

**OPPOSITION TESTIMONY SB 56  
SUBMITTED BY ANDREA R. YAGODA  
SENATE GENERAL GOVERNMENT COMMITTEE**

Chair Roegner, Vice Chair Gavarone, Ranking Member Blackshear and Members of the Senate General Government Committee. My name is Andrea R. Yagoda and I have been a resident of the state of Ohio for 50 years.

Article 2 Section 1 (B) of the Ohio Constitution provides:

*When at any time, not less than ten days prior to the commencement of any session of the general assembly, there shall have been filed with the secretary of state a petition signed by three per centum of the electors and verified as herein provided, proposing a law, the full text of which shall have been set forth in such petition, the secretary of state shall transmit the same to the general assembly as soon as it convenes. If said proposed law shall be passed by the general assembly, either as petitioned for or in an amended form, it shall be subject to the referendum. If it shall not be passed, or if it shall be passed in an amended form, **or if no action shall be taken thereon within four months from the time it is received by the general assembly, it shall be submitted by the secretary of state to the electors for their approval or rejection.** ...Any proposed law or amendment to the constitution submitted to the electors as provided in 1a and 1b, if approved by a majority of the electors voting thereon, shall take effect thirty days after the election at which it was approved and shall be published by the secretary of state.*

Pursuant to Article 2 (1)(b) Lawmakers had been presented with the proposal in January, 2023 and had four months to enact or amend it. But they

didn't act at all but rather chose to just ignore it. Having taken no action by May 3, the group promoting the bill, The Coalition to Regulate Marijuana Like Alcohol, had 90 days to gather signatures to put it before Ohio voters. Supporters submitted signatures in late July, but fell short by 679 signatures. The [Coalition](#) submitted 222,198, of that 123,367 were deemed valid signatures, but 124,046 valid signatures were needed. So in an amazing feat, in the ten (10) day grace period they secured 6,545 signatures, eight times that needed and met the required amount of valid signatures. This demonstrated at the outset that Ohioans felt strongly about this issue.

The matter was placed on the ballot on November 7, 2023. The total votes cast on Issue 2 were 3,892,707. The Yes votes were 2,226,391. The No votes were 1,666,316. The Yes votes comprised 57.19% of the votes and passed. The law went into effect December 7, 2023. Now over a year later the legislature is looking to eviscerate the law the people voted for. Imagine that. In 2023 we had a special election in which this body attempted to limit Ohioans 125 year old right to citizens initiative to amend the Constitution. What was your argument? That the people should go the statutory route. They did and you are now choosing to ignore what the majority of Ohioans voted for. Well, you have proven the point that the statutory route may choose to be an exercise in futility. What is so egregious about this bill is that the legislature could have amended the proposal before it went to the voters, before volunteers took on the arduous task of obtaining signatures. Absolutely no regard for Ohioans.

The Ohio Legislative Services Commission states at the outset of its analysis that this bill “repeals most of the Cannabis Control Law” voted by Ohioans. Interesting that this body waited until AFTER the 2024 election for this bill.

The brush is so broad in this brazen attempt to erase what Ohioans voted for I cannot delineate all the objectionable changes but here are a few: Limiting plants from 12 to 6; restricting usage only to one’s private residence ; deleting the creation of the five (5) funds in the state treasury and the allocation of those funds as follows: 36% to cannabis social equity and jobs fund (which this bill specifically eliminates); 36% to the host community cannabis facilities fund, 25% to the substance abuse and addiction fund; and 3% to the division of cannabis control and tax commission fund and directing those funds to the general fund. It should be noted that the distribution of funds and development of the social equity and jobs program were specifically referenced in the ballot language as was the 10% excise tax which this bill increases to 15%. What objection can this body possibly have to proceeds going to help those with addiction issues? What objection can this body have to a program which was intended to remedy the harm resulting in the disproportionate enforcement of marijuana-related laws. Oh right a program to help the people is less important that the legislature having the power to allocate the funds so Ohioans can subsidize the legislators donors kids’ educations. Let us not forget the real estate tax provisions in this bill treating the growing of marijuana differently that than of all other agricultural items so they do not the realize the same real estate tax advantages.

Government is supposed to be by the people and the people should not be ignored.

This committee should vote no on this bill as Ohioans have spoken loud and clear as to what they wanted.

*Andrea R. Yagoda*