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 August 24, 2026, at 10:00 A.M. at the Riffe Center, 77 South High Street, 31st Floor, Room South C, Columbus, Ohio 43215.

The DCC proposes to adopt new rules:

- 1301:18-1-01 Definitions
- 1301:18-3-17 Business to Business Transfers – cannabis intended for further production, manufacture, or extraction
- 1301:18-4-11 Voluntary In-Process Testing, Remediation, Re-testing
- 1301:18-4-13 Minimum State-Required Testing for Cannabis and Hemp Derived Ingredients Intended for Further Production, Manufacture, or Extraction
- 1301:18-4-14 Minimum State-Required Final Compliance Testing for Cannabis Intended for Direct Customer Sale
- 1301:18-6-06 Manufacturing Cannabis Products
- 1301:18:6-07 Non-Marijuana Ingredients
- 1301:18:6-08 Packaged Cannabis for Direct Customer Sale
- 1301:18-7-02 Testing Laboratory Operating Procedures and Quality Assurance
- 1301:18-7-03 Testing Laboratory Employee Training
- 1301:18-7-07 State-Required Testing Analysis Generally
- 1301:18-7-08 Test Sample Collection Generally
- 1301:18-7-09 Test Sample Collection Procedure
- 1301:18-7-10 Testing Laboratory Limitations on In-Process Testing, Remediation, and Re-Testing
- 1301:18-7-11 Testing Laboratory Prohibited Activities
- 1301:18-8-13 Dispensary Prohibited Activities
- 1301:18-9-02 General Requirements
- 1301:18-9-03 General Prohibited Activities
- 1301:18-9-07 Prohibitions on Inducing or Rewarding for Business or Referrals
- 1301:18-11-01 Ohio Revised Code 928.031 Cannabinoids

The DCC proposes to amend rules:

- 1301:18-2-09 Fee Schedule
- 1301:18-4-22 Advertising

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. The General Assembly also passed Senate Bill 56, effective March 20, 2026, requiring certain changes to Ohio cannabis regulation. 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, and to make certain updates required under Senate Bill 56.

The purpose of the above rules is to establish testing requirements to ensure cannabis for sale at a dispensary is free of harmful levels of contaminants, set laboratory operation standards, establish processor operation requirements, and outline activities that are prohibited for licensees to engage in. Additionally, the rules modify regulations in line with updates required per Senate Bill 56, including establishing permitted uses of non-marijuana ingredients, amending advertising requirements to align with SB 56, and establishing standards on gifts to induce or reward business.

The DCC proposes to rescind rules:

- 1301:18-1-01 Definitions (replaced with new rule)
- 3796:2-2-02 Cultivator & Plant Only Processor Packaging & Labeling
- 3796:3-2-02 Processor Packaging & Labeling
- 3796:4-2-02 Testing laboratory proficiency testing and certification
- 3796:4-2-03 Testing laboratory sample procurement
- 3796:4-2-04 Testing laboratory analysis requirements
- 3796:4-2-05 Testing laboratory reporting
- 3796:4-2-06 Testing laboratory waste disposal
- 3796:4-2-08 Testing laboratory prohibited activities
- 3796:4-2-09 Testing laboratory record keeping requirements
- 3796:4-2-10 Testing laboratory transportation of medical marijuana samples
- 3796:4-3-01 Testing laboratory enforcement
- 3796:5-4-01 Medical marijuana entity loss, theft, and emergency reporting
- 3796:5-6-04 Variances
- 3796:5-8-01 Product registration
- 3796:6-2-03 Medical marijuana dispensary ownership and ownership requirements
- 3796:6-2-04 Medical marijuana dispensary license application evaluation
- 3796:6-2-08 Licensing of medical marijuana dispensary support employees
- 3796:6-2-09 Medical marijuana dispensary employees generally
- 3796:6-2-10 Medical marijuana dispensary certificate of operation renewal
- 3796:6-2-13 Request to relocate a dispensary
- 3796:6-2-14 Procedure for discontinuing business as a medical marijuana dispensary
- 3796:6-3-01 Dispensary operations generally
- 3796:6-3-04 Procedures when dispensary is closed
- 3796:6-3-07 Security, control, and storage of medical marijuana at a dispensary
- 3796:6-3-08 Dispensary of medical marijuana

- 3796:6-3-09 Labeling requirements for medical marijuana sold at a dispensary and accompanying materials
- 3796:6-3-11 Duty to report
- 3796:6-3-12 Quality assurance to prevent dispensing errors
- 3796:6-3-13 Review of dispensing errors
- 3796:6-3-15 Dispensary patient and caregiver educational materials
- 3796:6-3-17 Record keeping requirements
- 3796:6-3-20 Medical marijuana dispensary internal inventory control system
- 3796:6-3-23 Dispensary access
- 3796:7-1-01 Definitions
- 3796:7-2-02 Caregiver eligibility
- 3796:7-2-06 Voluntary relinquishment of a medical marijuana registration
- 3796:7-2-09 Suspension of a patient or caregiver registration without a hearing
- 3796:7-2-12 Suspension of access to patient information
- 3796:8-1-01 Definitions
- 3796:8-2-01 Authorized medical marijuana forms and methods of administration
- 3796:8-2-02 Establishment of additional forms or methods of administration
- 3796:8-2-04 Quantity of medical marijuana that may be purchased by a patient or caregiver
- 3796:8-2-05 Assignment of a product identifier
- 3796:8-2-06 Portions, dosing, and units of medical marijuana sold at a dispensary
- 3796:8-3-01 Product identifier fee

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 12:00 p.m. on August 24, 2026. Written comments submitted after this date may be considered as time and circumstances permit.