



OHIO CHAMBER OF COMMERCE

Rick Carfagna, Senior Vice President
Ohio Chamber of Commerce
Proponent Testimony – Senate Bill 56
June 4, 2025

Chair Thomas, Vice Chair Mathews, Ranking Member Isaacsohn, and members of the House Judiciary Committee, thank you for the opportunity to testify in support of Senate Bill 56. My name is Rick Carfagna, and I am Senior Vice President of Government Affairs for the Ohio Chamber of Commerce (OCC). The Ohio Chamber is the state's leading business advocate, and we represent over 8,000 companies that do business in Ohio. Our mission is to aggressively champion free enterprise, economic competitiveness, and growth for the benefit of all Ohioans.

The provisions the Ohio Chamber supports in SB 56 mirror those found in House Bill 160, sponsored by Representative Brian Stewart, which I recently articulated to this committee. Of all the Issue 2 provisions identified for revision, we remain focused on two main areas of broadest applicability and highest priority for the statewide business community: employer workplace protections and ensuring private property rights.

EMPLOYER WORKPLACE PROTECTIONS

We appreciate the sponsor's inclusion of two key OCC requests which strengthen Ohio's employer protection laws to account for recreational marijuana usage.

First, SB 56 addresses a provision currently found in Ohio's medical marijuana employer protection law but not included in Issue 2. This provision – ORC 3796.28(C), which was adopted in the budget during the 134th General Assembly – specifies that employers do not violate any anti-discrimination laws when enforcing drug-free workplace policies. Accordingly, the simple deletions of "medical" now expands this provision to apply to all forms of marijuana, regardless of whether it is medical or recreational.

Second, SB 56 also now clarifies that any person discharged from employment because of their use of marijuana – not just medical - is discharged for just cause and ineligible for unemployment benefits if the use was in violation of the employer's drug free or zero tolerance policies.

The OCC is grateful for these critical changes and other efforts to strengthen Ohio's employer protection laws to reinforce employers' abilities to maintain drug-free workplaces, zero tolerance policies and the flexibility to conduct employee testing.

ENSURING PRIVATE PROPERTY RIGHTS

The OCC believes the Issue 2 statute is ambiguous as to what extent private property owners will be able to prohibit people from using, possessing, displaying, or transferring marijuana on their properties, apart from existing bans on smoking. The OCC firmly believes that publicly accessible places such as shopping malls, restaurants and bars, amusement parks, and other large areas under private ownership should be able to limit cannabis use, possession, or transfer beyond the state's existing smoking ban.

To address this ambiguity, we believe the best way to achieve this outcome is to outlaw public use, which SB 56 largely achieves by limiting the smoking, combustion, and vaporization of recreational marijuana to private residences. Furthermore, the revisions also align with the OCC's request to empower rental property owners to ban the use of marijuana products on their properties.

CLOSING

We understand that creating a new industry in Ohio that was formerly illegal involves layers of complexity and consequences. It is equally important to both honor the vote of the people and administer this new program in the most socially responsible manner. We believe Ohio can do both and applaud the work and initiative by both Senator Steve Huffman and Representative Brian Stewart to revise the Issue 2 statute. The Ohio Chamber of Commerce supports the efforts under both SB 56 and HB 160 to ensure the safe and responsible usage of recreational marijuana, and we encourage your affirmative vote on both pieces of legislation.