

As Introduced

**132nd General Assembly
Regular Session
2017-2018**

S. B. No. 264

Senator Coley

A BILL

To require the Auditor of State to conduct and 1
release a performance audit of the Medical 2
Marijuana Control Program, to prohibit the 3
Department of Commerce from issuing final 4
cultivator, processor, or laboratory testing 5
licenses until performance audit recommendations 6
are implemented, and to declare an emergency. 7

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. (A) Not later than thirty days after the 8
effective date of this section, the Auditor of State shall 9
conduct and release to the Department of Commerce a performance 10
audit of the portions of the Medical Marijuana Control Program 11
administered by the Department. The audit shall examine 12
operations and procedures for the following: the review and 13
ranking of applications for licensure filed under section 14
3796.09 of the Revised Code and the issuance of provisional and 15
final licenses to cultivate, process, or test medical marijuana. 16
The audit shall include a description of any operational or 17
procedural flaws found by the Auditor and recommendations to 18
remedy any such flaws. 19

(B) Not later than thirty days after the Auditor of State 20
releases the performance audit, the Department shall implement 21
the audit's recommendations. If the Department fails to do so, 22
it shall file a report with the Governor, Auditor of State, 23
Speaker and Minority Leader of the House of Representatives, and 24
President and Minority Leader of the Senate justifying why the 25
recommendations have not been or will not be implemented. 26

(C) Notwithstanding section 3796.09 of the Revised Code, 27
the Department shall not issue a final cultivator, processor, or 28
testing laboratory license until it fully implements the audit's 29
recommendations. 30

Section 2. This act is hereby declared to be an emergency 31
measure necessary for the immediate preservation of the public 32
peace, health, and safety. The reason for such necessity is that 33
Section 3 of Sub. H.B. 523, enacted by the 131st General 34
Assembly, requires the Medical Marijuana Control Program to be 35
fully operational by September 8, 2018, and immediate action is 36
needed to ensure registered patients diagnosed with qualifying 37
medical conditions can access treatment by that date. Therefore, 38
this act shall go into immediate effect. 39