

AN ACT

To amend sections 9.79, 109.572, 121.04, 121.08, 131.02, 519.21, 715.013, 928.02, 928.03, 928.04, 2925.01, 3376.07, 3719.01, 3719.41, 3796.01, 3796.02, 3796.021, 3796.03, 3796.032, 3796.05, 3796.06, 3796.061, 3796.07, 3796.08, 3796.09, 3796.10, 3796.11, 3796.12, 3796.13, 3796.14, 3796.15, 3796.16, 3796.17, 3796.18, 3796.19, 3796.20, 3796.21, 3796.22, 3796.23, 3796.24, 3796.27, 3796.28, 3796.29, 3796.30, 3796.31, 4506.01, 4729.01, 4729.80, 4735.18, 4776.01, 4796.25, 5502.01, 5502.13, 5502.14, 5703.052, and 5713.30; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 3780.37 (3796.34); to enact new section 928.01 and sections 928.031, 928.08, 2953.321, 3779.21, 3779.211, 3779.22, 3779.23, 3779.24, 3779.25, 3779.26, 3779.27, 3779.28, 3779.29, 3779.30, 3779.99, 3796.04, 3796.062, 3796.221, 3796.32, 3796.33, 3796.40, 3796.99, and 5119.171; and to repeal sections 928.01, 3780.01, 3780.02, 3780.03, 3780.04, 3780.05, 3780.06, 3780.07, 3780.08, 3780.09, 3780.10, 3780.11, 3780.12, 3780.13, 3780.14, 3780.15, 3780.16, 3780.17, 3780.20, 3780.21, 3780.22, 3780.24, 3780.25, 3780.26, 3780.27, 3780.28, 3780.29, 3780.30, 3780.31, 3780.32, 3780.33, 3780.34, 3780.35, 3780.36, 3780.90, 3780.99, and 3796.021 of the Revised Code; and to repeal the versions of sections 3779.21, 3779.211, 3779.22, 3779.23, 3779.24, 3779.25, 3779.26, 3779.27, 3779.28, 3779.29, 3779.30, and 3779.99 of the Revised Code enacted by this act effective December 31, 2026, to revise specified provisions of the liquor control, hemp, and adult-use marijuana laws, and to make an appropriation, and to amend section 4506.01 of the Revised Code effective December 31, 2026, to revise the law governing commercial driver's licenses.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That sections 9.79, 109.572, 121.04, 121.08, 131.02, 519.21, 715.013, 928.02, 928.03, 928.04, 2925.01, 3376.07, 3719.01, 3719.41, 3796.01, 3796.02, 3796.021, 3796.03, 3796.032, 3796.05, 3796.06, 3796.061, 3796.07, 3796.08, 3796.09, 3796.10, 3796.11, 3796.12, 3796.13, 3796.14, 3796.15, 3796.16, 3796.17, 3796.18, 3796.19, 3796.20, 3796.21, 3796.22, 3796.23, 3796.24, 3796.27, 3796.28, 3796.29, 3796.30, 3796.31, 4506.01, 4729.01, 4729.80, 4735.18, 4776.01, 4796.25, 5502.01, 5502.13, 5502.14, 5703.052, and 5713.30 be amended; section 3780.37 (3796.34) be amended for the purpose of adopting a new section number as indicated in

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parentheses; and new section 928.01 and sections 928.031, 928.08, 2953.321, 3779.21, 3779.211, 3779.22, 3779.23, 3779.24, 3779.25, 3779.26, 3779.27, 3779.28, 3779.29, 3779.30, 3779.99, 3796.04, 3796.062, 3796.221, 3796.32, 3796.33, 3796.40, 3796.99, and 5119.171 of the Revised Code be enacted to read as follows:

Sec. 9.79. (A) As used in this section:

(1) "License" means an authorization evidenced by a license, certificate, registration, permit, card, or other authority that is issued or conferred by a licensing authority to an individual by which the individual has or claims the privilege to engage in a profession, occupation, or occupational activity over which the licensing authority has jurisdiction. "License" does not include a registration under section 101.72, 101.92, or 121.62 of the Revised Code.

(2) "Licensing authority" means a state agency that issues licenses under Title XLVII or any other provision of the Revised Code to practice an occupation or profession.

(3) "Offense of violence" has the same meaning as in section 2901.01 of the Revised Code.

(4) "Sexually oriented offense" has the same meaning as in section 2950.01 of the Revised Code.

(5) "State agency" has the same meaning as in section 1.60 of the Revised Code.

(6) "Community control sanction" has the same meaning as in section 2929.01 of the Revised Code.

(7) "Post-release control sanction" has the same meaning as in section 2967.01 of the Revised Code.

(8) "Fiduciary duty" means a duty to act for someone else's benefit, while subordinating one's personal interest to that of the other person.

(B)(1) Notwithstanding any provision of the Revised Code to the contrary, subject to division (L) of this section, for each type of license issued or conferred by a licensing authority, the licensing authority shall establish within one hundred eighty days after April 12, 2021, a list of specific criminal offenses for which a conviction, judicial finding of guilt, or plea of guilty may disqualify an individual from obtaining an initial license. The licensing authority shall make the list available to the public on the licensing authority's web site pursuant to division (C) of section 9.78 of the Revised Code. The licensing authority, in adopting the list, shall do both of the following:

(a) Identify each disqualifying offense by name or by the Revised Code section number that creates the offense;

(b) Include in the list only criminal offenses that are directly related to the duties and responsibilities of the licensed occupation.

(2) The licensing authority may include in the list established under division (B)(1) of this section an existing or former municipal ordinance or law of this or any other state or the United States that is substantially equivalent to any section or offense included in the list adopted under division (B)(1) of this section.

(C)(1) Except as provided in division (C)(2) or (D) of this section and subject to division (L)

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triazolobenzodiazepine, or triazolobenzodiazepine derivative, including the following drugs and their varying salt forms or chemical congeners: alprazolam, chlordiazepoxide hydrochloride, clobazam, clonazepam, clorazepate, diazepam, estazolam, flurazepam hydrochloride, lorazepam, midazolam, oxazepam, quazepam, temazepam, and triazolam.

(BB) "Opioid analgesic" means a controlled substance that has analgesic pharmacologic activity at the opioid receptors of the central nervous system, including the following drugs and their varying salt forms or chemical congeners: buprenorphine, butorphanol, codeine (including acetaminophen and other combination products), dihydrocodeine, fentanyl, hydrocodone (including acetaminophen combination products), hydromorphone, meperidine, methadone, morphine sulfate, oxycodone (including acetaminophen, aspirin, and other combination products), oxymorphone, tapentadol, and tramadol.

(CC) "Outsourcing facility," "repackager of dangerous drugs," and "third-party logistics provider" have the same meanings as in section 4729.01 of the Revised Code.

Sec. 3719.41. (A) For purposes of administration, enforcement, and regulation of the manufacture, distribution, dispensing, and possession of controlled substances, the state board of pharmacy shall adopt rules in accordance with Chapter 119. of the Revised Code establishing schedule I, schedule II, schedule III, schedule IV, and schedule V incorporating the five schedules of controlled substances under the federal drug abuse control laws.

The board may include in the schedules any compound, mixture, preparation, or substance that was included in the schedules immediately prior to March 22, 2020, as long as the inclusion does not have the effect of providing less stringent control of the compound, mixture, preparation, or substance than is provided under the federal drug abuse control laws or regulations adopted under those laws.

(B) Except as provided in section 3719.45 of the Revised Code, the board periodically shall update the schedules by rule adopted in accordance with Chapter 119. of the Revised Code to correspond to any change in the federal drug abuse control laws or regulations adopted under those laws, any addition, transfer, or removal by congress or the attorney general of the United States as described in section 3719.43 of the Revised Code, and any addition, transfer, or removal by the board by rule adopted under section 3719.44 of the Revised Code.

(C) Notwithstanding divisions (A) and (B) of this section, the board shall not adopt rules including ~~hemp or a hemp product~~ in a schedule as a controlled substance.

(D) As used in this section, "hemp" and "hemp product" have has the same meanings meaning as in section 928.01 of the Revised Code.

Sec. 3779.21. As used in sections 3779.21 to 3779.30 of the Revised Code:

(A) "AD retailer" means an A-1-A, A-1c, or class D permit holder under Chapter 4303. of the Revised Code.

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(B) "At retail" means for use or consumption by the ultimate consumer ~~disapproved~~ for resale.

(C) "C retailer" means a class C permit holder under Chapter 4303. of the Revised Code.

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PLM (D) "Delta-9 tetrahydrocannabinol" means the sum of the percentage by weight of tetrahydrocannabinolic acid multiplied by 0.877 plus the percentage by weight of delta-9 tetrahydrocannabinol.

(E) "Distributor" means a class B permit holder under Chapter 4303. of the Revised Code, or the holder of an equivalent permit or other authorization issued by another state, that sells a drinkable cannabinoid product to an AD or C retailer located in this state. "Distributor" does not include either of the following:

(1) A manufacturer;

(2) A person that is a common carrier and that is used to complete delivery of a drinkable cannabinoid product to an AD or C retailer.

(F) "Drinkable cannabinoid product" means a liquid hemp product to which all of the following apply:

(1) The product contains cannabinoids.

(2) The cannabinoids in the product are solely derived from hemp.

(3) The product is prepackaged and intended to be consumed via ingestion.

(4) The product does not include a drug as defined in section 4729.01 of the Revised Code.

(5) The product does not contain more than three-tenths per cent of any tetrahydrocannabinol.

(6) The product does not contain more than five milligrams of total tetrahydrocannabinol per serving.

(7) The product container does not contain more than one serving.

(G) "Hemp" means the plant *Cannabis sativa L.* and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than three-tenths per cent on a dry weight basis.

(H) "Liquid hemp product" means a liquid product, containing a delta-9 tetrahydrocannabinol concentration of not more than three-tenths per cent, that is made with hemp.

(I) "Identification card" means a driver's or commercial driver's license, an identification card issued under sections 4507.50 to 4507.52 of the Revised Code or an equivalent identification card issued by another state, a military identification card issued by the United States department of defense, or a United States or foreign passport that displays a picture of the individual for whom the license, card, or passport is issued and shows that the person buying is then at least twenty-one years of age.

(J) "Manufacturer" means a person, whether located in this state or outside of this state, that manufactures a drinkable cannabinoid product for sale in this state.

(K) "Ohio investigative unit" means the investigative unit maintained by the state for the purpose of investigating violations of this chapter. The above boxed and underlined text was disapproved.

(L) "Sale" and "sell" include exchange, barter, gift, offer for sale, sale, distribution and

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delivery of any kind, and the transfer of title or possession of a drinkable cannabinoid product either by constructive or actual delivery by any means or devices.

RMD

(M) "Serving" means twelve fluid ounces.

(N) "Tetrahydrocannabinol" means naturally occurring or synthetic equivalents, regardless of whether artificially or naturally derived, of the substances contained in the plant, or in the resinous extractives of cannabis, sp. or derivatives, and their isomers with similar chemical structure to delta-1-cis or trans tetrahydrocannabinol, and their optical isomers, salts and salts of isomers. "Tetrahydrocannabinol" includes, but is not limited to, delta-8 tetrahydrocannabinol, delta-10 tetrahydrocannabinol, tetrahydrocannabinol-o acetate, tetrahydrocannabiphorol, tetrahydrocannabivarin, hexahydrocannabinol, delta-6-cis or trans tetrahydrocannabinol, delta-3, 4-cis or trans tetrahydrocannabinol, 9-hexahydrocannabinol, and delta-9-tetrahydrocannabinol acetate. Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of designation of atomic positions, are included.

"Tetrahydrocannabinol" does not include the following:

(1) Tetrahydrocannabinols approved by the United States food and drug administration for marketing as a medication or recognized by the United States food and drug administration as generally recognized as safe.

- (2) Cannabichromene (CBC);
- (3) Cannabicyclol (CBL);
- (4) Cannabidiol (CBD);
- (5) Cannabidivarol (CBDV);
- (6) Cannabielsoin (CBE);
- (7) Cannabigerol (CBG);
- (8) Cannabigerovarin (CBGV);
- (9) Cannabinol (CBN);
- (10) Cannabivarin (CBV).

Sec. 3779.211. Sections 3779.21 to 3779.30 of the Revised Code are operative notwithstanding any other provision of the Revised Code to the contrary, including Chapter 928. of the Revised Code.

Sec. 3779.22. (A)(1) An AD retailer may sell at retail drinkable cannabinoid products for consumption on the premises where sold and for consumption off the premises where sold.

(2) A C retailer may sell at retail drinkable cannabinoid products for consumption off the premises where sold.

(B) No person shall do any of the following:

(1) Sell at retail a drinkable cannabinoid product unless authorized to do so under division (A) of this section;

(2) If the person is a manufacturer, sell a drinkable cannabinoid product to any person other than an AD retailer, C retailer, or distributor;

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(3) Sell for distribution a drinkable cannabinoid product unless the person is a distributor;

(4) If the person is a distributor, sell a drinkable cannabinoid product in this state to any person other than an AD or C retailer;

(5) Sell at retail a drinkable cannabinoid product to an individual who is under twenty-one years of age; *21+*

(6) Fail to verify that an individual who attempts to purchase or purchases a drinkable cannabinoid product at retail is at least twenty-one years of age by examining the individual's identification card;

(7) Sell a drinkable cannabinoid product that contains alcohol;

(8) If the person is a manufacturer or distributor, pay to an AD or C retailer any payment, credit, or any other consideration to induce the retailer to advertise or display a drinkable cannabinoid product in a certain manner in the retailer's permitted premises;

(9) If the person is an AD or C retailer, accept any payment, credit, or any other consideration to advertise or display a drinkable cannabinoid product in a certain manner at the retailer's permitted premises;

(10) If the person is not an AD retailer, allow an individual who purchases a drinkable cannabinoid product from the retailer to consume the drinkable cannabinoid product on the retailer's premises;

(11) If the person is an AD or C retailer, sell a drinkable cannabinoid product at a price less than the price paid by the retailer to purchase the product from a distributor;

(12) If the person is an AD or C retailer and the person is purchasing a drinkable cannabinoid product directly from a manufacturer for subsequent retail sale, sell a drinkable cannabinoid product at a price less than the price paid by the retailer to purchase the product from the manufacturer;

(13) If the person is a distributor or manufacturer, charge a different price to an AD or C retailer for drinkable cannabinoid products based upon the quantity of drinkable cannabinoid products sold to the retailer;

(14) Sell a drinkable cannabinoid product that includes hemp that was not cultivated by one of the following:

(a) A hemp cultivator licensed under Chapter 928. of the Revised Code in this state or by the United States department of agriculture if the director of agriculture takes action under division (A) (2) of section 928.02 of the Revised Code;

(b) A hemp cultivator that is licensed in another state by the United States department of agriculture;

(c) A hemp cultivator that is licensed in another state by a governing body of that state whose hemp production plans have been approved by the United State department of agriculture.

(15) Advertise a drinkable cannabinoid product in a false or misleading manner; The above boxed and initialed text was disapproved.

(16) Advertise a drinkable cannabinoid product in a manner that is targeted or attractive to

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minors;

(17) Advertise a drinkable cannabinoid product in a manner that promotes illegal activity or is obscene or indecent; *RMD*

(18) Violate any policy adopted under section 3779.24 of the Revised Code.

Sec. 3779.23. (A) The Ohio investigative unit shall enforce this chapter or cause it to be enforced. If the unit has information that this chapter has been violated, it may investigate the matter and take any action as it considers appropriate. The authority of the Ohio investigative unit is concurrent to the jurisdiction of any law enforcement officer to enforce this chapter. Nothing in this chapter shall be construed to limit or supersede the authority of any law enforcement officer or agency.

(B) Except as provided in division (C) of this section, the superintendent of liquor control may impose an administrative penalty or take other enforcement actions against a person that violates sections 3779.21 to 3779.30 of the Revised Code, including any policies adopted under division (A) of section 3779.24 of the Revised Code. Administrative penalties shall be set forth in policies adopted under section 3779.24 of the Revised Code.

(C) The superintendent of cannabis control may impose an administrative penalty or take other enforcement actions against a person that violates a policy established under division (B) of section 3779.24 of the Revised Code. Administrative penalties shall be set forth in policies adopted under section 3779.24 of the Revised Code.

(D)(1) A person that has an administrative penalty imposed or has other enforcement action taken against the person under division (B) of this section may appeal the penalty or action to the liquor control commission in accordance with Chapter 4301. of the Revised Code and rules adopted under it.

(2) A person that has an administrative penalty imposed or has other enforcement action taken against the person under division (C) of this section may appeal the penalty or action in accordance with the requirements and procedures established in rules adopted under section 3796.03 of the Revised Code for medical marijuana and adult-use marijuana.

Sec. 3779.24. (A) On the effective date of this section, the superintendent of liquor control shall establish policies for the administration and enforcement of sections 3779.21 to 3779.30 of the Revised Code, including policies governing all the following:

(1) The labeling of drinkable cannabinoid products under section 3779.26 of the Revised Code;

(2) The amount of administrative penalties to be imposed by the superintendent under section 3779.23 of the Revised Code and procedures for imposing such penalties.

(3) Any other enforcement actions that may be taken by the superintendent under section 3779.23 of the Revised Code.

(B) On the effective date of this section, the superintendent of ~~liquor~~ control shall establish policies for all of the following:

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(1) The testing of drinkable cannabinoid products under section 3779.25 of the Revised Code, including policies governing the issuance of a certificate of analysis as required under section 3779.25 of the Revised Code; *MD*

(2) Creation and maintenance of a list of approved tetrahydrocannabinols that may be included for use in drinkable cannabinoid products; *BD*

(3) The amount of administrative penalties to be imposed by the superintendent under section 3779.23 of the Revised Code and procedures for imposing such penalties.

Sec. 3779.25. (A)(1) A manufacturer of a drinkable cannabinoid product shall test the product in accordance with policies adopted under section 3779.24 of the Revised Code prior to selling the product or offering the product for sale to a distributor.

(2) No manufacturer, distributor, AD retailer, or C retailer shall sell or offer to sell a drinkable cannabinoid product that is not tested in accordance with this section and policies adopted under section 3779.24 of the Revised Code or that exceeds the maximum allowable level for a substance or organism specified in those policies.

(B) A manufacturer shall contract with a testing laboratory to provide the testing required under this section.

(C) Notwithstanding Chapter 3796. of the Revised Code and rules adopted under it to the contrary, a drinkable cannabinoid product that is sold in this state shall be tested in a facility licensed in accordance with Chapter 3796. of the Revised Code and rules adopted under it or, as approved by the superintendent of the division of cannabis control, in a facility in another state that meets requirements that are substantially similar to applicable requirements established under Chapter 3796. of the Revised Code and rules adopted under it. For each test conducted, the facility shall issue a certificate of analysis that includes the results of the test as required in policies adopted under section 3779.24 of the Revised Code. The facility shall retain records relating to the certificate of analysis for one year after the testing is conducted.

(D) A distributor, AD retailer, or C retailer is not liable for any violations or causes of action if a drinkable cannabinoid product distributed or sold by the distributor or retailer is not consistent with testing as represented.

(E) No manufacturer or testing laboratory shall fail to comply with this section.

Sec. 3779.26. In accordance with policies established under section 3779.24 of the Revised Code, a manufacturer shall include a label on each drinkable cannabinoid product container that it sells or offers for sale in this state that includes the amount of tetrahydrocannabinol, in milligrams, as identified in the certificate of analysis issued under division (C) of section 3779.25 of the Revised Code.

(B) No manufacturer shall fail to comply with this section.

Sec. 3779.27. (A) As used in this section, "sales area or territory" ~~the above boxed and initialed text was~~ geographic area or territory that is assigned to a particular distributor and that ~~is approved~~ has one or more political subdivisions as its boundaries or consists of an area of land with readily identifiable

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geographic boundaries.

(B) Each manufacturer shall assign to each of the manufacturer's distributors a sales area or territory within which each distributor shall be the distributor of the brand or brands of the manufacturer, provided that, if the manufacturer manufactures more than one brand of drinkable cannabinoid product, the manufacturer may assign sales areas or territories to additional distributors for the distribution and sale of the additional brand or brands, so long as not more than one distributor distributes the same brand or brands within the same sales area or territory. No distributor shall distribute a specific brand of drinkable cannabinoid product in any area or territory other than the area or territory assigned to the distributor. *2/17/2025*

Sec. 3779.28. (A) No manufacturer shall aid or assist a distributor, and no manufacturer or distributor shall aid or assist an AD retailer or C retailer, by gift or loan of any money or property of any description or other valuable thing, or by giving premiums or rebates. No distributor, AD retailer, or C retailer shall accept the same.

(B) No manufacturer shall sell or offer to sell to any distributor or AD retailer or C retailer, no distributor shall sell or offer to sell to any AD retailer or C retailer, and no distributor or AD retailer or C retailer shall purchase or receive from any manufacturer or distributor any drinkable cannabinoid product in the United States except for cash. No right of action exists to collect any claims for credit extended contrary to this section.

Sec. 3779.29. (A) As used in this section:

(1) "Chauffeured limousine" means a vehicle registered under section 4503.24 of the Revised Code.

(2) "Street," "highway," and "motor vehicle" have the same meanings as in section 4511.01 of the Revised Code.

(B) A person may have in the person's possession an opened container of a drinkable cannabinoid product in either of the following locations:

(1) On the premises of a private residence;

(2) In a chauffeured limousine that is located on any street, highway, or other public or private property open to the public for purposes of vehicular travel or parking if all the following apply:

(a) The person, or the guest of the person, pays all or a portion of the fee imposed for the use of a chauffeured limousine pursuant to a prearranged contract.

(b) The person or guest is a passenger in the limousine.

(c) The person or guest is located in the limousine but is not occupying a seat in the front compartment of the limousine where the operator of the limousine is located.

(C) A person may have in the person's possession an opened container of a drinkable cannabinoid product on the premises of an AD retailer, provided the AD retailer *the above box and initial text was* cannabinoid product to the person. *disapproved.*

(D) Except as provided in divisions (B) and (C) of this section, no person shall have in the

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person's possession an opened container of a drinkable cannabinoid product in any of the following circumstances:

- (1) In any public place;
- (2) While operating or being a passenger in or on a motor vehicle on any street, highway, or other public or private property open to the public for purposes of vehicular travel or parking;
- (3) While being in or on a stationary motor vehicle on any street, highway, or other public or private property open to the public for purposes of vehicular travel or parking.

Sec. 3779.30. A person may manufacture a liquid hemp product that is a beverage intended for human consumption that is not in compliance with the requirements for drinkable cannabinoid products established in this chapter, provided the product is solely for export outside of this state.

Sec. 3779.99. (A) Whoever recklessly violates division (B)(1) of section 3779.22 of the Revised Code is guilty of a misdemeanor of the first degree on a first offense and a felony of the fifth degree on a second or subsequent offense.

(B) Whoever recklessly violates division (B)(5) of section 3779.22 of the Revised Code is guilty of a misdemeanor of the first degree on a first offense and a felony of the fifth degree on a subsequent offense.

(C) Whoever knowingly violates section 3779.29 of the Revised Code is guilty of a minor misdemeanor.

Sec. 3796.01. (A) As used in this chapter:

- (1) "Marijuana" means marihuana as defined in section 3719.01 of the Revised Code.
- (2) "Medical marijuana" means marijuana that is cultivated, processed, dispensed, tested, possessed, or used for a medical purpose in accordance with this chapter. "Medical marijuana" does not include adult-use marijuana or homegrown marijuana.
- (3) "Academic medical center" has the same meaning as in section 4731.297 of the Revised Code.

(4) "Drug database" means the database established and maintained by the state board of pharmacy pursuant to section 4729.75 of the Revised Code.

(5) "Physician" means an individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery.

(6) "Qualifying medical condition" means any of the following:

- (a) Acquired immune deficiency syndrome;
- (b) Alzheimer's disease;
- (c) Amyotrophic lateral sclerosis;
- (d) Cancer;
- (e) Chronic traumatic encephalopathy;
- (f) Crohn's disease;
- (g) Epilepsy or another seizure disorder;
- (h) Fibromyalgia;

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(C) Appointments to the committee shall be made not later than thirty days after the effective date of this section September 8, 2016.

(D) Each member of the committee shall serve from the date of appointment until the committee ceases to exist, except that members serve at the pleasure of the appointing authority. Vacancies shall be filled in the same manner as original appointments.

(E) The governor shall select a member of the committee to serve as its chairperson.

(F) Each member of the committee shall receive a per diem compensation determined in accordance with division (J) of section 124.15 of the Revised Code. In addition, each member shall receive actual and necessary travel expenses in connection with committee meetings and business.

(G) The committee shall hold its initial meeting not later than thirty days after the last member of the committee is appointed. The committee may develop and submit to the department of commerce, state board of pharmacy, and the state medical board any recommendations related to the medical marijuana and the cannabis control program and the implementation and enforcement of Chapter 3796. of the Revised Code.

(H) The committee is not subject to sections 101.82 to 101.87 of the Revised Code.

(I) The committee shall cease to exist on the date that occurs five years and thirty days after the effective date of this act September 8, 2016.

Sec. 3796.03. (A) The division of marijuana cannabis control shall adopt rules establishing standards and procedures for the medical marijuana cannabis control program.

All rules adopted under this section shall be adopted in accordance with Chapter 119. of the Revised Code.

(B) The rules shall do all of the following:

(1) Establish application procedures and fees for licenses it issues under this chapter licensure;

(2) Specify both of the following:

(a) The conditions that must be met to be eligible for licensure;

(b) ~~In accordance with section 9.79 of the Revised Code, the~~ The criminal offenses for which ~~that disqualify~~ an applicant will be disqualified from licensure pursuant to that section licensure under this chapter, which shall include, at minimum, any felony offense. *D.M.D.*

(3) Establish, in accordance with section 3796.05 of the Revised Code, the number of cultivator licenses and retail dispensary licenses that will be permitted at any one time;

(4) Establish a license renewal schedule, renewal procedures, and renewal fees;

(5) Specify reasons for which a license may be suspended, including without prior hearing, revoked, or not be renewed or issued and the reasons for which a civil penalty may be imposed on a license holder;

(6) Establish standards under which a license suspension may be lifted;

(7) Establish procedures for registration of medical marijuana patients and caregivers and requirements that must be met to be eligible for registration;

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Sec. 4506.01. As used in this chapter:

(A) "Alcohol concentration" means the concentration of alcohol in a person's blood, breath, or urine. When expressed as a percentage, it means grams of alcohol per the following:

- (1) One hundred milliliters of whole blood, blood serum, or blood plasma;
- (2) Two hundred ten liters of breath;
- (3) One hundred milliliters of urine.

(B) "Commercial driver's license" means a license issued in accordance with this chapter that authorizes an individual to drive a commercial motor vehicle.

(C) "Commercial driver's license information system" means the information system established pursuant to the requirements of the "Commercial Motor Vehicle Safety Act of 1986," 100 Stat. 3207-171, 49 U.S.C.A. App. 2701.

(D) Except when used in section 4506.25 of the Revised Code, "commercial motor vehicle" means any motor vehicle designed or used to transport persons or property that meets any of the following qualifications:

(1) Any combination of vehicles with a gross vehicle weight or combined gross vehicle weight rating of twenty-six thousand one pounds or more, provided the gross vehicle weight or gross vehicle weight rating of the vehicle or vehicles being towed is in excess of ten thousand pounds;

(2) Any single vehicle with a gross vehicle weight or gross vehicle weight rating of twenty-six thousand one pounds or more;

(3) Any single vehicle or combination of vehicles that is not a class A or class B vehicle, but is designed to transport sixteen or more passengers including the driver;

(4) Any school bus with a gross vehicle weight or gross vehicle weight rating of less than twenty-six thousand one pounds that is designed to transport fewer than sixteen passengers including the driver;

(5) Is transporting hazardous materials for which placarding is required under subpart F of 49 C.F.R. part 172, as amended;

(6) Any single vehicle or combination of vehicles that is designed to be operated and to travel on a public street or highway and is considered by the federal motor carrier safety administration to be a commercial motor vehicle, including, but not limited to, a motorized crane, a vehicle whose function is to pump cement, a rig for drilling wells, and a portable crane.

(E) "Controlled substance" means all of the following:

(1) Any substance classified as a controlled substance under the "Controlled Substances Act," 80 Stat. 1242 (1970), 21 U.S.C.A. 802(6), as amended;

(2) Any substance included in schedules I through V of 21 C.F.R. part 1308, as amended;

(3) Any drug of abuse.

(F) "Conviction" means an unvacated adjudication of guilt or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or an authorized administrative tribunal, an unvacated forfeiture of bail or collateral deposited to secure the person's

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appearance in court, a plea of guilty or nolo contendere accepted by the court, the payment of a fine or court cost, or violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended, or probated.

(G) "Disqualification" means any of the following:

(1) The suspension, revocation, or cancellation of a person's privileges to operate a commercial motor vehicle;

(2) Any withdrawal of a person's privileges to operate a commercial motor vehicle as the result of a violation of state or local law relating to motor vehicle traffic control other than parking, vehicle weight, or vehicle defect violations;

(3) A determination by the federal motor carrier safety administration that a person is not qualified to operate a commercial motor vehicle under 49 C.F.R. 391.

(H) "Domiciled" means having a true, fixed, principal, and permanent residence to which an individual intends to return.

(I) "Downgrade" means any of the following, as applicable:

(1) A change in the commercial driver's license, or commercial driver's license temporary instruction permit, holder's self-certified status as described in division (A)(1) of section 4506.10 of the Revised Code;

(2) A change to a lesser class of vehicle;

(3) Removal of commercial driver's license privileges from the individual's driver's license;

(4) A change in the commercial driver's license, or commercial driver's license temporary instruction permit, holder's privileges as described in division (F)(1) of section 4506.13 of the Revised Code.

(J) "Drive" means to drive, operate, or be in physical control of a motor vehicle.

(K) "Driver" means any person who drives, operates, or is in physical control of a commercial motor vehicle or is required to have a commercial driver's license.

(L) "Driver's license" means a license issued by the bureau of motor vehicles that authorizes an individual to drive.

(M) "Drug of abuse" means any controlled substance, dangerous drug as defined in section 4729.01 of the Revised Code, harmful intoxicant as defined in section 2925.01 of the Revised Code, drinkable cannabinoid product as defined in section 3779.21 of the Revised Code, or over-the-counter medication that, when taken in quantities exceeding the recommended dosage, can result in impairment of judgment or reflexes.

(N) "Electronic device" includes a cellular telephone, a personal digital assistant, a pager, a computer, and any other device used to input, write, send, receive, or read text.

(O) "Eligible unit of local government" means a village, township, or county that has a population of not more than three thousand persons according to the most recent federal census. The above bolded and italicized text was disapproved

(P) "Employer" means any person, including the federal government, state, and a political subdivision of any state, that owns or leases a commercial motor vehicle or assigns a person

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to drive such a motor vehicle.

(Q) "Endorsement" means an authorization on a person's commercial driver's license that is required to permit the person to operate a specified type of commercial motor vehicle. *RMD*

(R) "Farm truck" means a truck controlled and operated by a farmer for use in the transportation to or from a farm, for a distance of not more than one hundred fifty miles, of products of the farm, including livestock and its products, poultry and its products, floricultural and horticultural products, and in the transportation to the farm, from a distance of not more than one hundred fifty miles, of supplies for the farm, including tile, fence, and every other thing or commodity used in agricultural, floricultural, horticultural, livestock, and poultry production, and livestock, poultry, and other animals and things used for breeding, feeding, or other purposes connected with the operation of the farm, when the truck is operated in accordance with this division and is not used in the operations of a motor carrier, as defined in section 4923.01 of the Revised Code.

(S) "Fatality" means the death of a person as the result of a motor vehicle accident occurring not more than three hundred sixty-five days prior to the date of death.

(T) "Felony" means any offense under federal or state law that is punishable by death or specifically classified as a felony under the law of this state, regardless of the penalty that may be imposed.

(U) "Foreign jurisdiction" means any jurisdiction other than a state.

(V) "Gross vehicle weight rating" means the value specified by the manufacturer as the maximum loaded weight of a single or a combination vehicle. The gross vehicle weight rating of a combination vehicle is the gross vehicle weight rating of the power unit plus the gross vehicle weight rating of each towed unit.

(W) "Hazardous materials" means any material that has been designated as hazardous under 49 U.S.C. 5103 and is required to be placarded under subpart F of 49 C.F.R. part 172 or any quantity of a material listed as a select agent or toxin in 42 C.F.R. part 73, as amended.

(X) "Imminent hazard" means the existence of a condition that presents a substantial likelihood that death, serious illness, severe personal injury, or a substantial endangerment to health, property, or the environment may occur before the reasonably foreseeable completion date of a formal proceeding begun to lessen the risk of that death, illness, injury, or endangerment.

(Y) "Medical variance" means one of the following received by a driver from the federal motor carrier safety administration that allows the driver to be issued a medical certificate:

(1) An exemption letter permitting operation of a commercial motor vehicle under 49 C.F.R. 381, subpart C or 49 C.F.R. 391.64;

(2) A skill performance evaluation certificate permitting operation of a commercial motor vehicle pursuant to 49 C.F.R. 391.49.

(Z) "Mobile telephone" means a mobile communication device that ~~uses~~ under or uses any commercial mobile radio service as defined in 47 C.F.R. 20, except that mobile telephone does not

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include two-way or citizens band radio services.

(AA) "Motor vehicle" means a vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical power used on highways, except that such term does not include a vehicle, machine, tractor, trailer, or semitrailer operated exclusively on a rail.

(BB) "Out-of-service order" means a declaration by an authorized enforcement officer of a federal, state, local, Canadian, or Mexican jurisdiction declaring that a driver, commercial motor vehicle, or commercial motor carrier operation is out of service as defined in 49 C.F.R. 390.5.

(CC) "Peace officer" has the same meaning as in section 2935.01 of the Revised Code.

(DD) "Portable tank" means a liquid or gaseous packaging designed primarily to be loaded onto or temporarily attached to a vehicle and equipped with skids, mountings, or accessories to facilitate handling of the tank by mechanical means.

(EE) "Public safety vehicle" has the same meaning as in divisions (E)(1) and (3) of section 4511.01 of the Revised Code.

(FF) "Recreational vehicle" includes every vehicle that is defined as a recreational vehicle in section 4501.01 of the Revised Code and is used exclusively for purposes other than engaging in business for profit.

(GG) "Residence" means any person's residence determined in accordance with standards prescribed in rules adopted by the registrar.

(HH) "School bus" has the same meaning as in section 4511.01 of the Revised Code.

(II) "Serious traffic violation" means any of the following:

(1) A conviction arising from a single charge of operating a commercial motor vehicle in violation of any provision of section 4506.03 of the Revised Code;

(2)(a) Except as provided in division (II)(2)(b) of this section, a violation while operating a commercial motor vehicle of a law of this state, or any municipal ordinance or county or township resolution, or any other substantially similar law of another state or political subdivision of another state prohibiting either of the following:

- (i) Texting while driving;
- (ii) Using a handheld mobile telephone.

(b) It is not a serious traffic violation if the person was texting or using a handheld mobile telephone to contact law enforcement or other emergency services.

(3) A conviction arising from the operation of any motor vehicle that involves any of the following:

(a) A single charge of any speed in excess of the posted speed limit by fifteen miles per hour or more;

(b) Violation of section 4511.20 or 4511.201 of the Revised Code or any similar ordinance or resolution, or of any similar law of another state or political subdivision of another state;

(c) Violation of a law of this state or an ordinance or resolution relating to traffic control, other than a parking violation, or of any similar law of another state or political subdivision of

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another state, that results in a fatal accident;

(d) Violation of section 4506.03 of the Revised Code or a substantially similar municipal ordinance or county or township resolution, or of any similar law of another state or political subdivision of another state, that involves the operation of a commercial motor vehicle without a valid commercial driver's license with the proper class or endorsement for the specific vehicle group being operated or for the passengers or type of cargo being transported;

(e) Violation of section 4506.03 of the Revised Code or a substantially similar municipal ordinance or county or township resolution, or of any similar law of another state or political subdivision of another state, that involves the operation of a commercial motor vehicle without a valid commercial driver's license being in the person's possession;

(f) Violation of section 4511.33 or 4511.34 of the Revised Code, or any municipal ordinance or county or township resolution substantially similar to either of those sections, or any substantially similar law of another state or political subdivision of another state;

(g) Violation of any other law of this state, any law of another state, or any ordinance or resolution of a political subdivision of this state or another state that meets both of the following requirements:

(i) It relates to traffic control, other than a parking violation;

(ii) It is determined to be a serious traffic violation by the United States secretary of transportation and is designated by the director as such by rule.

(JJ) "State" means a state of the United States and includes the District of Columbia.

(KK) "Tank vehicle" means any commercial motor vehicle that is designed to transport any liquid or gaseous materials within a tank or tanks that are either permanently or temporarily attached to the vehicle or its chassis and have an individual rated capacity of more than one hundred nineteen gallons and an aggregate rated capacity of one thousand gallons or more. "Tank vehicle" does not include a commercial motor vehicle transporting an empty storage container tank that is not designed for transportation, has a rated capacity of one thousand gallons or more, and is temporarily attached to a flatbed trailer.

(LL) "Tester" means a person or entity acting pursuant to a valid agreement entered into pursuant to division (B) of section 4506.09 of the Revised Code.

(MM) "Texting" means manually entering alphanumeric text into, or reading text from, an electronic device. Texting includes short message service, e-mail, instant messaging, a command or request to access a world wide web page, pressing more than a single button to initiate or terminate a voice communication using a mobile telephone, or engaging in any other form of electronic text retrieval or entry, for present or future communication. Texting does not include the following:

(1) Using voice commands to initiate, receive, or terminate a voice communication using a mobile telephone;

(2) Inputting, selecting, or reading information on a global positioning system or navigation system;

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(3) Pressing a single button to initiate or terminate a voice communication using a mobile telephone; or

(4) Using, for a purpose that is not otherwise prohibited by law, a device capable of performing multiple functions, such as a fleet management system, a dispatching device, a mobile telephone, a citizens band radio, or a music player.

(NN) "Texting while driving" means texting while operating a commercial motor vehicle, with the motor running, including while temporarily stationary because of traffic, a traffic control device, or other momentary delays. Texting while driving does not include operating a commercial motor vehicle with or without the motor running when the driver has moved the vehicle to the side of, or off, a highway and is stopped in a location where the vehicle can safely remain stationary.

(OO) "United States" means the fifty states and the District of Columbia.

(PP) "Upgrade" means a change in the class of vehicles, endorsements, or self-certified status as described in division (A)(1) of section 4506.10 of the Revised Code, that expands the ability of a current commercial driver's license holder to operate commercial motor vehicles under this chapter.

(QQ) "Use of a handheld mobile telephone" means:

(1) Using at least one hand to hold a mobile telephone to conduct a voice communication;

(2) Dialing or answering a mobile telephone by pressing more than a single button; or

(3) Reaching for a mobile telephone in a manner that requires a driver to maneuver so that the driver is no longer in a seated driving position, or restrained by a seat belt that is installed in accordance with 49 C.F.R. 393.93 and adjusted in accordance with the vehicle manufacturer's instructions.

(RR) "Vehicle" has the same meaning as in section 4511.01 of the Revised Code.

Sec. 4729.01. As used in this chapter:

(A) "Pharmacy," except when used in a context that refers to the practice of pharmacy, means any area, room, rooms, place of business, department, or portion of any of the foregoing where the practice of pharmacy is conducted.

(B) "Practice of pharmacy" means providing pharmacist care requiring specialized knowledge, judgment, and skill derived from the principles of biological, chemical, behavioral, social, pharmaceutical, and clinical sciences. As used in this division, "pharmacist care" includes the following:

(1) Interpreting prescriptions;

(2) Dispensing drugs and drug therapy related devices;

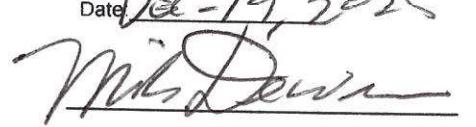
(3) Compounding drugs;

(4) Counseling individuals with regard to their drug therapy, recommending drug therapy related devices, and assisting in the selection of drugs and appliances for treatment of common diseases and injuries and providing instruction in the proper use of the drugs and appliances;

(5) Performing drug regimen reviews with individuals by discussing all of the drugs that the

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of the Revised Code, as provided in that chapter.

(O) The department of public safety shall assist the department of commerce in enforcing Chapter 3779. of the Revised Code as provided in that chapter. *MD*

Sec. 5502.13. The department of public safety shall maintain an investigative unit in order to conduct investigations and other enforcement activity authorized by Chapters ~~3779.~~ 3796., 4301., 4303., 5101., 5107., and 5108. and sections 2903.12, 2903.13, 2903.14, 2907.09, 2913.46, 2917.11, 2921.13, 2921.31, 2921.32, 2921.33, 2923.12, 2923.121, 2925.11, 2925.13, 2927.02, and 4507.30 of the Revised Code. The director of public safety shall appoint the employees of the unit who are necessary, designate the activities to be performed by those employees, and prescribe their titles and duties.

Sec. 5502.14. (A) As used in this section, "felony" has the same meaning as in section 109.511 of the Revised Code.

(B)(1) Any person who is employed by the department of public safety and designated by the director of public safety to enforce Title XLIII of the Revised Code, and the rules adopted under it, Chapter 3779. of the Revised Code and the policies established under that chapter, Chapter 3796. of the Revised Code and the rules adopted under that chapter, and the laws and rules regulating the use of supplemental nutrition assistance program benefits shall be known as an enforcement agent. The employment by the department of public safety and the designation by the director of public safety of a person as an enforcement agent shall be subject to division (D) of this section. An enforcement agent has the authority vested in peace officers pursuant to section 2935.03 of the Revised Code to keep the peace, to enforce all of the following:

(a) All applicable laws and rules on any retail liquor permit premises, or on any other premises of public or private property, where a violation of Title XLIII of the Revised Code or any rule adopted under it is occurring, and to enforce all;

(b) All applicable laws and rules on persons and premises licensed under Chapter 3796. of the Revised Code and on any other public or private property where a violation of Chapter 3796. or any rule adopted under that chapter is occurring;

(c) All laws and rules governing the use of supplemental nutrition assistance program benefits, women, infants, and children's coupons, electronically transferred benefits, or any other access device that is used alone or in conjunction with another access device to obtain payments, allotments, benefits, money, goods, or other things of value, or that can be used to initiate a transfer of funds, pursuant to the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) or any supplemental food program administered by any department of this state pursuant to the "Child Nutrition Act of 1966," 80 Stat. 885, 42 U.S.C.A. 1786. Enforcement agents, in enforcing compliance with the laws and rules described in this division, may keep the peace and make arrests for violations of those laws and

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(2) In addition to the authority conferred by division (B)(1) of this section, an enforcement agent also may execute search warrants and seize and take into custody any contraband, as defined

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(M) "Eligible conservation land" means either of the following:

(1) A tract, lot, or parcel devoted to and qualified for payments or other compensation under a land retirement or conservation program under an agreement with an agency of the federal government;

(2) A tract, lot, or parcel that meets at least one of the conditions described in divisions (M)(2)(a) to (c) of this section and the condition described in division (M)(2)(d) of this section.

(a) The land is subject to an agricultural water project or nature water project that receives funding from the H2Ohio fund created in section 126.60 of the Revised Code.

(b) The land was subject to such a project during the immediately preceding calendar year.

(c) The land is or was subject to such a project for the current or one of the two immediately preceding tax years and, for the current tax year, is subject to either a conservation easement held by the state or an agency of the state or a conservation easement held by any other person if such easement is a condition of a nature water project that is funded through the H2Ohio fund.

(d) For the tax year that includes or immediately precedes the year in which the land became subject to the project described in division (M)(2)(a), (b), or (c) of this section, as applicable, the land qualified as land devoted exclusively to agricultural use pursuant to other criteria in divisions (A)(1) to (4) of this section.

As used in division (M)(2) of this section, "conservation easement" has the same meaning as in section 5301.67 of the Revised Code.

SECTION 2. That existing sections 9.79, 109.572, 121.04, 121.08, 131.02, 519.21, 715.013, 928.02, 928.03, 928.04, 2925.01, 3376.07, 3719.01, 3719.41, 3780.37, 3796.01, 3796.02, 3796.021, 3796.03, 3796.032, 3796.05, 3796.06, 3796.061, 3796.07, 3796.08, 3796.09, 3796.10, 3796.11, 3796.12, 3796.13, 3796.14, 3796.15, 3796.16, 3796.17, 3796.18, 3796.19, 3796.20, 3796.21, 3796.22, 3796.23, 3796.24, 3796.27, 3796.28, 3796.29, 3796.30, 3796.31, ~~45060D~~, 4729.01, 4729.80, 4735.18, 4776.01, 4796.25, 5502.01, 5502.13, 5502.14, 5703.052, and 5713.30 of the Revised Code are hereby repealed.

SECTION 3. That sections 928.01, 3780.01, 3780.02, 3780.03, 3780.04, 3780.05, 3780.06, 3780.07, 3780.08, 3780.09, 3780.10, 3780.11, 3780.12, 3780.13, 3780.14, 3780.15, 3780.16, 3780.17, 3780.20, 3780.21, 3780.22, 3780.24, 3780.25, 3780.26, 3780.27, 3780.28, 3780.29, 3780.30, 3780.31, 3780.32, 3780.33, 3780.34, 3780.35, 3780.36, 3780.90, 3780.99, and 3796.021 of the Revised Code are hereby repealed.

SECTION 4. That sections 3779.21, 3779.211, 3779.22, 3779.23, 3779.24, 3779.25, 3779.26, 3779.27, 3779.28, 3779.29, 3779.30, and 3779.99 of the Revised Code are hereby repealed, effective December 31, 2026.

RMD

The above boxed and initialed text was
disapproved.

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SECTION 5. That existing section 4506.01 of the Revised Code amended by Section 1 of this act be amended to read as follows:

Sec. 4506.01. As used in this chapter:

(A) "Alcohol concentration" means the concentration of alcohol in a person's blood, breath, or urine. When expressed as a percentage, it means grams of alcohol per the following:

- (1) One hundred milliliters of whole blood, blood serum, or blood plasma;
- (2) Two hundred ten liters of breath;
- (3) One hundred milliliters of urine.

(B) "Commercial driver's license" means a license issued in accordance with this chapter that authorizes an individual to drive a commercial motor vehicle.

(C) "Commercial driver's license information system" means the information system established pursuant to the requirements of the "Commercial Motor Vehicle Safety Act of 1986," 100 Stat. 3207-171, 49 U.S.C.A. App. 2701.

(D) Except when used in section 4506.25 of the Revised Code, "commercial motor vehicle" means any motor vehicle designed or used to transport persons or property that meets any of the following qualifications:

(1) Any combination of vehicles with a gross vehicle weight or combined gross vehicle weight rating of twenty-six thousand one pounds or more, provided the gross vehicle weight or gross vehicle weight rating of the vehicle or vehicles being towed is in excess of ten thousand pounds;

(2) Any single vehicle with a gross vehicle weight or gross vehicle weight rating of twenty-six thousand one pounds or more;

(3) Any single vehicle or combination of vehicles that is not a class A or class B vehicle, but is designed to transport sixteen or more passengers including the driver;

(4) Any school bus with a gross vehicle weight or gross vehicle weight rating of less than twenty-six thousand one pounds that is designed to transport fewer than sixteen passengers including the driver;

(5) Is transporting hazardous materials for which placarding is required under subpart F of 49 C.F.R. part 172, as amended;

(6) Any single vehicle or combination of vehicles that is designed to be operated and to travel on a public street or highway and is considered by the federal motor carrier safety administration to be a commercial motor vehicle, including, but not limited to, a motorized crane, a vehicle whose function is to pump cement, a rig for drilling wells, and a portable crane.

(E) "Controlled substance" means all of the following:

(1) Any substance classified as a controlled substance under the "Controlled Substances Act," 80 Stat. 1242 (1970), 21 U.S.C.A. 802(6), as amended;

(2) Any substance included in schedules I through V of 21 C.F.R. part 1308, as amended. *The above boxed and initialed text was*

(3) Any drug of abuse. *disapproved.*

(F) "Conviction" means an unvacated adjudication of guilt or a determination that a person

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has violated or failed to comply with the law in a court of original jurisdiction or an authorized administrative tribunal, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, a plea of guilty or nolo contendere accepted by the court, the payment of a fine or court cost, or violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended, or probated.

(G) "Disqualification" means any of the following:

(1) The suspension, revocation, or cancellation of a person's privileges to operate a commercial motor vehicle;

(2) Any withdrawal of a person's privileges to operate a commercial motor vehicle as the result of a violation of state or local law relating to motor vehicle traffic control other than parking, vehicle weight, or vehicle defect violations;

(3) A determination by the federal motor carrier safety administration that a person is not qualified to operate a commercial motor vehicle under 49 C.F.R. 391.

(H) "Domiciled" means having a true, fixed, principal, and permanent residence to which an individual intends to return.

(I) "Downgrade" means any of the following, as applicable:

(1) A change in the commercial driver's license, or commercial driver's license temporary instruction permit, holder's self-certified status as described in division (A)(1) of section 4506.10 of the Revised Code;

(2) A change to a lesser class of vehicle;

(3) Removal of commercial driver's license privileges from the individual's driver's license;

(4) A change in the commercial driver's license, or commercial driver's license temporary instruction permit, holder's privileges as described in division (F)(1) of section 4506.13 of the Revised Code.

(J) "Drive" means to drive, operate, or be in physical control of a motor vehicle.

(K) "Driver" means any person who drives, operates, or is in physical control of a commercial motor vehicle or is required to have a commercial driver's license.

(L) "Driver's license" means a license issued by the bureau of motor vehicles that authorizes an individual to drive.

(M) "Drug of abuse" means any controlled substance, dangerous drug as defined in section 4729.01 of the Revised Code, harmful intoxicant as defined in section 2925.01 of the Revised Code, drinkable cannabinoid product as defined in section 3779.21 of the Revised Code, or over-the-counter medication that, when taken in quantities exceeding the recommended dosage, can result in impairment of judgment or reflexes.

(N) "Electronic device" includes a cellular telephone, a personal digital assistant, a pager, a computer, and any other device used to input, write, send, receive, or read text.

(O) "Eligible unit of local government" means a village, township, or county that has a population of not more than three thousand persons according to the most recent federal census.

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(P) "Employer" means any person, including the federal government, any state, and a political subdivision of any state, that owns or leases a commercial motor vehicle or assigns a person to drive such a motor vehicle.

(Q) "Endorsement" means an authorization on a person's commercial driver's license that is required to permit the person to operate a specified type of commercial motor vehicle.

(R) "Farm truck" means a truck controlled and operated by a farmer for use in the transportation to or from a farm, for a distance of not more than one hundred fifty miles, of products of the farm, including livestock and its products, poultry and its products, floricultural and horticultural products, and in the transportation to the farm, from a distance of not more than one hundred fifty miles, of supplies for the farm, including tile, fence, and every other thing or commodity used in agricultural, floricultural, horticultural, livestock, and poultry production, and livestock, poultry, and other animals and things used for breeding, feeding, or other purposes connected with the operation of the farm, when the truck is operated in accordance with this division and is not used in the operations of a motor carrier, as defined in section 4923.01 of the Revised Code.

(S) "Fatality" means the death of a person as the result of a motor vehicle accident occurring not more than three hundred sixty-five days prior to the date of death.

(T) "Felony" means any offense under federal or state law that is punishable by death or specifically classified as a felony under the law of this state, regardless of the penalty that may be imposed.

(U) "Foreign jurisdiction" means any jurisdiction other than a state.

(V) "Gross vehicle weight rating" means the value specified by the manufacturer as the maximum loaded weight of a single or a combination vehicle. The gross vehicle weight rating of a combination vehicle is the gross vehicle weight rating of the power unit plus the gross vehicle weight rating of each towed unit.

(W) "Hazardous materials" means any material that has been designated as hazardous under 49 U.S.C. 5103 and is required to be placarded under subpart F of 49 C.F.R. part 172 or any quantity of a material listed as a select agent or toxin in 42 C.F.R. part 73, as amended.

(X) "Imminent hazard" means the existence of a condition that presents a substantial likelihood that death, serious illness, severe personal injury, or a substantial endangerment to health, property, or the environment may occur before the reasonably foreseeable completion date of a formal proceeding begun to lessen the risk of that death, illness, injury, or endangerment.

(Y) "Medical variance" means one of the following received by a driver from the federal motor carrier safety administration that allows the driver to be issued a medical certificate:

(1) An exemption letter permitting operation of a commercial motor vehicle under 49 C.F.R. 381, subpart C or 49 C.F.R. 391.64;

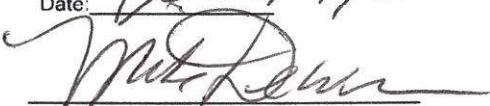
(2) A skill performance evaluation certificate permitting operation of a commercial motor vehicle pursuant to 49 C.F.R. 391.49.

The above boxed and initialed text was

disapproved

Date:

Dec-19, 2021



Mike DeWine, Governor

(Z) "Mobile telephone" means a mobile communication device that falls under or uses any commercial mobile radio service as defined in 47 C.F.R. 20, except that mobile telephone does not include two-way or citizens band radio services.

(AA) "Motor vehicle" means a vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical power used on highways, except that such term does not include a vehicle, machine, tractor, trailer, or semitrailer operated exclusively on a rail.

(BB) "Out-of-service order" means a declaration by an authorized enforcement officer of a federal, state, local, Canadian, or Mexican jurisdiction declaring that a driver, commercial motor vehicle, or commercial motor carrier operation is out of service as defined in 49 C.F.R. 390.5.

(CC) "Peace officer" has the same meaning as in section 2935.01 of the Revised Code.

(DD) "Portable tank" means a liquid or gaseous packaging designed primarily to be loaded onto or temporarily attached to a vehicle and equipped with skids, mountings, or accessories to facilitate handling of the tank by mechanical means.

(EE) "Public safety vehicle" has the same meaning as in divisions (E)(1) and (3) of section 4511.01 of the Revised Code.

(FF) "Recreational vehicle" includes every vehicle that is defined as a recreational vehicle in section 4501.01 of the Revised Code and is used exclusively for purposes other than engaging in business for profit.

(GG) "Residence" means any person's residence determined in accordance with standards prescribed in rules adopted by the registrar.

(HH) "School bus" has the same meaning as in section 4511.01 of the Revised Code.

(II) "Serious traffic violation" means any of the following:

(1) A conviction arising from a single charge of operating a commercial motor vehicle in violation of any provision of section 4506.03 of the Revised Code;

(2)(a) Except as provided in division (II)(2)(b) of this section, a violation while operating a commercial motor vehicle of a law of this state, or any municipal ordinance or county or township resolution, or any other substantially similar law of another state or political subdivision of another state prohibiting either of the following:

(i) Texting while driving;

(ii) Using a handheld mobile telephone.

(b) It is not a serious traffic violation if the person was texting or using a handheld mobile telephone to contact law enforcement or other emergency services.

(3) A conviction arising from the operation of any motor vehicle that involves any of the following:

(a) A single charge of any speed in excess of the posted speed limit by fifteen miles per hour or more;

(b) Violation of section 4511.20 or 4511.201 of the Revised Code or any similar ordinance or resolution, or of any similar law of another state or political subdivision of another state;

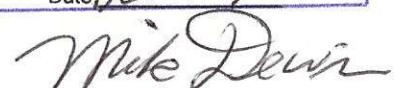
The above boxed and initialed text was

disapproved

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Date

DEC-19-2018



Mike DeWine, Governor

(c) Violation of a law of this state or an ordinance or resolution relating to traffic control, other than a parking violation, or of any similar law of another state or political subdivision of another state, that results in a fatal accident;

(d) Violation of section 4506.03 of the Revised Code or a substantially similar municipal ordinance or county or township resolution, or of any similar law of another state or political subdivision of another state, that involves the operation of a commercial motor vehicle without a valid commercial driver's license with the proper class or endorsement for the specific vehicle group being operated or for the passengers or type of cargo being transported;

(e) Violation of section 4506.03 of the Revised Code or a substantially similar municipal ordinance or county or township resolution, or of any similar law of another state or political subdivision of another state, that involves the operation of a commercial motor vehicle without a valid commercial driver's license being in the person's possession;

(f) Violation of section 4511.33 or 4511.34 of the Revised Code, or any municipal ordinance or county or township resolution substantially similar to either of those sections, or any substantially similar law of another state or political subdivision of another state;

(g) Violation of any other law of this state, any law of another state, or any ordinance or resolution of a political subdivision of this state or another state that meets both of the following requirements:

(i) It relates to traffic control, other than a parking violation;

(ii) It is determined to be a serious traffic violation by the United States secretary of transportation and is designated by the director as such by rule.

(JJ) "State" means a state of the United States and includes the District of Columbia.

(KK) "Tank vehicle" means any commercial motor vehicle that is designed to transport any liquid or gaseous materials within a tank or tanks that are either permanently or temporarily attached to the vehicle or its chassis and have an individual rated capacity of more than one hundred nineteen gallons and an aggregate rated capacity of one thousand gallons or more. "Tank vehicle" does not include a commercial motor vehicle transporting an empty storage container tank that is not designed for transportation, has a rated capacity of one thousand gallons or more, and is temporarily attached to a flatbed trailer.

(LL) "Tester" means a person or entity acting pursuant to a valid agreement entered into pursuant to division (B) of section 4506.09 of the Revised Code.

(MM) "Texting" means manually entering alphanumeric text into, or reading text from, an electronic device. Texting includes short message service, e-mail, instant messaging, a command or request to access a world wide web page, pressing more than a single button to initiate or terminate a voice communication using a mobile telephone, or engaging in any other form of electronic text retrieval or entry, for present or future communication. Texting does not include the following:

(1) Using voice commands to initiate, receive, or terminate a voice communication using a mobile telephone;

The above boxed and initialed text was
disapproved.

Date:

Dec-19-2025

Mike DeWine

Mike DeWine Governor

(2) Inputting, selecting, or reading information on a global positioning system or navigation system;

(3) Pressing a single button to initiate or terminate a voice communication using a mobile telephone; or

(4) Using, for a purpose that is not otherwise prohibited by law, a device capable of performing multiple functions, such as a fleet management system, a dispatching device, a mobile telephone, a citizens band radio, or a music player.

(NN) "Texting while driving" means texting while operating a commercial motor vehicle, with the motor running, including while temporarily stationary because of traffic, a traffic control device, or other momentary delays. Texting while driving does not include operating a commercial motor vehicle with or without the motor running when the driver has moved the vehicle to the side of, or off, a highway and is stopped in a location where the vehicle can safely remain stationary.

(OO) "United States" means the fifty states and the District of Columbia.

(PP) "Upgrade" means a change in the class of vehicles, endorsements, or self-certified status as described in division (A)(1) of section 4506.10 of the Revised Code, that expands the ability of a current commercial driver's license holder to operate commercial motor vehicles under this chapter.

(QQ) "Use of a handheld mobile telephone" means:

(1) Using at least one hand to hold a mobile telephone to conduct a voice communication;

(2) Dialing or answering a mobile telephone by pressing more than a single button; or

(3) Reaching for a mobile telephone in a manner that requires a driver to maneuver so that the driver is no longer in a seated driving position, or restrained by a seat belt that is installed in accordance with 49 C.F.R. 393.93 and adjusted in accordance with the vehicle manufacturer's instructions.

(RR) "Vehicle" has the same meaning as in section 4511.01 of the Revised Code.

SECTION 6. That existing section 4506.01 of the Revised Code as amended by Section 1 of this act is hereby repealed.

SECTION 7. Sections 5 and 6 of this act take effect December 31, 2026.

SECTION 8. (A) All rules adopted by the Division of Cannabis Control or the Tax Commissioner pursuant to Chapter 3780. of the Revised Code, as that chapter existed immediately before the effective date of this section, and that are not in conflict with the requirements of this act, continue in effect until repealed or amended by the Division or the Tax Commissioner. The above box and initial text was disapproved. At the request of the Division of Cannabis Control or the Tax Commissioner, disapproved Director of the Legislative Service Commission shall renumber rules adopted under Chapter 3780. of the Revised

Date: Dec-19-2025



Mike DeWine, Governor

B Revenue Distribution Fund Group

C 7106 110659 Host Community Cannabis Payments	\$47,500,000	\$49,000,000
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D Revenue Distribution Fund Group Total	\$47,500,000	\$49,000,000
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E TOTAL ALL BUDGET FUND GROUPS	\$47,500,000	\$49,000,000
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HOST COMMUNITY CANNABIS PAYMENTS

The foregoing appropriation item 110659, Host Community Cannabis Payments, shall be used by the Tax Commissioner for payments to municipal corporations and townships as required under section 3796.40 of the Revised Code. If it is determined that additional appropriations are necessary for this purpose, such amounts are hereby appropriated.

SECTION 13. Within the limits set forth in this act, the Director of Budget and Management shall establish accounts indicating the source and amount of funds for each appropriation made in this act, and shall determine the manner in which appropriation accounts shall be maintained. Expenditures from operating appropriations contained in this act shall be accounted for as though made in, and are subject to all applicable provisions of, H.B. 96 of the 136th General Assembly.

SECTION 14. Should the federal government legalize hemp beverages at tetrahydrocannabinol limits greater than those allowable under the version of 7 U.S.C. 1639o, et seq., set to take effect on November 12, 2026, it is the intent of the General Assembly to review the federal enactment and consider a more robust regulatory framework of these products, including licensure, registration, taxation, and responsible consumer and child protections in an effort to legalize hemp beverages for sale and consumption in Ohio beyond December 31, 2026. Nothing in this section shall be interpreted to legalize drinkable cannabinoid products, as defined in section 3799.21 of the Revised Code, or hemp beverages beyond December 31, 2026.

The above boxed and initialed text was
disapproved.

Date: Dec-19, 2025


Mike DeWine

Mike DeWine, Governor