

DRUG ENFORCEMENT AND POLICY CENTER

Comparison of Issue 2 Recreational Marijuana Initiative and Revisions by the Ohio General Assembly

In November 2023, Ohio voters approved a ballot initiative that legalized adult-use marijuana, becoming the 24th state in the nation to allow for recreational use of cannabis. The *Act to Control and Regulate Adult Use Cannabis* (Issue 2) went into effect on December 7, 2023. On December 9, 2025, The Ohio General Assembly passed Senate Bill 56, which makes several changes to Ohio’s marijuana laws and for the first time addresses drinkable cannabinoid products (although all sections addressing drinkable cannabinoid products are automatically repealed on December 31, 2026). The bill is silent on other intoxicating hemp products, though changes to federal law enacted in November 2025 (going into effect November 2026), have effectively closed the “federal loophole.” Governor DeWine issued an executive order in October 2025 that would have halted sales of intoxicating hemp products if not for a restraining order which has since been extended to January 2026. If the restraining order is not renewed, it will bring an end to the non-drinkable intoxicating hemp industry in Ohio. The table below provides a comparison of the changes to the existing marijuana laws as well as provisions addressing drinkable cannabinoid products.

Table 1. SB 56 as passed by Ohio General Assembly in December 2025 compared to Issue 2

Provision	An Act to Control and Regulate Adult Use Cannabis (Issue 2) <i>in effect since 12/7/2023</i>	SB 56 – as passed by the Ohio General Assembly in December 2025
Proposal Type	Initiated Statute	State Legislature
Sponsors	The Coalition to Regulate Marijuana Like Alcohol	Senator Stephen Huffman
Regulatory Agencies	Division of Cannabis Control (within Department of Commerce)	Division of Cannabis Control (within the Department of Commerce) Department of Agriculture - Hemp processors license and hemp cultivator license Superintendent of Liquor Control - administers rules/enforcement for drinkable cannabinoid products

Provision	An Act to Control and Regulate Adult Use Cannabis (Issue 2) <i>in effect since 12/7/2023</i>	SB 56 – as passed by the Ohio General Assembly in December 2025
Age	Adults 21 years and older	Adults 21 years and older for both adult-use marijuana and drinkable cannabinoid products.
Taxes	10% Adult use Tax Subject to state (5.75%) and local (0 - 2.25%) sales tax.	Marijuana: <ul style="list-style-type: none"> • 10% Adult use excise tax (Sec. 3796.40) • Subject to state (5.75%) and local (0 - 2.25%) sales tax Drinkable cannabinoid products: <ul style="list-style-type: none"> • No special tax levied on drinkable cannabinoid products besides standard sales taxes.
Revenue Allocated	<ul style="list-style-type: none"> • 36% – The Cannabis Social Equity and Jobs Fund • 36% – The Host Community Cannabis Fund • 25% – The Substance Abuse and Addiction Fund • 3% – The Division of Cannabis Control and Tax Commissioner Fund 	Adult Use Tax Fund (Sec. 3796.40): <ul style="list-style-type: none"> • 36% Host Community Fund distributed on monthly basis • 64% General Revenue Fund
Definitions	Adult use cannabis " or "cannabis " or "marijuana" means marihuana as defined in section 3719.01 of the Revised Code.	Adult Use Marijuana: “Adult-use marijuana” means marijuana that is cultivated, processed, dispensed, or tested for, or possessed or used by, an adult-use consumer, in accordance with this chapter. (Sec. 3796.01. (A) (9)) This definition would effectively exclude marijuana products produced and dispensed outside of Ohio. Hemp and drinkable cannabinoid products: Redefines hemp as “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 total tetrahydrocannabinols concentration, including tetrahydrocannabinolic acid, of not more than 0.3% on a dry weight basis.” (Sec. 928.01) – <u>this is a change</u> from current definition of hemp that specifies “with a delta-9 tetrahydrocannabinol concentration of not more than 0.3% on a dry weight basis.” Enacts Sections 3779.21, 3779.211, 3779.22, 3779.23, 3779.24, 3779.25, 3779.26, 3779.27, 3779.28, 3779.29, 3779.30, and 3779.99 to regulate drinkable cannabinoid products, <u>setting an automatic repeal date for all sections on December 31, 2026</u> (Sec. 4 – lines 6740-6743). This effectively regulates the sale of drinkable cannabinoid products in the state of Ohio until the federal ban on intoxicating hemp products goes into effect in December 2026. “Drinkable cannabinoid product” means a liquid hemp product which contains cannabinoids derived from hemp, the product does not include a drug as defined in Sec. 4729.01, the product does not contain more than 0.3% of any THC, the product does not contain more than 5 mg of total THC per serving, and the product contained does not contain more than one serving (12 fluid ounces). (Sec. 3779.21 (F) & (M))

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		<p>Retailers are not permitted to sell drinkable cannabinoid products that contain alcohol. (Sec. 3779.22 (B) (7)).</p> <p>"Tetrahydrocannabinol" (THC) means naturally occurring substances contained in the plant, or in the resinous extractives of cannabis, sp. or derivatives, and their isomers with similar chemical structure to delta-1-cis or trans tetrahydrocannabinol, and their optical isomers, salts and salts of isomers.</p> <p>"Tetrahydrocannabinol" (THC) includes, but is not limited to, delta-8 tetrahydrocannabinol, delta-10 tetrahydrocannabinol, tetrahydrocannabinol-o acetate, tetrahydrocannabiphorol, tetrahydrocannabivarin, hexahydrocannabinol, delta-6-cis or trans tetrahydrocannabinol, delta-3,4-cis or trans tetrahydrocannabinol, 9-hexahydrocannabinol, and delta-9- tetrahydrocannabinol acetate. Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of designation of atomic positions, are included. (Sec. 3779.21 (N))</p> <p>"Tetrahydrocannabinol" does not include the following:</p> <ul style="list-style-type: none"> • Tetrahydrocannabinols approved by the United States food and drug administration as a medication or recognized by the United States food and drug administration as generally recognized as safe. • Cannabichromene (CBC), Cannabicyclol (CBL); Cannabidiol (CBD), Cannabidivanol (CBDV); Cannabielsoin (CBE); Cannabigerol (CBG); Cannabigerovarin (CBGV); Cannabinol (CBN); Cannabivarin (CBV).
License Types	<ul style="list-style-type: none"> • Level I Cultivator and Level I Adult Use Cultivator (100K sqf) • Level II Cultivator and Level II Adult Use Cultivator (15K sqf) • Level III Cultivator and Level III Adult Use Cultivator (5K sqf) (plus 40 social equity licenses) • Processor • Dispensary (plus 50 social equity licenses) • Testing Laboratory 	<p>Marijuana:</p> <ul style="list-style-type: none"> • Cultivator: Level I (up to 100K sqf) and Level II (up to 15k sqf) • Processor • Dispensary • Laboratory <p>Eliminates Level III Cultivator licenses and 50 dispensary licenses for social equity and jobs applicants.</p> <p>Drinkable cannabinoid products (Sec. 3779.22):</p> <ul style="list-style-type: none"> • An AD retailer (A-1-A, A-1c, or class D permit holder under Chapter 4303) may sell at retail drinkable cannabinoid products for consumption on the premises where sold and for consumption off the premises where sold. (Sec. 3779.22 (A)) • A C retailer (class C permit holder under chapter 4303) may sell at retail drinkable cannabinoid products for consumption off the premises where sold. (Sec. 3779.22 (A)) • "Distributor" means a class B permit holder under Chapter 4303., or the holder of an equivalent permit issued by another state, that sells a drinkable cannabinoid product to an AD or C retailer located in Ohio. (Sec. 3779.22 (E)) <p>Hemp licensing:</p> <p>No new licensing regulation for hemp cultivation, processing or distribution. Sec. 928.02 and 928.03 remain largely unchanged.</p>

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Geographical and other license limitations	Limitations imposed in respect to geographical location of cannabis operator: <ul style="list-style-type: none"> • 500 feet of a geographic boundary of a church, school, public library, public park, or a public playground. • Prohibits location of a new dispensary within one mile of an existing dispensary. 	Marijuana (Same as Issue 2): <ul style="list-style-type: none"> • 500 feet of a geographic boundary of a church, school, public library, public park, or a public playground. (Sec. 3796.30. (A)) • Prohibits location of a new dispensary within one mile of an existing dispensary. (Sec. 3796.05 (B) (4)) • Prohibits issuance of dispensary license for a location or facility which has a permit to sell beer or intoxicating liquor. (Sec. 3796.05 (B)) Drinkable cannabinoid products: <ul style="list-style-type: none"> • Each manufacturer assigns specific sales areas to each of their distributors. Only the assigned distributor can distribute the given manufacturer’s products in the designated sales area. • If the manufacturer manufactures more than one brand of drinkable cannabinoid product, the manufacturer may assign sales areas to additional distributors for the distribution and sale of the additional brands, so long as not more than one distributor distributes the same brands within the same sales area or territory. • A distributor can only distribute products in their assigned sales area.
License Cap	Technically no – Division of Cannabis Control shall review the number of adult use cannabis operator licenses on a biannual basis and may authorize additional licenses after considering: market growth, consumer demand, the available supply of adult use cannabis and the geographic distribution of adult use dispensary sites. Sets caps on how many licenses a person or entity can own: <ul style="list-style-type: none"> • 8 – dispensary licenses • 1 – cultivator license • 1 – processor license 	Marijuana licenses: <ul style="list-style-type: none"> • Dispensaries - capped at 400 licenses. (Sec. 3796.05. (B)) • Cultivators - Division of Cannabis Control shall determine the number of licensed cultivators that will be allowed to operate by considering all of the following: State population, the number of patients seeking to use medical marijuana, the number of adult-use consumers. (Sec. 3796.05.(A)) • No person shall own or operate more than eight licensed dispensaries, more than one licensed cultivator, or more than one licensed processor license at any time. (Sec. 3796.05.(C))
Expected Date of Licenses Issuance	9 months after December 7, 2023	Marijuana – Licenses already being issued.
Application Requirements	<ul style="list-style-type: none"> • Applicant must not have a disqualifying offense. Certain offenses may still be eligible if there was a guilty plea entered or conviction found 5 years prior to the application. 	Marijuana: Applicant must meet all the following eligibility requirements (Sec. 3796.09): <ul style="list-style-type: none"> • Applicant must undergo a criminal records check and has not been convicted of or pleaded guilty to a disqualifying offense, which includes any felony offenses.

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	<ul style="list-style-type: none"> • Must not have a conflict of interest with testing laboratories as an adult use operator applicant, and vice versa. • Applicant must demonstrate location is not within 500 feet of a prohibited facility (certain exemptions apply). • Applicant must also be in compliance with tax laws of Ohio and meet all other license eligibility considerations established by the adopted rules. • Applicant is not employed by a regulatory body of a governmental unit of this state and in that capacity has significant influence or control, as determined by the division of cannabis control, over the ability of the applicant to conduct business in this state. 	<ul style="list-style-type: none"> • Applicant must demonstrate location is not within 500 feet of a prohibited facility (certain exemptions apply). • Applicant must be in compliance with tax laws of Ohio. • Adult-use cannabis cultivator or processor applicant must not have any financial ties to a laboratory license, or an applicant seeking a license to conduct laboratory testing or share corporate officers or employees with ties to a laboratory license, and vice versa. • Applicant must have sufficient liquid capital and the ability to meet financial responsibility requirements. • Applicant must demonstrate the location they're seeking to operate has not passed a moratorium or taken any other action prohibiting marijuana operators. • Applicant must pay any fee required by the division. • Application does not contain false, misleading, or deceptive information and does not omit material information. • Applicant meets all other licensure eligibility conditions established in rules adopted under 3796.03 of the ORC.
Vertical Integration	<p>Permitted, but certain restrictions apply.</p> <p>Must not have a conflict of interest with testing laboratories as an adult use operator applicant, and vice versa.</p>	<p>Marijuana:</p> <p>Permitted, but certain restrictions apply.</p> <p>Must not have a conflict of interest with testing laboratories as an adult use operator applicant, and vice versa.</p>
Local Authority	<p>Yes – localities may adopt ordinances to prohibit adult-use dispensaries but may not prohibit or limit existing operational medical marijuana cultivators, processors, or dispensaries; or an adult use cultivator or an adult use processor, or an adult use dispensary who is co-located with adult use cultivator and an adult use process, who have, or whose owner have, a medical marijuana certificate of operation at the same location as of the effective date of this act. Municipal corporation or township may vote to prohibit the operation of an adult use dispensary within 120 days of the dispensary license being issued.</p>	<p>Marijuana:</p> <p>Local governments can adopt an ordinance or a resolution to prohibit, or limit the number of licensed cultivators, licensed processors, or retail licensed dispensaries within their jurisdiction. (Sec. 3796.29 (A))</p> <p>The bill also establishes provisions prohibiting localities from banning or restricting marijuana operators that are licensed prior to the bill being enacted or limiting research related to marijuana conducted at a state university, academic medical center, or private research and development organization. (Sec. 3796.29 (B and C))</p> <p>Prohibits local authority from assessing additional taxes and fees on marijuana businesses that are not assessed to all businesses in their jurisdiction. (Sec. 3796.31)</p>

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Packaging and Labeling Regulations		<p>Marijuana:</p> <p>All marijuana products must be packaged in accordance with child-resistant effectiveness standards described in 16 C.F.R. 1700.15(b) effective on September 8, 2016; a processor must label packaging with the product's tetrahydrocannabinol and cannabidiol content. (Sec. 3796.19. (B) (1) & (2))</p> <p>All packages containing marijuana must have a label that includes a statement that the use of adult-use marijuana by individuals under twenty-one years of age is both harmful and illegal and that includes information about the quantity, strength, kind, or form of adult-use marijuana contained in the package. (Sec. 3796 (C) (3))</p> <p>Marijuana shall not be packaged, advertised, or otherwise marketed using any graphic, picture, or drawing that bears any resemblance to a cartoon character, or any fictional character or popular culture figure whose target audience is children or youth. (Sec. 3796.32. (D))</p> <p>Adult-use marijuana and medical marijuana cannot be sold in a form or shape that bears the likeness or contains the characteristics of a realistic or fictional human, animal, or fruit, including artistic, caricature, or cartoon renderings. (Sec. 3796.06 (D))</p> <p>Drinkable cannabinoid products:</p> <p>A manufacturer shall include a label on each drinkable cannabinoid product container that it sells or offers for sale in this state that includes the amount of tetrahydrocannabinol, in milligrams, as identified in the certificate of analysis (Sec. 3779.26)</p>
Marketing Restrictions	<p>The division of cannabis control may adopt rules regulating advertisements of license holders to prevent advertisements that are false, misleading, targeted to minors, promote excessive use, or that promote illegal activity.</p> <p>Rules adopted by the division of cannabis control shall not require preapproval and shall not overly burden the legitimate commercial speech of adult use cannabis operators in communicating with adult use consumers. Notwithstanding, the division of cannabis control may adopt narrowly tailored time and place restrictions preventing advertising targeted to minors.</p>	<p>Marijuana:</p> <p>Any rules regulating the advertisement of adult-use marijuana shall be at least as stringent as the most stringent federal or state laws or rules governing the advertisement of tobacco or alcohol. (Sec. 3796.32 (B))</p> <p>Marketing materials have to be approved by the division for medical and adult use marijuana. (Sec. 3796.32 (G))</p> <p>No person shall advertise that adult-use marijuana has any health or therapeutic benefits. (Sec. 3796.32 (E))</p> <p>Adult-use or medical marijuana shall not be dispensed or sold in a form or shape that bears the likeness or contains the characteristics of a realistic or fictional human, animal, or fruit, including artistic, caricature, or cartoon renderings. (Sec. 3796.06 (D) (2))</p> <p>The division of cannabis control may adopt rules regulating the advertisement of adult-use marijuana to prevent advertisements that are false, misleading, targeted to minors, promote excessive use, promote illegal activity, are obscene or indecent, contain depictions of marijuana use, or promote marijuana as an intoxicant. (Sec. 3796.32. (A))</p>

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		<p>Any rules the division adopts regulating the advertisement of adult-use marijuana shall be at least as stringent as the most stringent federal or state laws or rules governing the advertisement of tobacco or alcohol. (Sec. 3796.32. (B))</p> <p>Marijuana shall not be packaged, advertised, or otherwise marketed using any graphic, picture, or drawing that bears any resemblance to a cartoon character, or any fictional character or popular culture figure whose target audience is children or youth. (Sec. 3796.32. (D))</p> <p>No advertisement for marijuana may be placed within five hundred feet of the boundaries of a parcel of real estate having situated on it a school, church, public library, public playground, or public park. (Sec. 3796.32. (F))</p> <p>Drinkable cannabinoid products:</p> <p>No one is allowed to advertise a drinkable cannabinoid product in a false or misleading manner; advertise a drinkable cannabinoid product in a manner that is targeted or attractive to minors; or advertise a drinkable cannabinoid product in a manner that promotes illegal activity or is obscene or indecent. (Sec. 3779.22 (15) (16) & (17))</p>
Possession Limit	<p>2.5 ounces in any form except extract</p> <p>15 grams of adult use extract</p> <p>May purchase 2.5 ounces from dispensary per day</p>	<p>Adult-use marijuana:</p> <p>2.5 ounces of plant material (excluding any seeds, live plants, or clones being cultivated, grown, or processed)</p> <p>15 grams of extract (Sec. 3796.221)</p> <p>An adult-use consumer, medical marijuana patient or medical marijuana caregiver shall store edible marijuana products in its original packaging at all times the adult-use marijuana is not actively being used. (Sec. 3796.06. (H))</p> <p>No person shall transport marijuana or marijuana paraphernalia in a motor vehicle unless one of the following applies: 1) the product is in the original, unopened packaging in which it was dispensed or sold; (2) if previously opened, the product or paraphernalia is stored in the trunk of the motor vehicle or, if the motor vehicle does not have a trunk, behind the last upright seat of the motor vehicle or in an area not normally occupied by the driver or passengers and not easily accessible by the driver. (Sec. 3796.062)</p> <p>Medical marijuana:</p> <p>Registered patient can possess amounts up to a ninety-day supply, as specified in rules adopted under section 3796.03.</p>
Consumption Limitations	<p>No restriction with respect to method of consumption.</p> <p>THC content limits – Delegates responsibility for setting THC content limits to the Division of Cannabis Control but specifies that such limits should not be</p>	<p>Marijuana:</p> <p>Combustion is prohibited for medical marijuana.</p> <p>Smoking, combustion, and vaporization of adult use marijuana and homegrown marijuana, and the vaporization of medical marijuana, is only permitted in a privately owned property used primarily for residential or agricultural purposes (Sec. 3796.06. (C) (2)) unless it is a child care center, a halfway</p>

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	less than 35% THC content for plant material and 90% content for extracts.	<p>house or community residential center, a rental property where rental agreement prohibits such use, a public place or place of employment.</p> <p>Any form or method of using adult-use or medical marijuana that is considered attractive to children is prohibited. (Sec. 3796.06. (D))</p> <p>Medical marijuana Potency Limits (Sec. 3796.06 (E) (1)):</p> <ul style="list-style-type: none"> • 35% for plant material • 70% for extracts <p>Adult-use Marijuana Potency Limits (Sec. 3796.06 (E) (2)):</p> <ul style="list-style-type: none"> • 35% for plant material • 70% for extracts <p>The division may increase the THC content limits for extracts.</p>
Public Consumption	Silent	<p>Marijuana:</p> <p>Adult-use - No person shall knowingly consume adult-use marijuana or homegrown marijuana in a public place (Sec. 3796.04 (C)) or on federal lands (Sec. 3796.24)</p> <p>Medical marijuana – Does not prohibit any public place from accommodating a registered patient's use of medical marijuana, except that no public place shall accommodate consumption of medical marijuana by smoking, combustion, or vaporization (Sec. 3796.24 (H)(5))</p> <p>No person shall knowingly smoke, combust, or vaporize marijuana products in any of the following: (d) A public place or place of employment, as those terms are defined in section 3794.01 of the Revised Code.</p> <p>No person shall knowingly consume adult-use, medical or homegrown marijuana by smoking, combustion, or vaporization in any place other than privately owned real property that is used primarily for residential or agricultural purposes, including any dwellings, facilities, improvements, and appurtenances on such real property.</p> <p>Drinkable cannabinoid products:</p> <p>Possession of an open container of a drinkable cannabinoid product is prohibited in any public space, while operating or being a passenger in a motor vehicle (except as a passenger in a chauffeured limo) or while being in or on a stationary motor vehicle on any property open to the public. (Sec. 3779.29 (D))</p> <p>A possession of an open container is permitted on the premises of a private residence, in a chauffeured limousine and on the premises of an AD retailer as long as the product was sold on the premises. (Sec. 3779.29. (B) & (C))</p>
Home Cultivation	Yes – 6 plants per individual, 12 plants total per residence where two or more adult use consumers reside at one time.	Yes – 6 plants are allowed per individual; 12 plants total per residence.

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	<p>A landlord may prohibit conduct otherwise authorized so long as such prohibition is included in the applicable lease agreement.</p> <p>Cultivation or growing of adult use cannabis only takes place within a secured closet, room, greenhouse, or other enclosed area in or on the grounds of the residence that prevents access by individuals less than twenty-one years of age, and which is not visible by normal unaided vision from a public space.</p>	<p>Home cultivation is prohibited if the residence is a type A or B childcare, a halfway house, community residential center or other similar facility licensed division of parole and community services (Sec. 3796.04. (A) (1) (d).</p> <p>Cultivation or growing of homegrown marijuana cannot take place at a rental residence that prohibits such activities (Sec. 3796.04. (A) (1) d).</p> <p>Cultivation or growing of adult use cannabis only takes place within a secured closet, room, greenhouse, or other enclosed area in or on the grounds of the residence that prevents access by individuals less than twenty-one years of age, and which is not visible by normal unaided vision from a public space. (Sec. 3796.04. (A)</p>
Home delivery	Not allowed	<p>Dispensaries are permitted to deliver medical marijuana in accordance with the future rules. (Sec. 3796.20 (A)((1)</p> <p>The division of marijuana control is tasked with establishing standards and procedures for the delivery of medical marijuana by a licensed dispensary or an agent of a licensed dispensary to a registered medical marijuana patient or caregiver.</p>
Employer/ Employee Protections	<p>Employee: No</p> <p>Employer: Allowed to continue workplace drug policies prohibiting consumption.</p>	<p>Employee: No</p> <p>Employer: Allowed to continue workplace drug policies prohibiting consumption. (Sec. 3796.28)</p> <p>A person who is discharged from employment because of that person's use of marijuana shall be considered to have been discharged for just cause and shall be ineligible to serve a waiting period or to be paid benefits for the duration of the individual's unemployment if the person's use of marijuana was in violation of an employer's drug-free workplace policy, zero-tolerance policy, or other formal program or policy regulating the use of marijuana (Sec. 3796.28. (B)).</p>
Other rights/ protections	<p>Act creates additional protections for:</p> <ul style="list-style-type: none"> • Concealed Carry Licenses • Adjudicatory hearings to determine shelter care placement • Parental Rights and Responsibilities • Parenting Time Orders • Eligibility for any public benefit program administered by the state or locality • Right to medical care and/or inclusion on a transplant waiting list • Users cannot be rejected as a tenant but can prohibit smoking still 	<p>Except for unemployment compensation benefits, the use or possession of medical marijuana, adult-use marijuana, or homegrown marijuana in accordance with this chapter shall not be used as a reason for disqualifying an individual from a public benefit program administered by any state or local authority, or for otherwise denying an individual a public benefit administered by the state or any local government.(Sec. 3796.24 (G))</p> <p>Protections for medical marijuana patients as specified below (Sec. 3796.24):</p> <ul style="list-style-type: none"> • The holder of a license is not subject to professional disciplinary action solely for engaging in professional or occupational activities related to medical marijuana (Sec. 3796.24. (A)). • Medical marijuana should not be used for an adjudication under section 2151.28 of the Revised Code determining that a child is abused, neglected, or dependent child. • An allocation of parental rights and responsibilities. • A parenting time order. • Disqualifying a patient from medical care or from including a patient on a transplant waiting list.

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	<ul style="list-style-type: none"> Officers must have an independent, factual basis giving reasonable suspicion that the individual is operating a vehicle under the influence or a test from the person's blood, blood serum, plasma, breath, or urine. <p>Employers still have the ability to enact drug free work zones</p>	<ul style="list-style-type: none"> Taking action under any criminal or civil statute in the forfeiture or seizure of any property or asset. A registered patient cannot be tested without reasonable suspicion of marijuana-impaired driving by law enforcement. A registered patient's status should not be used as the sole or primary basis for rejecting the person as a tenant unless the rejection is required by federal law.
Criminal Penalties for Users	<p>Sec. 3780.99</p> <p>A person possessing more than the allowable amount of marijuana is guilty of possession of marijuana under section 2925.11.</p> <p>An adult use consumer who uses adult use cannabis in public areas, or who smokes, vaporizes or otherwise consumes marijuana by combustion as a passenger in a vehicle, is guilty of a minor misdemeanor.</p> <p>A person who provides false information regarding individual's name and age in order to purchase marijuana is guilty of a misdemeanor of the first degree (amount of fines changes depending on whether it is first offense or subsequent offense).</p> <p>A person who solicits another person to purchase marijuana on their behalf is guilty of misdemeanor of the fourth degree for first offense and misdemeanor of the second degree for consecutive offenses.</p> <p>An employee or agent of an adult use dispensary licensed under this chapter who knowingly sells cannabis to an individual under twenty-one years of age is guilty of a misdemeanor of the first degree.</p> <p>An individual who cultivates, produces or sells marijuana without a license is guilty of the illegal trafficking in drugs under section 2925.03 of the Revised Code and the illegal manufacture of drugs under section 2925.04 of the Revised Code.</p> <p>An individual who transfers without remuneration more than the allowable amount of marijuana or who transports more than the allowable amount of</p>	<p>Marijuana:</p> <p>An individual consuming marijuana by smoking, combustion or vaporization while operating a motor vehicle when vehicle is subject to section 1547.11, 4511.19, 4511.194, or 4561.15 of the Revised Code. (3796.99(A)(1))</p> <p>A passenger consuming marijuana by smoking, combustion or vaporization in a motor vehicle when vehicle is being operated is guilty of a misdemeanor of the third degree. (Sec. 3796.99 (A)(2))</p> <p>An adult consumer consuming marijuana by smoking, combustion or vaporization in a public space, childcare facility, halfway house, community transitional housing facility, community residential center is guilty of a minor misdemeanor. (Sec. 3796.99 (B))</p> <p>A person selling marijuana to a person under the age of 21 is guilty of misdemeanor in the first degree for first offense, and felony in the fifth degree for consecutive offenses. (Sec. 3796.99 (C))</p> <p>A person possessing more than the allowable amount of marijuana is guilty of possession of marijuana under section 2925.11. (Sec. 3796.99 (D))</p> <p>A person growing marijuana not in accordance with the legislation is guilty of illegal cultivation of marijuana under Sec. 2925.04.</p> <p>A person who provides false information regarding individual's name and age or who presents false identification card in order to purchase marijuana is guilty of a misdemeanor of the first degree (amount of fines changes depending on whether it is first offense or subsequent offense).</p> <p>A person who solicits another person to purchase marijuana on their behalf is guilty of misdemeanor of the fourth degree for first offense and misdemeanor of the second degree for consecutive offenses.</p> <p>A person transporting marijuana not purchased in an Ohio dispensary or homegrown or transporting marijuana improperly in a motor vehicle is guilty of a minor misdemeanor. (Sec. 3796.99 (I))</p> <p>A person improperly transporting marijuana paraphernalia in a motor vehicle is guilty of illegal use or possession of marijuana drug paraphernalia under section 2925.141. (Sec. 3796.99 (J))</p> <p>An individual who cultivates, produces or sells marijuana without a license is guilty of the illegal trafficking in drugs under section 2925.03 of the Revised Code and the illegal manufacture of drugs under section 2925.04 of the Revised Code.</p>

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	<p>marijuana is guilty of the illegal trafficking in drugs under section 2925.03</p> <p>A parent who knowingly allows unlawful use of marijuana by non-related people under the age of 21 on their property is guilty of a misdemeanor of the third degree for first violation and a misdemeanor of the first degree for subsequent violations. If such use directly or indirectly results in great bodily harm or death to any individual, the individual violating this division is guilty of a felony of the fourth degree.</p>	<p>Drinkable cannabinoid products:</p> <p>Whoever sells drinkable cannabinoid product without being licensed (violation of Sec. 3779.22 (B) (1)) is guilty of a misdemeanor of the first degree on a first offense and a felony of the fifth degree on a subsequent offense. (Sec. 3779.99)</p> <p>Whoever sells intoxicating hemp products or cannabinoid beverage to a person younger than 21 years of age is guilty of a misdemeanor of the first degree on a first offense and a felony of the fifth degree on a subsequent offense. (Sec. 3779.99)</p> <p>Whoever possesses an open container of a drinkable cannabinoid product in public or while operating or being a passenger in a motor vehicle (violation of Sec. 3779.29) is guilty of a minor misdemeanor. (Sec. 3779.99)</p>
Conviction Record Relief	<p>No</p>	<p>SB 56 allows for expungement of certain marijuana and hashish-related convictions and dismissals charged under Sec. 2925.11 (C)(3)(a) or (C)(7)(a), (b) (c) and 9d), involving possession of not more than 100 grams of marijuana or fifteen grams of hashish. (Sec. 2953.321)</p> <p>Any person eligible under Sec. 2953.321 can file their application at any time on or after the effective date of this section (eliminates current 6-month wait requirement for convictions).</p> <p>Applicants must show that the violation did not involve more than 15g of hashish and that the dismissal or conviction took place prior to the effective date.</p> <p>Process for adjudication remains the same as for any other expungement applications.</p> <p>Current expungement statute already allows for expungement of such records.</p>
Substance Abuse and Education Program	<p>Division enters into agreement with Department of Mental health and Addiction Services under which the Department shall provide a program for cannabis addiction services to be implemented on behalf of the Division which includes best practices for education and treatment for individuals with addiction issues related to cannabis or other controlled substances including opioids.</p>	<p>Marijuana:</p> <p>A marijuana dispensary shall prominently display information that the use of marijuana by individuals under 21 is harmful and illegal as well as information about the addictive qualities and the potential negative health consequences associated with the use of marijuana. (Sec. 3796.20 (D)(3))</p> <p>The division of marijuana control shall establish a toll-free telephone line to respond to inquiries from adult-use consumers, medical marijuana patients, caregivers, and health professionals regarding adverse reactions to marijuana and to provide information about available services and assistance. (Sec. 3796.17.)</p> <p>The division of marijuana control shall contract with a statewide nonprofit corporation for the development and implementation of cannabis and related drug misuse prevention, education, and public awareness initiatives driven by data, evaluation, and research. The contract must include a provision specifying a percentage of the total funding for the initiatives, not less than ten per cent, to be raised by the statewide nonprofit corporation through private contributions. (Sec. 3796.34)</p> <p>The department of behavioral health shall establish and administer a statewide program to prevent youth use of cannabis. The program shall (A) use a harm reduction approach; (B) include practices aimed at the prevention or reduction of substance use, substance abuse, substance dependence, and</p>

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		substance use disorders; (C) use other evidence-based approaches selected by the department. (Sec. 5119.171.)
Social Equity Provisions Included	<p>Yes – Establish the cannabis social equity and jobs program in the interest of remedying the harms resulting from the disproportionate enforcement of marijuana-related laws and to provide financial assistance and license application support to individuals most directly and adversely impacted by the enforcement of marijuana-related laws who are interested in starting or working in cannabis business entities.</p> <p>Additionally, the Division of Cannabis Control shall issue up to 40 Level III adult use cultivator licenses and up to 50 additional adult use dispensary licenses with preference provided to applicants who have been certified as cannabis social equity and jobs program participants.</p>	<p>Maintains language from original medical marijuana statute that has since been ruled unconstitutional by Ohio courts in respect to 15% of cultivator, processor, or laboratory licenses be issued to entities that are owned and controlled by United States citizens who are residents of this state and are members of one of the following economically disadvantaged groups: Blacks or African Americans, American Indians, Hispanics or Latinos, and Asians. (Sec. 3796.09 (F))</p> <p>Original social equity and jobs program is deleted.</p>
Financial Institution Protections	<p>Yes – Any institution licensed under this chapter shall be exempt from any criminal law of the state of Ohio an element of which may be proven by substantiating that a financial institution provides financial services to an individual or entity who cultivates, possesses, delivers, processes, or dispenses cannabis or cannabis derived products.</p>	<p>Yes – Any financial institution licensed in the state of Ohio shall be exempt from any criminal law of the state of Ohio an element of which may be proven by substantiating that a financial institution provides financial services to an individual or entity who cultivates, possesses, delivers, processes, or dispenses marijuana or marijuana derived products. (Sec. 3796.27 (B))</p>