

Substitute Senate Bill 57—by Helena Volzer, LSC

Below are the changes included in the sub bill:

I incorporated all of the following amendments previously drafted and agreed upon at the meeting on 3/20:

- AM0086 – Hemp marketing program (RC 924.01 and 924.212) – same as the amendment but in line 72, changed from per bushel price to “one-half of one per cent of the value of hemp seed, fiber, or flower at the first point of sale
- AM0135 – THC testing; adds “and hemp products” to line 174
- AM0136 – THC exclusion; adds “and hemp products” to line 685-686
- AM0137 – Setback distance from medical marijuana; adds that setback does not apply to hemp cultivation license holder if a medical marijuana facility moves in after the hemp cultivator begins operations, line 196-203 and 96-97 (definition)
- AM0146 – THC content of hemp products – amends definition of “hemp product” to specify such products can’t contain more than .3% THC, line 88-95.
- AM0193 – Rules regarding hemp testing; moves rulemaking for the standards for testing and labeling of hemp and hemp products into the main list, line 211-212

I incorporated the following changes that were verbally agreed to at the meeting on 3/20 with Department of Agriculture (DOA):

- Hemp processor license – requires a license to process hemp to produce cannabidiol. Applied generally the same rules and penalties as apply to cultivation license under the bill. Changes appear throughout.
- Changes 5 year license to 3 year, line 121
- Right of entry for DOA to inspect, line 262-269
- Injunctions, line 270-275
- Adds rulemaking authority for DOA the following:
 - Recordkeeping – line 206-208
 - Fees for laboratory testing – line 209-210
 - Administrative hearings on licenses – line 151-153
 - Annual reporting requirements, line 204-205
 - Annual inspections – added the phrase “at a minimum” regarding the random sample (so that more than just random inspections may be done), lines 178-179, 182-185
- Research – clarified that research may only be done by DOA or a university without a license – lines 110-113

Conforming changes/other – changes made for consistency:

- Eliminates schedule 5 provision regarding the drug Epidiolex (a CBD drug currently approved by FDA; this would eliminate requirement to get a prescription) - deleted lines 1328-1336.
- Authorizes DOA to prohibit license holders from cultivating or processing marihuana - this is implied by the bill, but never explicitly stated anywhere. The concern is that growing marihuana may not actually be a “violation of the chapter or rules adopted under

it” under RC 928.04, thus, there is no violation without some kind of statement to this effect. Lines 169-171

- Cannabidiol definition - specifies that cannabidiol cannot contain more than .3% THC, line 75-76
- Hemp Program Fund – changes the name of the fund to Hemp Program Fund vs. Hemp Cultivation Fund, and allocates fees from lab testing and hemp processing license applications to the fund, line 261-264