufacturer must	2886
register with the Superintendent of Liquor Control;	2887
7. Eliminates all information that must be included on a	2888
DCP label, other than the amount of THC, in milligrams, as	2889
identified by the certificate of analysis issued by a testing	2890
facility; and	2891
8. Removes the bill's provisions that levy a tax on DCP's.	2892

_____ moved to amend as follows:

In line 674, strike through "section 9.79 and"; reinsert "(B) (2)	2893
(b)"; delete " <u>(B)</u> "	2894
Delete lines 3166 through 3195	2895
In line 3196, delete " <u>(21)</u> " and insert " <u>(20)</u> "	2896
In line 3201, delete " <u>(22)</u> " and insert " <u>(21)</u> "	2897
In line 3206, delete " <u>(23)</u> " and insert " <u>(22)</u> "	2898
In line 3211, delete " <u>(24)</u> " and insert " <u>(23)</u> "	2899
In line 3216, delete " <u>(25)</u> " and insert " <u>(24)</u> "	2900
In line 3220, delete " <u>(26)</u> " and insert " <u>(25)</u> "	2901
In line 3222, delete " <u>(27)</u> " and insert " <u>(26)</u> "	2902
In line 3259, reinsert "both of"; reinsert "following:"	2903
In line 3260, reinsert "(a) The"	2904
In line 3262, reinsert "(b) "	2905
In line 3263, after " the " insert " <u>The</u> "; reinsert "criminal	2906
offenses"; after " which " insert " <u>that disqualify</u> "; reinsert "an applicant"	2907

In line 3264, reinsert "from"; after "~~section~~" insert "licensure
under this chapter, which shall include, at minimum, any felony offense";
reinsert ".".

In line 3636, after "~~offenses~~" insert "offense, as"; reinsert
"specified"

In line 3637, reinsert "in rules adopted under"; reinsert "division
(B) (2) (b) of"

In line 3638, reinsert "section 3796.03 of the Revised Code"; delete
"offense"

In line 3775, after "~~offenses~~" insert "offense, as"; reinsert
"specified"

In line 3776, reinsert "in rules adopted under"; reinsert "division
(B) (2) (b) of"

In line 3777, reinsert "section 3796.03 of the Revised Code"; delete
"offense"

The motion was _____ agreed to.

SYNOPSIS

Disqualifying offenses

R.C. 109.572, 3796.01, 3796.03, 3796.09, and 3796.10

Removes the defined term "disqualifying offense" for
purposes of specifying those offenses for which a person is
ineligible for licensure under the Cannabis Control Program and
instead allows the Division of Cannabis Control to adopt rules
specifying those offenses which disqualify a person for

licensure under the Cannabis Control Program. 2931

Specifies that all felony offenses disqualify an applicant 2932
for licensure. 2933

_____ moved to amend as follows:

In line 4807, delete " <u>marijuana receipts</u> " and insert " <u>adult use tax</u> "	2934
In line 4808, delete " <u>Investment earnings of</u> "	2935
Delete line 4809	2936
In line 4810, delete " <u>marijuana receipts</u> " and insert " <u>adult use tax</u> "	2937
In line 4816, delete " <u>marijuana receipts</u> " and insert " <u>adult use tax</u> "	2938
In line 4828, delete " <u>Distributions</u> " and insert " <u>The tax</u>	2939
<u>commissioner shall make distributions</u> "; delete " <u>shall be made</u> "	2940
Delete lines 4830 through 4834	2941
In line 6494, delete "Director of Budget and"	2942
In line 6495, delete "Management" and insert "Tax Commissioner"	2943

The motion was _____ agreed to.

SYNOPSIS 2944

Adult-use marijuana excise tax revenue 2945

R.C. 3796.40; Section 9

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Changes the name of the fund that holds marijuana excise
tax receipts from the Marijuana Receipts Fund to the Adult Use
Tax Fund, which is the same fund name that holds marijuana tax
revenue under current law.

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Removes a provision crediting interest earned by that Fund
to that Fund.

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Requires TAX, instead of OBM, to distribute marijuana
excise tax revenue to municipalities and townships that have
adult-use marijuana dispensaries.

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Sub. S. B. No. 56
As Passed by the House

_____ moved to amend as follows:

In line 4431, reinsert "a person's status as a registered patient
or" 2956
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In line 4432, reinsert "caregiver"; delete "engaging in activity
authorized by this chapter" 2958
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The motion was _____ agreed to.

SYNOPSIS 2960

Factual basis for field sobriety test 2961

R.C. 3796.24 2962

Does both of the following regarding the factual basis to
conduct a field sobriety test: 2963
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1. Removes a House-passed provision that specifies that 2965
engaging in authorized marijuana activities in accordance with 2966
the Marijuana Control Law is not a sufficient basis for 2967
conducting a field sobriety test on the person or for suspending 2968

the person's driver's license; and instead 2969

2. Restores current law that states that a person's status 2970
as a registered medical marijuana patient or caregiver is not a 2971
sufficient basis for the field sobriety test or suspension. 2972

_____ moved to amend as follows:

In line 1487, delete "(H)" and insert "(G)"

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The motion was _____ agreed to.

SYNOPSIS

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Corrective amendment

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R.C. 2953.321

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Corrects an incorrect cross-reference in the bill's
provisions governing expungement.

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Sub. S. B. No. 56
As Passed by the House

_____ moved to amend as follows:

After line 6506, insert:

"**Section 11.** Should the federal government legalize hemp beverages at tetrahydrocannabinol limits greater than those allowable under the version of 7 U.S.C. 1639o, et seq., set to take effect on November 12, 2026, it is the intent of the General Assembly to review the federal enactment and consider a more robust regulatory framework of these products, including licensure, registration, taxation, and responsible consumer and child protections in an effort to legalize hemp beverages for sale and consumption in Ohio beyond December 31, 2026. Nothing in this section shall be interpreted to legalize drinkable cannabinoid products, as defined in section 3779.21 of the Revised Code, or hemp beverages beyond December 31, 2026."

The motion was _____ agreed to.

SYNOPSIS

Statement of intent

Section 11

2994

Specifies that, should the federal government legalize
hemp beverages at tetrahydrocannabinol limits greater than those
allowable under the version of 7 U.S.C. 1639o, et seq., set to
take effect on November 12, 2026, it is the intent of the
General Assembly to review the federal enactment and consider a
more robust regulatory framework of these products, including
licensure, registration, taxation, and responsible consumer and
child protections in an effort to legalize hemp beverages for
sale and consumption in Ohio beyond December 31, 2026.

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Also specifies that nothing in the above statement may be
interpreted to legalize drinkable cannabinoid products or hemp
beverages beyond December 31, 2026.

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