NOTICE OF PUBLIC HEARING

Pursuant to Section 119.03 of the Ohio Revised Code, the Ohio Department of Commerce, Division of Cannabis Control (DCC or Division), will conduct a public hearing regarding proposed rules on September 5, 2024, at 10:00 A.M. at the Riffe Center, 77 South High Street, 19th Floor, Room 1948, Columbus, Ohio 43215.

The DCC proposes to adopt new rules:

- 1301:18-3-01 Cannabis Entity Distance from Prohibited Facilities
- 1301:18-3-03 Ownership, Financial Interest, Control
- 1301:18-3-04 Disclosure of Ownership, Financial Interest, Control
- 1301:18-3-05 Notice of Intent
- 1301:18-3-06 Change of Ownership
- 1301:18-3-07 Change of Entity Name or Registered Trade Name
- 1301:18-3-08 Financial Responsibility
- 1301:18-3-11 Facility Visitors
- 1301:18-3-12 Waste Disposal
- 1301:18-8-01 Dispensary Certificate of Operation
- 1301:18-8-02 Operating Procedures and Quality Assurance
- 1301:18-8-03 Dispensary Designated Responsible Party
- 1301:18-8-05 Minimum Security and Surveillance Requirements

The DCC proposes to amend rule:

- 1301:18-1-01 Definitions

Ohio voters approved an initiated statute in November 2023 to legalize the possession and use of marijuana by individuals aged 21 and over, the sale of marijuana by state-licensed dispensaries to those individuals, and to create the Division of Cannabis Control within the Ohio Department of Commerce. Therefore, the DCC is restructuring the rules under Chapter 3796 that regulate medical marijuana under a new Chapter 1301:18 to regulate both medical and non-medical cannabis.

The purpose of the above rules is to ensure that the ownership of licensed cannabis facilities is in compliance with program expectations and limits on the number of licensees a person can own or control. The rules also establish financial responsibility requirements, which are substantially the same as what is currently required of medical marijuana licensees. Waste disposal is addressed in these rules, ensuring that cannabis waste is disposed of safely and rendered unusable.

Additionally, the rules contain some dispensary specific requirements, addressing who can enter a dispensary and ensure that only individuals over the age of 21 are allowed access to a facility (with

the exception of medical marijuana patients). The rules also address dispensary operating procedures, quality assurance, security, and surveillance, which are aimed at preventing diversion, theft, and loss.

The DCC proposes to rescind rules:

- 3796:2-1-05 Cultivator Financial Responsibility
- 3796:2-2-03 Cultivator Waste Disposal
- 3796:3-2-03 Processor Waste Disposal
- 3796:6-2-01 Requests for Applications to Operate Medical Marijuana Dispensaries
- 3796:6-2-02 Applications to Operate Medical Marijuana Dispensaries
- 3796:6-2-11 Medical Marijuana Dispensary - License Bond
- 3796:6-2-12 Change in Dispensary Ownership
- 3796:6-3-02 Dispensary Premises Generally
- 3796:6-3-03 Hours of Operation
- 3796:6-3-05 Dispensary Designated Representative
- 3796:6-3-14 Destruction and Disposal of Medical Marijuana
- 3796:6-3-16 Monitoring, Surveillance, and Security Requirements

These rule rescissions are proposed as part of the restructuring of rules under Chapter 3796 that regulate medical marijuana under a new Chapter 1301:18 to regulate both medical and non-medical cannabis.

The proposed rules may be accessed on the Register of Ohio (www.registerofohio.state.oh.us) or on the DCC website (www.com.ohio.gov/cannabiscontrol). The full text of the proposed rules is also available at the office of the Division of Cannabis Control in printed form.

At the public hearing, any person affected by the proposed actions may appear and be heard in person, by the person's attorney, or both, may present the person's position, arguments, or contentions, orally or in writing, offer and examine witnesses, and present evidence tending to show that the proposed rule or amendments, if adopted or effectuated, will be unreasonable or unlawful.

Any person who wishes to present his or her position, arguments or contentions in writing may do so by electronic mail to DCCRules@com.ohio.gov or to Ohio Division of Cannabis Control, 77 South High Street, 20th Floor, Columbus, OH 43215. Written comments may also be submitted at the hearing. All written comments must be submitted to the Division no later than 5:00 p.m. on September 5, 2024. Written comments submitted after this date may be considered as time and circumstances permit.