



Mike DeWine, Governor Jon Husted, 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 October 31, 2024, at 10:00 A.M. at the Riffe Center, 77 South High Street, 19th Floor, Room 1932, Columbus, Ohio 43215.

The DCC proposes to adopt new rules:

- 1301:18-3-09 Employee Badging
- 1301:18-2-08 Cannabis Entity License Renewals
- 1301:18-3-02 Change of Location
- 1301:18-3-13 Transportation of Cannabis to Another Licensed Entity
- 1301:18-3-15 Discontinuing Business
- 1301:18-5-01 Cultivator Certificate of Operation
- 1301:18-5-02 Cultivator Uninterrupted Supply of Cannabis
- 1301:18-5-05 Cultivator Minimum Security and Surveillance Requirements
- 1301:18-6-01 Processor Certificate of Operation
- 1301:18-6-02 Processor Uninterrupted Supply of Cannabis
- 1301:18-6-04 Processor Minimum Security and Surveillance Requirements
- 1301:18-7-01 Testing Laboratory Certificate of Operation
- 1301:18-8-07 Dispensary Patient Confidentiality
- 1301:18-9-01 Cannabis Facility Inspections
- 1301:18-9-06 Variances
- 1301:18-10-01 Procedure for Patient Registration
- 1301:18-10-02 Procedure for Caregiver Registration
- 1301:18-10-04 Patient and Caregiver Notification Requirements
- 1301:18-10-06 Patient and Caregiver Enforcement
- 1301:18-10-07 Patient Confidentiality at Adjudication Hearings
- 1301:18-10-08 Release of Patient Information
- 1301:18-10-09 Suspension of Access to Patient Information

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 requirements for cannabis facility employee badging, facility renewals and change of location, transportation of cannabis between licensed businesses,

cultivator and processor minimum security and uninterrupted supply of cannabis, and medical marijuana patient confidentiality.

The DCC proposes to rescind rules:

- 3796:2-1-02 Cultivator Provisional License Application
- 3796:2-1-03 Cultivator Application Review
- 3796:2-1-04 Cultivator Provisional license Award
- 3796:2-1-06 Cultivator Certificate of Operation
- 3796:2-1-07 Uninterrupted Supply of Medical Marijuana
- 3796:2-1-08 Cultivator Transfer of Ownership or Location
- 3796:2-1-10 Cultivator Certificate of Operation Renewal
- 3796:2-1-11 Winding Down
- 3796:2-2-05 Cultivator Security
- 3796:3-1-02 Processor Provisional License Application
- 3796:3-1-03 Processor Application Review
- 3796:3-1-06 Processor Certificate of Operation
- 3796:3-1-07 Uninterrupted Supply of Medical Marijuana
- 3796:3-1-08 Processor Transfer of Ownership or Location
- 3796:3-1-09 Processor Certificate of Operation Renewal
- 3796:3-1-10 Winding Down
- 3796:3-2-05 Processor Security
- 3796:4-1-02 Testing Laboratory Provisional License Application
- 3796:4-1-06 Testing Laboratory Certificate of Operation
- 3796:4-1-08 Testing Laboratory Certificate of Operation Renewal
- 3796:5-2-01 Employee Identification Cards
- 3796:5-2-02 Criminal Records Check
- 3796:5-2-03 Denial of an Employee Identification Card
- 3796:5-3-01 Transportation of Medical Marijuana and Medical Marijuana Products
- 3796:6-2-07 Licensing of Medical Marijuana Dispensary Associated Key Employees and Dispensary Key Employees
- 3796:7-2-01 Procedure for Patient Registration
- 3796:7-2-03 Procedure for Caregiver Registration
- 3796:7-2-07 Duty to Report
- 3796:7-2-08 Grounds for Discipline
- 3796:7-2-10 Confidentiality of Patient-Identifying Information at Adjudication Hearings
- 3796:7-2-11 Release of Registered Patient Information Maintained by the State Board of Pharmacy

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 October 31, 2024. Written comments submitted after this date may be considered as time and circumstances permit.