Rule Summary and Fiscal Analysis
Part A - General Questions

Rule Number: 1301:18-1-01

Rule Type: Rescission

Rule Title/Tagline: Definitions.

Agency Name: Department of Commerce

Division: Division of Cannabis Control

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I. Rule Summary

1. **Is this a five year rule review?** Yes

   A. **What is the rule's five year review date?** 6/12/2025

2. **Is this rule the result of recent legislation?** No

3. **What statute is this rule being promulgated under?** 119.03

4. **What statute(s) grant rule writing authority?** 3780.03, 3796.03

5. **What statute(s) does the rule implement or amplify?** 3780.03, 3796.03, 3780.01, 3796.01

6. **Does the rule implement a federal law or rule in a manner that is more stringent or burdensome than the federal law or regulation requires?** No

   A. **If so, what is the citation to the federal law or rule?** Not Applicable

7. **What are the reasons for proposing the rule?**

   To adopt definitions for terms used throughout OAC 1301:18.

8. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

The rule includes definitions of words or terms used throughout the Division's other rules in OAC 1301:18. The changes in this amended rule are to adopt additional definitions related to new rules the Division is also filing to provide clarity around cannabis-specific terms, medical marijuana patient registration, advertising, and licensing.

9. **Does the rule incorporate material by reference?** No

10. **If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

    Not Applicable

11. **If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

    Not Applicable

II. Fiscal Analysis

12. **Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

    This will have no impact on revenues or expenditures.

    NA

    Not Applicable

13. **What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

    There are no expected costs directly associated with this rule.

14. **Does the rule increase local government costs? (If yes, you must complete an RSFA Part B).** No

15. **Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C).** No

16. **If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.**

Not Applicable

III. Common Sense Initiative (CSI) Questions

17. Was this rule filed with the Common Sense Initiative Office? Yes

18. Does this rule have an adverse impact on business? No

A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No

Not directly, but it does define licensing terms, such as provisional license and the restrictions associated with that license.

B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No

C. Does this rule require specific expenditures or the report of information as a condition of compliance? No

Not directly, but it does define complete registration for the purposes of medical marijuana patient registration and the information that must be reported.

D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No

IV. Regulatory Restriction Requirements under S.B. 9. Note: This section only applies to agencies described in R.C. 121.95(A).

19. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? Yes

A. How many new regulatory restrictions do you propose adding to this rule? 0

B. How many existing regulatory restrictions do you propose removing from this rule? 3

1 (A) "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 (D)(4) Notwithstanding paragraph (A) or (D) of this rule, 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 (J) "Prohibited facility" means a school, church, public library, public playground, or public park, as defined by this rule.

C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.

D. Please justify the adoption of the new regulatory restriction(s).

Not Applicable