1301:18-1-01 **Definitions.**

(A) The following definitions apply:

(1) "Abandoned Application" means an application submitted pursuant to this chapter which does not meet the minimum eligibility requirements for review, or is otherwise deemed abandoned pursuant to this chapter, and is removed from the application process.

(2) "Disqualifying offense" means a conviction or plea of guilty, including conspiracy to commit, attempt to commit, or aiding and abetting another in committing, the following:

(a) Any offense set forth in Chapters 2925, 3719, or 4729 of the Revised Code, the violation of which constitutes a felony or a misdemeanor of the first degree;

(b) Any theft offense set forth under division (K) in section 2913.01 of the Revised Code, the violation of which constitutes a felony

(i) Any violation for which a penalty was imposed under section 3715.99 of the Revised Code;

(ii) A crime of moral turpitude as defined in section 4776.10 of the Revised Code; or

(iii) A violation of any former law of this state, any existing or former law of another state, any existing or former law applicable in a military court or Indian tribal court, or any existing or former law of any nation other than the United States that is or was substantially equivalent to any of the offenses listed in paragraphs (a)(iv) to (a)(iv) of this definition.

(c) Any first degree misdemeanor offense listed in paragraphs (a)(i) to (a)(v) of this definition will not automatically disqualify an applicant from licensure if the applicant was convicted of or pleaded guilty to the offense more than five years before the date the application for licensure is filed.

(d) Notwithstanding paragraph (1) or (2) of this definition, no misdemeanor offense, including misdemeanors of the first degree, related to cannabis possession, cannabis trafficking, illegal cultivation of cannabis, illegal use or possession of drug paraphernalia or cannabis drug paraphernalia, or other cannabis related crimes shall be considered a disqualifying offense.

(3) "Dual-use license" means a license issued by the division that allows:

(a) A cultivator to engage in all permissible activities outlined under sections 3796.18, 3780.12, and 3780.13 of the Revised Code.

(b) A processor to engage in all permissible activities outlined under sections 3796.19 and 3780.14 of the Revised Code.

(c) A testing laboratory to engage in all permissible activities outlined under sections 3796.21 and 3780.16 of the Revised Code.

(d) A dispensary to engage in all permissible activities outlined under sections 3796.20 and 3780.15 of the Revised Code.

Effective:

Five Year Review (FYR) Dates:

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Certification

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Date

Promulgated Under:	119.03
Statutory Authority:	3780.03
Rule Amplifies:	3780.03, 3780.10