

1301:18-2-05**Application to Convert Chapter 3796 license to dual-use cannabis license.**

(A) Pursuant to 1301:18-2-02(A)(1) a cultivator, processor, testing laboratory, or dispensary that is currently licensed pursuant to chapter 3796 may apply to convert its current medical facility and site to a dual-use facility. To be eligible for conversion, the applicant must comply with all dual-use application requirements outlined under this rule.

(B) A chapter 3796 licensed entity seeking to convert its current facility to a dual-use facility must submit a complete application on a form as prescribed by the division. This application will demonstrate, at a minimum:

(1) The applicant's designated point of contact that shall serve as the main contact for the division for the duration of the application period.

(2) Applicant does not have an ownership or investment interest in, or compensation arrangement with:

(a) An adult use testing laboratory licensed pursuant to chapter 3780 of the Revised Code; or

(b) An applicant for a license to conduct adult use laboratory testing.

(3) Applicant does not share any corporate officers or employees with:

(a) An adult use testing laboratory licensed pursuant to chapter 3780 of the Revised Code; or

(b) An applicant for a license to conduct adult use laboratory testing.

(4) Compliance with all applicable tax laws within the state of Ohio; and

(5) Applicant is not contemporaneously employed by a regulatory agency or governmental entity within the state of Ohio that within that role may significantly influence or control entities licensed under chapters 3796 or 3780 of the Revised Code.

(C) Upon receipt of a complete application for a dual-use license, the division shall review the application.

(D) After review of the application, the division may:

(1) Approve the application and issue a dual-use provisional license;

- (2) Deny the application; or
- (3) Advise in writing that the applicant failed to meet all application requirements.
- (E) Upon determination that an applicant failed to meet all requirements of paragraph (B) of this rule, the division shall notify the applicant in writing of all deficiencies contained within the application.
- (F) Within ten business days of receipt of written notification from the division, the applicant shall alleviate all deficiencies outlined and submit any further documentation requested by the division. If an applicant fails to alleviate all deficiencies in the time provided their application will be abandoned by the division.

Effective: 6/7/2024

Five Year Review (FYR) Dates: 06/07/2029

CERTIFIED ELECTRONICALLY

Certification

05/28/2024

Date

Promulgated Under: 119.03
Statutory Authority: 3780.03
Rule Amplifies: 3780.03, 3780.10