Mike DeWine, *Governor* Jim Tressel, *Lt. Governor* Sherry Maxfield, *Director*

## 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 July 16, 2025, at 10:00 A.M. at the Riffe Center, 77 South High Street, 19th Floor, Room 1920, Columbus, Ohio 43215.

The DCC proposes to adopt new rules:

- 1301:18-1-01 Definitions
- 1301:18-2-07 Provisional Licenses
- 1301:18-2-09 Fee Schedule
- 1301:18-3-10 Employee Training and Qualification Requirements
- 1301:18-3-16 Business to Business Transfers Generally
- 1301:18-4-01 Cultivator and Processor Good Manufacturing Processes
- 1301:18-4-03 Petition for Additional Forms & Methods
- 1301:18-4-09 Pre-Approval Requirements for Product Registration
- 1301:18-4-10 State-Required Testing Generally
- 1301:18-4-12 Transfer Manifests for Test Samples
- 1301:18-4-16 Certificates of Analysis
- 1301:18-4-17 Research and Development Testing by Licensed Testing Laboratory
- 1301:18-4-18 Research by Testing Laboratory Licensed by Division 4729-13 of the Administrative Code
- 1301:18-5-03 Cultivator Operating Procedures and Quality Assurance
- 1301:18-5-06 Cultivator Inventory and Control
- 1301:18-6-03 Processor Operating Procedures and Quality Assurance
- 1301:18-6-05 Processor Inventory and Control
- 1301:18-7-04 Testing Laboratory Accreditation
- 1301:18-7-05 Proficiency Testing Program
- 1301:18-7-06 Testing Laboratory Minimum Security and Surveillance Requirements
- 1301:18-8-04 Dispensary General Sanitary Requirements
- 1301:18-8-08 Dispensing Adult-Use Cannabis
- 1301:18-8-09 Dispensing Medical Cannabis
- 1301:18-8-10 Dispensing Errors
- 1301:18-8-11 Dispensary Discounts
- 1301:18-8-12 Dispensary Returns
- 1301:18-9-04 Product Alerts and Recalls
- 1301:18-9-05 Ohio Division of Cannabis Control Enforcement Authority
- 1301:18-10-03 Patient and Caregiver General Requirements

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 establish a fee schedule, training requirements, cultivator and processor facility and operating requirements, minimum testing requirements, requirements around dispensing cannabis, including discounts, returns, and recalls, and the Division's enforcement authority.

The DCC proposes to rescind rules:

- 3796:2-1-09 Cultivator Marijuana Cultivation Area Expansion
- 3796:2-2-01 Cultivator Operations and Quality Assurance Plan
- 3796:2-2-04 Cultivator Inventory Control and Storage
- 3796:2-2-06 Laboratory Testing
- 3796:2-2-07 Cultivator Prohibited Activities
- 3796:2-2-08 Cultivator Records and Reporting Requirements
- 3796.2-3-01 Cultivator inspections
- 3796:3-1-04 Provisional License Award
- 3796:3-1-05 Processor Financial Responsibility
- 3796:3-2-01 Processor Operations and Quality Assurance
- 3796:3-2-04 Processor Inventory Control and Storage
- 3796:3-2-06 Laboratory Testing
- 3796:3-2-07 Processor Prohibited Activities
- 3796:3-2-08 Processor Records and Reporting Requirements
- 3796:3-3-01 Processor Enforcement
- 3796:4-1-03 Testing Laboratory Application Review
- 3796:4-1-04 Testing Laboratory Provisional License Award
- 3796:4-1-05 Testing Laboratory Financial Responsibility
- 3796:4-1-07 Testing Laboratory Transfer of Ownership or Location
- 3796:4-1-09 Winding Down
- 3796:4-2-07 Testing Laboratory Security
- 3796:5-1-01 Fee Schedules
- 3796:5-2-04 Provisional Employee Identification Cards
- 3796:5-5-01 Medical Marijuana Entity Distance from Public Spaces
- 3796:5-6-01 Scope of Enforcement and Enforcement Powers
- 3796:6-3-06 Receipt of Medical Marijuana by a Dispensary
- 3796:6-3-18 Release of Records Related to Patient Transactions Maintained by Dispensaries
- 3796:6-3-19 Employee Training Requirements
- 3796:6-3-21 Recall Procedures
- 3796:6-3-24 Advertising, Marketing, and Signage
- 3796:6-4-01 Enforcement Generally

- 3796:6-4-04 Revocation, Suspension and Termination of a Medical Marijuana Dispensary Certificate of Operation or Employee License
- 3796:6-4-05 Suspension of a Dispensary Employee License without a Hearing
- 3796:6-4-06 Suspension of a Dispensary Provisional License or Certificate of Operation without a Hearing
- 3796:6-4-07 Failure to Properly Store Medical Marijuana
- 3796:6-4-09 Interagency Cooperation
- 3796:8-2-01 Definitions
- 3796:8-2-02 Form of Doses
- 3796:8-3-01 Fees

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 July 16, 2025. Written comments submitted after this date may be considered as time and circumstances permit.