



Testimony before the Senate General Government Committee

Chairwoman Kristina Roegner

In support of SB 86 – (Huffman/Wilkin)

To Regulate Intoxicating Hemp

By Kelly Hondros, Owner, Verdant Creations

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Chair Roegner, Vice-Chair Gavarone, Ranking Member Blackshear and members of the Senate General Government Committee:

Thank you for the opportunity to submit testimony in support of Senate Bill 86, which seeks to regulate the sale of intoxicating THC hemp products, including drinkable cannabinoid products (DCPs), ensuring that such sales occur only within licensed dispensaries. As an Ohio dispensary owner, I strongly urge the passage of this bill to protect both consumers, old and young, and the integrity of our state's regulated cannabis industry.

The Unregulated Hemp Industry is Harming Ohio's Legal Cannabis Market

Ohio's licensed dispensaries operate under strict state regulations to ensure product safety, proper labeling, and responsible sales practices. However, the proliferation of unregulated intoxicating THC hemp products, specifically those containing high levels of Delta-8 and Delta-9 intoxicating THC, has created an unfair and unsafe market. These products are being sold outside of licensed dispensaries in gas stations, convenience stores, and smoke shops—many of which do not have the necessary oversight or safeguards in place to prevent sales to minors. We receive multiple marketing emails daily from new operators popping up all over our state to take advantage of this unregulated area. Billboards advertising THC and calling themselves “dispensaries” are starting to litter our highways and Delta 8 and Delta 9 are showing up in packaging designed to entice children --- both illegal activities for licensed cannabis operators.

Senate Bill 86 addresses this issue by prohibiting the sale of intoxicating THC hemp products outside of licensed dispensaries. This is a necessary step to prevent bad actors from exploiting legal loopholes, selling products that are not tested or verified, undercutting dispensary businesses that have invested heavily in compliance, and ensuring consumer safety.

Public Safety Concerns: Unchecked Access to THC Products

Currently, intoxicating THC hemp products are readily available in retail environments where ID checks and proper product testing are not required. This poses a significant risk

to public health, including young people. We've tracked occurrences in other states that highlight the dangers of unregulated Delta-8 and Delta-9 THC, including incidents of severe illness and hospitalizations due to mislabeling, contamination, or excessive dosages.

States like New York and Colorado have taken decisive action by banning the sale of intoxicating hemp products outside of regulated cannabis dispensaries. Ohio must follow suit to prevent the same public health crises from unfolding in our communities.

Consumer Protection and Product Safety

SB86 ensures that all intoxicating THC hemp products sold in Ohio dispensaries meet the same stringent testing, labeling, and packaging requirements as medical marijuana and adult-use cannabis products. This guarantees that consumers receive safe and accurately labeled products, reducing the risks of accidental overconsumption or exposure to harmful contaminants. We have to ask -- who is growing this product, who is producing this product, are there additives or additional drugs add to this product? Where are these products coming from? We simply don't know!

Moreover, licensed dispensaries provide trained staff who can educate consumers on proper dosage, potential interactions, and safe usage practices—something that is entirely absent in gas stations or convenience stores.

Economic Impact: Leveling the Playing Field for Ohio Dispensaries

Ohio dispensaries operate under a highly regulated system with significant costs associated with licensing, security, and compliance. Meanwhile, unregulated intoxicating THC hemp retailers circumvent these regulations and profit at the expense of law-abiding cannabis businesses. By passing SB86, the state will create a fair marketplace, allowing regulated dispensaries to compete on an even playing field while ensuring that tax revenues generated from legal cannabis sales are not undermined by illicit, untaxed products.

In conclusion, Ohio must take decisive action now to regulate the sale of intoxicating THC hemp products before the issue spirals further out of control. SB86 is a crucial step in protecting consumers, preventing underage access, ensuring product safety, and supporting the integrity of the state's licensed cannabis industry. I strongly urge this committee to support the bill and uphold the principles of responsible regulation that Ohio's cannabis industry was built upon.

Thank you for your time and consideration.