

**As Introduced**

**136th General Assembly**

**Regular Session**

**2025-2026**

**H. B. No. 198**

**Representatives Fischer, Mathews, T.**

**Cosponsors: Representatives Hall, T., Creech, Kishman, Johnson, Ferguson,  
Mullins, Gross, Swearingen, Newman, Robb Blasdel, Pizzulli, Jones, King,  
Rogers, Lear, Lorenz, Dean, Daniels, Deeter, Barhorst, Ritter**

---

**A BILL**

To amend sections 928.01, 928.06, and 3719.01 and 1  
to enact sections 930.01, 930.02, 930.03, 2  
930.04, 930.05, 930.06, 930.07, 930.08, 930.09, 3  
930.10, 930.11, 930.12, 930.13, 930.14, 930.15, 4  
930.16, 930.17, and 930.99 of the Revised Code 5  
to regulate the manufacture, distribution, and 6  
sale of inhalable and ingestible hemp products. 7

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

**Section 1.** That sections 928.01, 928.06, and 3719.01 be 8  
amended and sections 930.01, 930.02, 930.03, 930.04, 930.05, 9  
930.06, 930.07, 930.08, 930.09, 930.10, 930.11, 930.12, 930.13, 10  
930.14, 930.15, 930.16, 930.17, and 930.99 of the Revised Code 11  
be enacted to read as follows: 12

**Sec. 928.01.** As used in this chapter: 13

(A) "Cannabidiol" means the cannabidiol compound, 14  
containing a delta-9 tetrahydrocannabinol concentration of not 15  
more than three-tenths per cent, derived from hemp. 16

(B) "Cultivate" or "cultivating" means to plant, water, grow, fertilize, till, or harvest a plant or crop. "Cultivating" includes possessing or storing a plant or crop on a premises where the plant or crop was cultivated until transported to the first point of sale.

(C) "Hemp" means the plant *Cannabis sativa* L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than three-tenths per cent on a dry weight basis.

(D) "Hemp cultivation license" means a license to cultivate hemp issued under section 928.02 of the Revised Code.

(E) "Hemp processing license" means a license to process hemp issued under section 928.02 of the Revised Code.

(F) "Hemp product" means any product, containing a delta-9 tetrahydrocannabinol concentration of not more than three-tenths per cent, that is made with hemp and that is not a hemp-derived consumable product as defined in section 930.01 of the Revised Code. "Hemp product" includes cosmetics, personal care products, dietary supplements or food intended for animal ~~or human~~ consumption, cloth, cordage, fiber, fuel, paint, paper, particleboard, and any other product containing one or more cannabinoids derived from hemp, including cannabidiol.

(G) "Marihuana" has the same meaning as in section 3719.01 of the Revised Code.

(H) "Medical marijuana" has the same meaning as in section 3796.01 of the Revised Code.

(I) "Process" or "processing" means converting hemp into a

hemp product. 46

(J) "Delta-9 tetrahydrocannabinol" means the sum of the 47  
percentage by weight of tetrahydrocannabinolic acid multiplied 48  
by 0.877 plus the percentage by weight of delta-9 49  
tetrahydrocannabinol. 50

(K) "University" means an institution of higher education 51  
as defined in section 3345.12 of the Revised Code and a private 52  
nonprofit institution with a certificate of authorization issued 53  
pursuant to Chapter 1713. of the Revised Code. 54

(L) "USDA" means the United States department of 55  
agriculture. 56

**Sec. 928.06.** There is hereby created in the state treasury 57  
the hemp program fund. The fund shall consist of all fees 58  
collected under rules adopted under section 928.03 of the 59  
Revised Code; fees and fines collected under Chapter 930. of the 60  
Revised Code; money appropriated to the fund; and any other 61  
money received from gifts or federal grants. All investment 62  
earnings of the fund shall be credited to the fund. The director 63  
of agriculture shall use money in the fund ~~to~~ as follows: 64

(A) Money collected from fees under rules adopted under 65  
section 928.03 of the Revised Code and money appropriated to the 66  
fund for purposes of this chapter or received from gifts or 67  
federal grants for purposes of this chapter shall be used to 68  
administer and enforce this chapter and rules adopted under it. 69

(B) Money collected from fees or fines under Chapter 930. 70  
of the Revised Code and money appropriated to the fund for 71  
purposes of that chapter or received from gifts or federal 72  
grants for purposes of that chapter shall be used to administer 73  
and enforce Chapter 930. of the Revised Code and rules adopted 74

<u>under it.</u>	75
<u>Sec. 930.01. As used in this chapter:</u>	76
<u>(A) "Batch" means a specific quantity of hemp-derived</u>	77
<u>consumable product to which all of the following apply:</u>	78
<u>(1) It is manufactured at the same time using the same</u>	79
<u>methods, equipment, and ingredients.</u>	80
<u>(2) It is uniform and intended to meet specifications for</u>	81
<u>identity, strength, purity, and composition.</u>	82
<u>(3) It is manufactured, packaged, and labeled according to</u>	83
<u>a single batch production record executed and documented in</u>	84
<u>accordance with rules adopted under section 930.07 of the</u>	85
<u>Revised Code.</u>	86
<u>(B) "Batch identification number" means a unique numeric</u>	87
<u>or alphanumeric identifier assigned to a batch.</u>	88
<u>(C) "Counter" means the point of purchase at a retail</u>	89
<u>establishment.</u>	90
<u>(D) "Distributor" means a person or entity that purchases</u>	91
<u>hemp-derived consumable products from a manufacturer and sells</u>	92
<u>those products to a retailer.</u>	93
<u>(E) "Franchise" means a contract of definite duration or</u>	94
<u>continuing indefinite duration, between a manufacturer and a</u>	95
<u>distributor, in which the distributor is granted the right to</u>	96
<u>sell within this state or any designated area of the state some</u>	97
<u>or all of the manufacturer's hemp-derived consumable products to</u>	98
<u>retailers licensed under this chapter.</u>	99
<u>(F) "Food service operation" has the same meaning as in</u>	100
<u>section 3717.01 of the Revised Code.</u>	101

(G) "Hemp" has the same meaning as in section 928.01 of 102  
the Revised Code. 103

(H) "Hemp-derived cannabinoid" means any cannabinoid 104  
derived from a compound found in hemp, including delta-9 105  
tetrahydrocannabinol, tetrahydrocannabinolic acid (THCA), 106  
cannabidiol (CBD), cannabidiolic acid (CBDA), cannabinol (CBN), 107  
cannabigerol (CBG), cannabichromene (CBC), cannabicycol (CBL), 108  
cannabivarin (CBV), tetrahydrocannabivarin (THCV), 109  
cannabidivarin (CBDV), cannabicitran (CBT), delta-7 110  
tetrahydrocannabinol, delta-8 tetrahydrocannabinol, delta-10 111  
tetrahydrocannabinol, or hexahydrocannabinol (HHC). "Hemp- 112  
derived cannabinoid" includes any synthetic cannabinoid derived 113  
from hemp and contained in a hemp-derived consumable product. 114

(I) "Hemp-derived consumable product" means a hemp product 115  
that is a finished good intended for human ingestion or 116  
inhalation that contains a delta-9 tetrahydrocannabinol 117  
concentration of not more than three-tenths of one per cent on a 118  
dry weight basis, but may contain concentrations of other hemp- 119  
derived cannabinoids in excess of three-tenths of one per cent. 120  
"Hemp-derived consumable product" does not include hemp products 121  
that are not intended for ingestion or inhalation, or seeds or 122  
seed-derived ingredients that are generally recognized as safe 123  
by the United States food and drug administration. 124

(J) "Identification card" means a driver's or commercial 125  
driver's license or state identification card issued under 126  
Chapters 4506. and 4507. of the Revised Code, as applicable, or 127  
an equivalent license or identification card issued by another 128  
state, a military identification card issued by the United 129  
States department of defense, or a United States or foreign 130  
passport that displays a picture of the individual for whom the 131

license, card, or passport was issued. 132

(K) "Ingestion" means the process of consuming hemp 133  
through the mouth by swallowing into the gastrointestinal system 134  
or through tissue absorption. 135

(L) "Inhalation" means the process of consuming hemp 136  
through the respiratory system through the mouth or nasal 137  
passageway. 138

(M) "Manufacture" means to compound, blend, extract, 139  
infuse, cook, or otherwise make or prepare products containing a 140  
hemp-derived cannabinoid, including the processes of extraction, 141  
infusion, packaging, repackaging, labeling, and relabeling of 142  
products containing a hemp-derived cannabinoid. 143

(N) "Manufacturer" means any person who manufactures a 144  
hemp-derived consumable product. 145

(O) "Retail establishment" means a place of business open 146  
to the general public for the sale of goods or services. 147

(P) "Retailer" means a person that sells a hemp-derived 148  
consumable product at retail to consumers. 149

(Q) "School" means a school operated by a city, local, 150  
exempted village, or joint vocational school district or an 151  
educational service center, a community school under Chapter 152  
3314. of the Revised Code, a STEM school under Chapter 3326. of 153  
the Revised Code, a college-preparatory boarding school under 154  
Chapter 3328. of the Revised Code, or a chartered or 155  
nonchartered nonpublic school. 156

(R) "Serving" means a quantity of a hemp-derived 157  
consumable product indicated on the label of the product that is 158  
intended for a single use by an individual. 159

(S) "Sell" means the exchange, barter, gift, sale, 160  
distribution, or delivery of a hemp-derived consumable product. 161

(T) "Testing laboratory" means a laboratory that meets all 162  
of the following conditions: 163

(1) Holds an ISO 17025 accreditation or is registered with 164  
the drug enforcement administration in accordance with 21 C.F.R. 165  
1301.13; 166

(2) Does not have a direct or indirect interest in the 167  
entity whose product is being tested; 168

(3) Does not have a direct or indirect interest in a 169  
facility that cultivates, processes, distributes, dispenses, or 170  
sells hemp-derived consumable products in this state or any 171  
other jurisdiction; 172

(4) Performs tetrahydrocannabinol concentration sampling 173  
and testing using the high-performance chromatography (HPLC) 174  
method. 175

**Sec. 930.02.** (A) It is the intent of the General Assembly 176  
to establish uniform and statewide regulations governing the 177  
manufacture, distribution, and retail sale of hemp-derived 178  
consumable products in this state. 179

(B) The department of agriculture shall enforce this 180  
chapter in a manner that may reasonably be expected to reduce 181  
the extent to which hemp-derived consumable products are sold or 182  
distributed to persons under twenty-one years of age and shall 183  
conduct inspections under the authority of section 930.15 of the 184  
Revised Code at locations where such products are manufactured, 185  
sold, or distributed to ensure compliance with this chapter. 186

**Sec. 930.03.** (A) No person shall manufacture a hemp- 187

derived consumable product for sale in this state without a 188  
license issued by the director of agriculture in accordance with 189  
rules adopted under section 930.07 of the Revised Code. The 190  
director shall issue a license under this section if the 191  
applicant submits to the director an application in compliance 192  
with those rules and pays to the director a license application 193  
fee of two hundred fifty dollars. 194

(B) A license issued under this section is valid for one 195  
year after issuance and shall be renewed in the same manner as 196  
an initial license, including payment of a two-hundred-fifty- 197  
dollar license renewal application fee. 198

(C) Fees collected under this section shall be credited to 199  
the hemp program fund created in section 928.06 of the Revised 200  
Code. 201

**Sec. 930.04.** (A) No person shall distribute a hemp-derived 202  
consumable product for sale in this state without a license 203  
issued by the director of agriculture in accordance with rules 204  
adopted under section 930.07 of the Revised Code. The director 205  
shall issue a license under this section if the applicant 206  
submits to the director an application in compliance with those 207  
rules and pays to the director a license application fee of two 208  
hundred fifty dollars. An applicant need not submit a fee under 209  
this division or division (B) of this section if the applicant 210  
holds a license under section 5743.61 of the Revised Code. 211

(B) A license issued under this section is valid for one 212  
year after issuance and shall be renewed in the same manner as 213  
an initial license, including payment of a two-hundred-fifty- 214  
dollar license renewal application fee, if applicable. 215

(C) Fees collected under this section shall be credited to 216

the hemp program fund created in section 928.06 of the Revised 217  
Code. 218

**Sec. 930.05.** (A) No person shall sell or offer for sale at 219  
retail in this state a hemp-derived consumable product without a 220  
license issued by the director of agriculture in accordance with 221  
rules adopted under section 930.07 of the Revised Code. The 222  
director shall issue a license under this section if the 223  
applicant submits to the director an application in compliance 224  
with those rules and pays to the director a license application 225  
fee of one hundred dollars per retail location. An applicant 226  
shall not pay more than a two-thousand-five-hundred-dollar 227  
application fee if the applicant has more than twenty-five 228  
retail locations. An applicant need not submit a fee under this 229  
division or division (B) of this section if the applicant holds 230  
a license under section 5743.15 of the Revised Code. 231

(B) A license issued under this section is valid for one 232  
year after issuance and shall be renewed in the same manner as 233  
an initial license, including payment of a two-hundred-fifty- 234  
dollar license renewal application fee, if applicable. 235

(C) Fees collected under this section shall be credited to 236  
the hemp program fund created in section 928.06 of the Revised 237  
Code. 238

(D) No person shall operate in this state a retail 239  
establishment that sells hemp-derived consumable products to 240  
consumers if the establishment is located within one hundred 241  
feet of a school. 242

**Sec. 930.06.** (A) As used in this section, "small beverage 243  
manufacturer" means a manufacturer licensed under this chapter 244  
that exclusively manufactures beverages that are hemp-derived 245

consumable products in amounts not exceeding one thousand 246  
gallons per year. 247

(B) With respect to persons or entities licensed under 248  
this chapter, all of the following apply: 249

(1) A manufacturer shall not hold a distributor or 250  
retailer license issued under this chapter and shall not have a 251  
financial interest, either direct or indirect, in any person or 252  
entity holding such a license. 253

(2) A distributor shall not hold a manufacturer or 254  
retailer license issued under this chapter and shall not have a 255  
financial interest, either direct or indirect, in any person or 256  
entity holding such a license. 257

(3) A retailer shall not hold a manufacturer or 258  
distributor license issued under this chapter and shall not have 259  
a financial interest, either direct or indirect, in any person 260  
or entity holding such a license. 261

(C) No manufacturer licensed under this chapter shall 262  
directly sell or offer to sell hemp-derived consumable products 263  
to a retailer. Such a manufacturer shall only sell such products 264  
to a distributor licensed under this chapter. 265

(D) No distributor licensed under this chapter shall sell 266  
or offer to sell hemp-derived consumable products at retail. 267  
Such a distributor shall only sell such products to a retailer 268  
licensed under this chapter for subsequent sale to a consumer. 269

(E) Divisions (B) and (C) of this section do not apply to 270  
a small beverage manufacturer. 271

(F) A small beverage manufacturer may sell beverages that 272  
are hemp-derived consumable products at retail or to a 273

distributor licensed under this chapter or a retailer licensed 274  
under this chapter. 275

Sec. 930.07. The director of agriculture shall adopt rules 276  
in accordance with Chapter 119. of the Revised Code that do all 277  
of the following: 278

(A) Establish all of the following regarding licenses 279  
issued under sections 930.03, 930.04, and 930.05 of the Revised 280  
Code: 281

(1) Information that must be included with an application 282  
for a license; 283

(2) Procedures for the approval of a license; 284

(3) Grounds and procedures for the denial, suspension, or 285  
revocation of a license. 286

(B) Establish requirements and procedures regarding the 287  
testing of hemp-derived consumable products under section 930.08 288  
of the Revised Code. Such requirements and procedures shall 289  
include maximum allowable levels for the substances and 290  
organisms specified in division (A)(1) of section 930.08 of the 291  
Revised Code to ensure the safety of hemp-derived consumable 292  
products sold and offered for sale in this state. 293

(C) Establish any additional requirements and procedures 294  
for the labeling of hemp-derived consumable products for 295  
purposes of implementing section 930.09 of the Revised Code; 296

(D) Establish both of the following regarding registration 297  
of hemp-derived consumable products: 298

(1) Registration and registration renewal procedures, 299  
including specific deadlines by which products must be 300  
registered; 301

(2) Reasons, in addition to those established in section 302  
930.10 of the Revised Code, that a manufacturer must submit a 303  
new registration for a hemp-derived consumable product that has 304  
been previously registered. 305

(E) Establish requirements governing the execution and 306  
documentation of batch production records; 307

(F) Specify definitions that delineate what constitutes a 308  
ready-to-consume or a direct consumption prepackaged hemp- 309  
derived consumable product for purposes of section 930.14 of the 310  
Revised Code; 311

(G) Establish any additional requirements and procedures 312  
necessary to implement this chapter. 313

**Sec. 930.08.** (A) (1) A manufacturer licensed under this 314  
chapter shall test each hemp-derived consumable product in 315  
accordance with rules adopted under section 930.07 of the 316  
Revised Code prior to selling the product or offering the 317  
product for sale to a distributor licensed under this chapter. 318  
The manufacturer shall test for the presence and amounts of any 319  
of the following substances or organisms in accordance with 320  
those rules: 321

(a) Heavy metals; 322

(b) Pesticides; 323

(c) Mycotoxins; 324

(d) Solvents; 325

(e) Microbials. 326

(2) No manufacturer, distributor, or retailer shall sell 327  
or offer to sell a hemp-derived consumable product that is not 328

tested in accordance with this section and rules adopted under 329  
section 930.07 of the Revised Code or that exceeds the maximum 330  
allowable level for a substance or organism specified in those 331  
rules. 332

(B) A manufacturer shall contract with a testing 333  
laboratory to provide the testing required under this section. A 334  
testing laboratory that tests a hemp-derived consumable product 335  
for a manufacturer shall use high-performance liquid 336  
chromatography for any separation and measurement required in 337  
the testing. 338

(C) A manufacturer shall ensure that each hemp-derived 339  
consumable product tested in accordance with this section is 340  
accompanied by a certificate of analysis issued by the testing 341  
laboratory. The laboratory shall include all of the following on 342  
the certificate of analysis: 343

(1) The batch identification number; 344

(2) The date the hemp-derived consumable product was 345  
received by the laboratory; 346

(3) The date that the testing was completed; 347

(4) The method of analysis for each test conducted; 348

(5) Proof that the applicable certificate of analysis is 349  
congruent with the hemp-derived consumable product being tested. 350

(D) The director shall do both of the following: 351

(1) Maintain and post on the department of agriculture's 352  
web site a registry of testing laboratories that are qualified 353  
to test hemp-derived consumable products; 354

(2) Develop an application and process by which testing 355

laboratories are listed on the department of agriculture's web 356  
site. The application submitted by a potentially qualifying 357  
testing laboratory shall include a sample certificate of 358  
analysis issued by the applying laboratory. 359

(E) No manufacturer or testing laboratory shall fail to 360  
comply with this section. 361

**Sec. 930.09.** (A) A manufacturer licensed under this 362  
chapter shall include a label on each hemp-derived consumable 363  
product container that it sells or offers for sale by the 364  
manufacturer in this state that includes the following 365  
information in legible print: 366

(1) The product name or common name on the front of the 367  
label; 368

(2) The brand name on the front of the label; 369

(3) The size of the container or net count of individual 370  
items included in the container on the front of the label; 371

(4) The net weight or volume of the items included in the 372  
container; 373

(5) The recommended use of the product, including the 374  
recommended serving size; 375

(6) A list of ingredients, including the amount of any 376  
cannabinoid, in milligrams; 377

(7) A list of allergens included in the product; 378

(8) The name and address of the manufacturer and 379  
distributor; 380

(9) The batch identification number of the ingredients 381  
included in the product; 382

<u>(10) A statement that the use of the product may be</u>	383
<u>harmful while pregnant or breastfeeding;</u>	384
<u>(11) A statement that the product contains hemp-derived</u>	385
<u>cannabinoids and that consumption of certain cannabinoids may</u>	386
<u>impair a person's ability to drive or operate heavy machinery;</u>	387
<u>(12) A statement recommending that consumers keep the</u>	388
<u>product out of the reach of children;</u>	389
<u>(13) A statement that the product is only for persons</u>	390
<u>twenty-one years of age or over;</u>	391
<u>(14) A statement that a person should consult the person's</u>	392
<u>physician before use;</u>	393
<u>(15) A statement that consuming hemp-derived consumable</u>	394
<u>products may result in a failed drug test;</u>	395
<u>(16) An expiration date that conforms with applicable</u>	396
<u>laws;</u>	397
<u>(17) The following text:</u>	398
<u>"This product has not been evaluated by the Food and Drug</u>	399
<u>Administration. This product is not intended to diagnose, treat,</u>	400
<u>cure, mitigate, or prevent any disease.</u>	401
<u>Warning - The safety of this product has not been</u>	402
<u>determined."</u>	403
<u>(B) The manufacturer shall ensure that a label does not:</u>	404
<u>(1) Include any likeness that bears a resemblance to a</u>	405
<u>human or animal or to a cartoon or fictional character;</u>	406
<u>(2) Imply to a consumer in any manner that the hemp-</u>	407
<u>derived consumable product is a food, candy, or snack product,</u>	408
<u>including a product that is typically marketed toward or</u>	409

appealing to children. 410

(C) No manufacturer shall fail to comply with this 411  
section. 412

**Sec. 930.10.** (A) A manufacturer licensed under this 413  
chapter shall annually register with the director of agriculture 414  
each hemp-derived consumable product that it intends to sell or 415  
offer for sale in this state. The manufacturer shall register or 416  
renew the registration of the product in accordance with 417  
deadlines established in rules adopted under section 930.07 of 418  
the Revised Code. 419

(B) A manufacturer shall apply for registration on a form 420  
prescribed by the director. The application shall include all of 421  
following information: 422

(1) The name and address of the applicant; 423

(2) The name of the product; 424

(3) The type and use of the product; 425

(4) A complete copy of the label as it will appear on the 426  
product in a legible format; 427

(5) If the product has been assigned a national drug code 428  
in accordance with 21 C.F.R. 207.33, the national drug code 429  
number; 430

(6) The certificate of analysis from an independent 431  
testing laboratory for the hemp-derived consumable product as 432  
required under section 930.08 of the Revised Code. 433

(C) The director may deny the application for registration 434  
of a hemp-derived consumable product if the application is 435  
incomplete. 436

(D) A manufacturer shall apply for a new registration for 437  
a hemp-derived consumable product that has been previously 438  
registered if either of the following apply: 439

(1) The product's ingredients, directions, or name has 440  
changed since its initial registration or most recent 441  
registration renewal. 442

(2) Any other change has occurred regarding the product 443  
that necessitates a new registration as determined by the 444  
director in rules adopted under section 930.07 of the Revised 445  
Code. 446

(E) A manufacturer shall continue to register a hemp- 447  
derived consumable product that has been discontinued until the 448  
product is no longer available for sale in this state. 449

(F) No manufacturer shall fail to comply with the 450  
requirements of this section or falsify any information 451  
submitted for the registration of a hemp-derived consumable 452  
product. 453

(G) No person, including any manufacturer, distributor, or 454  
retailer, shall sell or offer for sale a hemp-derived consumable 455  
product that is not registered as required by this section. 456

**Sec. 930.11.** (A) (1) A manufacturer that is licensed under 457  
this chapter shall ensure that each hemp-derived consumable 458  
product it sells or offers for sale in this state meets the 459  
following requirements: 460

(a) Except for a hemp-derived consumable product that is a 461  
beverage, the container in which the product is sold complies 462  
with child-resistant effectiveness standards under 16 C.F.R. 463  
1700.15(b) (1) when tested in accordance with the requirements 464  
set forth in 16 C.F.R. 1700.20. 465

(b) The product is manufactured in the United States in 466  
accordance with all applicable laws governing the manufacture of 467  
hemp-derived products in its jurisdiction of manufacture. 468

(c) With respect to a hemp-derived consumable product 469  
intended for inhalation, the product is sold in a container that 470  
contains not more than six milliliters or six grams, in the 471  
aggregate, of hemp-derived cannabinoids. 472

(d) The product is sold with a valid certificate of 473  
analysis issued for the product by an independent testing 474  
laboratory within the previous twelve months prior to its sale 475  
in accordance with section 930.08 of the Revised Code and rules 476  
adopted under section 930.07 of the Revised Code. 477

(e) Each serving included within the product is not formed 478  
in the shape of a person or animal or cartoon character or 479  
fictional character. 480

(2) No manufacturer shall fail to comply with division (A) 481  
(1) of this section. 482

(B) (1) No retailer or distributor licensed under this 483  
chapter shall advertise, market, sell, or offer for sale a hemp- 484  
derived consumable product that is not in compliance with 485  
section 930.09 of the Revised Code or division (A) (1) of this 486  
section. 487

(2) No retailer or distributor shall advertise or market a 488  
hemp-derived consumable product that includes trade dress, 489  
trademarks, branding, or other related imagery or scenery that 490  
depicts or signifies characters or symbols known to appeal 491  
primarily to persons under twenty-one years of age or that 492  
mimics commonly available food products, including candy or 493  
snack products. Division (B) (2) of this section does not prevent 494

a retailer or distributor from using drawings, illustrations, or 495  
artwork depicting inanimate objects, scenery, fruit- or flavor- 496  
focused images, or any other items not known to appeal primarily 497  
to persons under twenty-one years of age. 498

**Sec. 930.12.** (A) As used in this section: 499

(1) "Good faith" means the duty of any party to any 500  
franchise, and all officers, employees, or agents of any party 501  
to any franchise, to act in a fair and equitable manner towards 502  
each other. 503

(2) "Good cause" means any of the following: 504

(a) Failure of a distributor to comply substantially with 505  
a franchise with a manufacturer, provided the provisions of the 506  
franchise are reasonable; 507

(b) Use of bad faith by a distributor or failure to 508  
observe reasonable commercial standards of fair dealing in the 509  
trade by a distributor; 510

(c) Revocation or suspension for more than thirty days of 511  
a distributor's license issued under this chapter. 512

(B) If a manufacturer licensed under this chapter grants 513  
more than one franchise for the same brand or brands of hemp- 514  
derived consumable products to different licensed distributors 515  
in this state, the manufacturer shall not discriminate between 516  
the distributors with respect to any of the terms, provisions, 517  
and conditions of these franchises. 518

(C) Notwithstanding the terms, provisions, and conditions 519  
of any franchise, no licensed manufacturer of a hemp-derived 520  
consumable product shall unilaterally terminate or refuse to 521  
continue or substantially change the condition of any franchise 522

with a distributor unless the manufacturer has first established 523  
good cause for such termination, noncontinuance, or change. 524

(D) Any distributor licensed under this chapter may bring 525  
an action in a court of competent jurisdiction against a hemp- 526  
derived consumable product manufacturer for violation of any of 527  
the provisions of this section and may recover damages sustained 528  
by the distributor together with the costs of the action and 529  
reasonable attorney's fees. In any such action brought by a 530  
distributor for termination, noncontinuance, or substantial 531  
change of a franchise in violation of the provisions of this 532  
section, it is a complete defense for the manufacturer that the 533  
termination, noncontinuance, or change was done in good faith 534  
and for good cause. 535

**Sec. 930.13.** No person shall do any of the following: 536

(A) Sell or distribute a hemp-derived consumable product 537  
to a person who is under twenty-one years of age; 538

(B) Purchase a hemp-derived consumable product on behalf 539  
of a person who is under twenty-one years of age; 540

(C) Persuade, entice, send, or assist a person who is 541  
under twenty-one years of age to purchase, acquire, receive, or 542  
attempt to purchase a hemp-derived consumable product. This 543  
division does not preclude the involvement of persons under 544  
twenty-one years of age in law enforcement investigations 545  
conducted for purposes of enforcing this section, provided the 546  
law enforcement agency has received the consent of such person 547  
or, in the case of a person seventeen years of age or younger, 548  
the consent of the parent or guardian of that person. 549

(D) Distribute samples of a hemp-derived consumable 550  
product in or on a public street, sidewalk, or park; 551

(E) Fail to verify that a person who attempts to purchase 552  
or purchases a hemp-derived consumable product is at least 553  
twenty-one years of age by examining the person's identification 554  
card; 555

(F) If the person is under twenty-one years of age, 556  
purchase, possess, or accept receipt of a hemp-derived 557  
consumable product; 558

(G) Furnish any false information regarding the name, age, 559  
or other identification of any person under twenty-one years of 560  
age with purpose to obtain a hemp-derived consumable product; 561

(H) With the exception of a hemp-derived consumable 562  
product that is a beverage not exceeding 10 milligrams per 563  
serving, in the aggregate, of delta-8 tetrahydrocannabinol, 564  
delta-9 tetrahydrocannabinol, and delta-10 tetrahydrocannabinol, 565  
fail to maintain a hemp-derived consumable product behind the 566  
counter of a retail establishment in an area inaccessible to 567  
customers. A retailer shall ensure that any beverage that is not 568  
subject to this division, but that is a hemp-derived consumable 569  
product, is offered for sale at retail in such a manner so as to 570  
clearly indicate to consumers that the product contains hemp- 571  
derived cannabinoids, including through signage, shelf-talkers, 572  
and stickers on cooler doors. 573

(I) If the person is a manufacturer or distributor, pay to 574  
a retailer any payment, credit, or any other consideration to 575  
induce the retailer to advertise or display a hemp-derived 576  
consumable product in a certain manner in the retailer's 577  
licensed premises; 578

(J) If the person is a retailer, accept any payment, 579  
credit, or any other consideration to advertise or display a 580

hemp-derived consumable product in a certain manner at the 581  
retailer's licensed premises; 582

(K) Deliver, ship, or cause to be delivered or shipped any 583  
hemp-derived consumable beverage products directly to any 584  
consumer in this state; 585

(L) Use a hemp-derived consumable product in any area 586  
under the control of a school or at a school-sponsored event 587  
that does not occur in an area under the control of a school. 588

**Sec. 930.14.** (A) As used in this section, "food service 589  
operation" means a food service operation licensed under Chapter 590  
3717. of the Revised Code and licensed under this chapter to 591  
sell hemp-derived consumable products at retail. 592

(B) Except as provided in this section, a food service 593  
operation may sell or offer for sale a hemp-derived consumable 594  
product for on-site consumption only if it is a ready-to-consume 595  
or a direct consumption prepackaged hemp-derived consumable 596  
product. 597

(C) (1) Except as provided in division (C) (2) of this 598  
section, no food service operation shall add a hemp-derived 599  
consumable product to a food product for sale at the food 600  
service operation. 601

(2) A food service operation may add a hemp-derived 602  
consumable product that is a beverage to a nonalcoholic beverage 603  
product at the food service operation, provided the food service 604  
operation furnishes to consumers upon request all of the 605  
following: 606

(a) The common name of the product; 607

(b) The name of the distributor and manufacturer of the 608

product; 609

(c) A copy of the product's registration required under 610  
section 930.10 of the Revised Code. 611

(3) No person, including a person issued a liquor permit 612  
under Chapter 4303. of the Revised Code, shall add a hemp- 613  
derived consumable product to a beverage that includes beer or 614  
intoxicating liquor, as those terms are defined in section 615  
4301.01 of the Revised Code. 616

(D) A food service operation shall notify the department 617  
of agriculture within twenty-four hours after becoming aware of 618  
or within twenty-four hours after the food service operation 619  
should have been aware of any serious adverse event related to a 620  
hemp-derived consumable product served to a consumer by the 621  
operation. 622

**Sec. 930.15.** (A) The director of agriculture or the 623  
director's designee may inspect the location of a licensed 624  
manufacturer, distributor, or retailer or any other location to 625  
ensure compliance with this chapter and rules adopted under it. 626  
The director or the director's designee may conduct an 627  
inspection under this section during regular business hours 628  
without providing notice in advance of such inspection. 629

(B) The director or the director's designee shall 630  
periodically sample, analyze, and test hemp-derived consumable 631  
products distributed and sold within this state to ensure that 632  
such products comply with this chapter and rules adopted under 633  
it. The director or the director's designee may seize a product 634  
containing a hemp-derived cannabinoid that is sold or offered 635  
for sale in violation of this chapter. 636

(C) The director shall submit a report by the first day of 637

March of each year to the general assembly describing the number 638  
and types of violations of this chapter committed during the 639  
prior calendar year. The director also shall post the report on 640  
the department of agriculture's web site. 641

Sec. 930.16. (A) Nothing in this chapter does any of the 642  
following: 643

(1) Requires an employer to permit or accommodate an 644  
employee's use, possession, or distribution of a hemp-derived 645  
consumable product; 646

(2) Prohibits an employer from refusing to hire, 647  
discharging, disciplining, or otherwise taking an adverse 648  
employment action against an individual with respect to hire, 649  
tenure, terms, conditions, or privileges of employment because 650  
of that individual's use, possession, or distribution of a hemp- 651  
derived consumable product; 652

(3) Prohibits an employer from establishing and enforcing 653  
a drug testing policy, drug-free workplace policy, or zero- 654  
tolerance drug policy; 655

(4) Interferes with any federal restrictions on 656  
employment, including the regulations adopted by the United 657  
States department of transportation in Title 49 of the Code of 658  
Federal Regulations, as amended; 659

(5) Permits an individual to commence a cause of action 660  
against an employer for refusing to hire, discharging, 661  
disciplining, discriminating, retaliating, or otherwise taking 662  
an adverse employment action against an individual with respect 663  
to hire, tenure, terms, conditions, or privileges of employment 664  
related to the individual's use of a hemp-derived consumable 665  
product; 666

(6) Affects the authority of the administrator of workers' compensation to grant rebates or discounts on premium rates to employers that participate in a drug-free workplace program established in accordance with rules adopted by the administrator under Chapter 4123. of the Revised Code.

(B) An individual who is discharged from employment because of that individual's use of a hemp-derived consumable product shall be considered to have been discharged for just cause for purposes of division (D) of section 4141.29 of the Revised Code if the individual's use of a hemp-derived consumable product was in violation of an employer's drug-free workplace policy, zero-tolerance policy, or other formal program or policy.

**Sec. 930.17.** (A) As used in this section:

(1) "Safe harbor hemp product" means a hemp-derived consumable product or hemp-derived cannabinoid, whether a finished product or in the process of being produced, that is not permitted to be manufactured for sale or distribution, produced for sale or distribution, packaged for sale or distribution, processed for sale or distribution, prepared for sale or distribution, transported for sale or distribution, or held for sale or distribution in this state, but that is intended for export from this state to be sold or distributed in another jurisdiction in which such sale or distribution is permitted.

(2) "Safe harbor manufacturer, distributor, or storage facility" means a facility that manufactures, distributes, or stores a safe harbor hemp product.

(B) This chapter does not apply to the following:

(1) A safe harbor hemp product; 696

(2) A safe harbor manufacturer, distributor, or storage 697  
facility solely with respect to the manufacture, distribution, 698  
or storage of safe harbor hemp products. 699

(C) No person shall sell a safe harbor hemp product in 700  
this state. 701

**Sec. 930.99.** Whoever knowingly violates any provision of 702  
this chapter is guilty of a misdemeanor of the first degree. 703  
Each day of violation is a separate offense. Notwithstanding 704  
section 2929.28 of the Revised Code and in addition to any other 705  
penalty that may be imposed, if a court imposes a fine on an 706  
offender, the fine shall not exceed two hundred fifty dollars. 707

Any money collected from such fines shall be deposited in 708  
the hemp program fund created in section 928.06 of the Revised 709  
Code. 710

**Sec. 3719.01.** As used in this chapter: 711

(A) "Administer" means the direct application of a drug, 712  
whether by injection, inhalation, ingestion, or any other means 713  
to a person or an animal. 714

(B) "Drug enforcement administration" means the drug 715  
enforcement administration of the United States department of 716  
justice or its successor agency. 717

(C) "Controlled substance" means a drug, compound, 718  
mixture, preparation, or substance included in schedule I, II, 719  
III, IV, or V. 720

(D) "Dangerous drug" has the same meaning as in section 721  
4729.01 of the Revised Code. 722

(E) "Dispense" means to sell, leave with, give away,  
dispose of, or deliver.

(F) "Distribute" means to deal in, ship, transport, or  
deliver but does not include administering or dispensing a drug.

(G) "Drug" has the same meaning as in section 4729.01 of  
the Revised Code.

(H) "Drug abuse offense" and "felony drug abuse offense"  
have the same meanings as in section 2925.01 of the Revised  
Code.

(I) "Federal drug abuse control laws" means the  
"Comprehensive Drug Abuse Prevention and Control Act of 1970,"  
84 Stat. 1242, 21 U.S.C. 801, as amended.

(J) "Hospital" means a facility registered as a hospital  
with the department of health under section 3701.07 of the  
Revised Code.

(K) "Hypodermic" means a hypodermic syringe or needle, or  
other instrument or device for the injection of medication.

(L) "Manufacturer" means a person who manufactures a  
controlled substance, as "manufacture" is defined in section  
3715.01 of the Revised Code, and includes a "manufacturer of  
dangerous drugs" as defined in section 4729.01 of the Revised  
Code.

(M) "Marihuana" means all parts of a plant of the genus  
cannabis, whether growing or not; the seeds of a plant of that  
type; the resin extracted from a part of a plant of that type;  
and every compound, manufacture, salt, derivative, mixture, or  
preparation of a plant of that type or of its seeds or resin.  
"Marihuana" does not include the mature stalks of the plant,

fiber produced from the stalks, oils or cake made from the seeds 751  
of the plant, or any other compound, manufacture, salt, 752  
derivative, mixture, or preparation of the mature stalks, except 753  
the resin extracted from the mature stalks, fiber, oil or cake, 754  
or the sterilized seed of the plant that is incapable of 755  
germination. "Marihuana" does not include "hemp" or a "hemp 756  
product" as those terms are defined in section 928.01 of the 757  
Revised Code or a hemp-derived consumable product as that term 758  
is defined in section 930.01 of the Revised Code. 759

(N) "Narcotic drugs" means coca leaves, opium, 760  
isonipecaine, amidone, isoamidone, ketobemidone, as defined in 761  
this division, and every substance not chemically distinguished 762  
from them and every drug, other than cannabis, that may be 763  
included in the meaning of "narcotic drug" under the federal 764  
drug abuse control laws. As used in this division: 765

(1) "Coca leaves" includes cocaine and any compound, 766  
manufacture, salt, derivative, mixture, or preparation of coca 767  
leaves, except derivatives of coca leaves, that does not contain 768  
cocaine, ecgonine, or substances from which cocaine or ecgonine 769  
may be synthesized or made. 770

(2) "Isonipecaine" means any substance identified 771  
chemically as 1-methyl-4-phenyl-piperidine-4-carboxylic acid 772  
ethyl ester, or any salt thereof, by whatever trade name 773  
designated. 774

(3) "Amidone" means any substance identified chemically as 775  
4-4-diphenyl-6-dimethylamino-heptanone-3, or any salt thereof, 776  
by whatever trade name designated. 777

(4) "Isoamidone" means any substance identified chemically 778  
as 4-4-diphenyl-5-methyl-6-dimethylaminohexanone-3, or any salt 779

thereof, by whatever trade name designated. 780

(5) "Ketobemidone" means any substance identified 781  
chemically as 4-(3-hydroxyphenyl)-1-methyl-4-piperidyl ethyl 782  
ketone hydrochloride, or any salt thereof, by whatever trade 783  
name designated. 784

(6) "Cocaine" has the same meaning as in section 2925.01 785  
of the Revised Code. 786

(O) "Official written order" means an order written on a 787  
form provided for that purpose by the director of the United 788  
States drug enforcement administration, under any laws of the 789  
United States making provision for the order, if the order forms 790  
are authorized and required by federal law. 791

(P) "Person" means any individual, corporation, 792  
government, governmental subdivision or agency, business trust, 793  
estate, trust, partnership, association, or other legal entity. 794

(Q) "Pharmacist" means a person licensed under Chapter 795  
4729. of the Revised Code to engage in the practice of pharmacy. 796

(R) "Pharmacy" has the same meaning as in section 4729.01 797  
of the Revised Code. 798

(S) "Poison" means any drug, chemical, or preparation 799  
likely to be deleterious or destructive to adult human life in 800  
quantities of four grams or less. 801

(T) "Licensed health professional authorized to prescribe 802  
drugs," "prescriber," and "prescription" have the same meanings 803  
as in section 4729.01 of the Revised Code. 804

(U) "Sale" includes delivery, barter, exchange, transfer, 805  
or gift, or offer thereof, and each transaction of those natures 806  
made by any person, whether as principal, proprietor, agent, 807

servant, or employee. 808

(V) "Schedule I," "schedule II," "schedule III," "schedule 809  
IV," and "schedule V" mean controlled substance schedules I, II, 810  
III, IV, and V, respectively, as established by rule adopted 811  
under section 3719.41 of the Revised Code, as amended pursuant 812  
to section 3719.43 or 3719.44 of the Revised Code, or as 813  
established by emergency rule adopted under section 3719.45 of 814  
the Revised Code. 815

(W) "Wholesaler" means a person who, on official written 816  
orders other than prescriptions, supplies controlled substances 817  
that the person has not manufactured, produced, or prepared 818  
personally and includes a "wholesale distributor of dangerous 819  
drugs" as defined in section 4729.01 of the Revised Code. 820

(X) "Animal shelter" means a facility operated by a humane 821  
society or any society organized under Chapter 1717. of the 822  
Revised Code or a dog pound operated pursuant to Chapter 955. of 823  
the Revised Code. 824

(Y) "Terminal distributor of dangerous drugs" has the same 825  
meaning as in section 4729.01 of the Revised Code. 826

(Z) (1) "Controlled substance analog" means, except as 827  
provided in division (Z) (2) of this section, a substance to 828  
which both of the following apply: 829

(a) The chemical structure of the substance is 830  
substantially similar to the structure of a controlled substance 831  
in schedule I or II. 832

(b) One of the following applies regarding the substance: 833

(i) The substance has a stimulant, depressant, or 834  
hallucinogenic effect on the central nervous system that is 835

substantially similar to or greater than the stimulant, 836  
depressant, or hallucinogenic effect on the central nervous 837  
system of a controlled substance in schedule I or II. 838

(ii) With respect to a particular person, that person 839  
represents or intends the substance to have a stimulant, 840  
depressant, or hallucinogenic effect on the central nervous 841  
system that is substantially similar to or greater than the 842  
stimulant, depressant, or hallucinogenic effect on the central 843  
nervous system of a controlled substance in schedule I or II. 844

(2) "Controlled substance analog" does not include any of 845  
the following: 846

(a) A controlled substance; 847

(b) Any substance for which there is an approved new drug 848  
application; 849

(c) With respect to a particular person, any substance if 850  
an exemption is in effect for investigational use for that 851  
person pursuant to federal law to the extent that conduct with 852  
respect to that substance is pursuant to that exemption; 853

(d) Any substance to the extent it is not intended for 854  
human consumption before the exemption described in division (Z) 855  
(2) (b) of this section takes effect with respect to that 856  
substance. 857

(AA) "Benzodiazepine" means a controlled substance that 858  
has United States food and drug administration approved labeling 859  
indicating that it is a benzodiazepine, benzodiazepine 860  
derivative, triazolobenzodiazepine, or triazolobenzodiazepine 861  
derivative, including the following drugs and their varying salt 862  
forms or chemical congeners: alprazolam, chlordiazepoxide 863  
hydrochloride, clobazam, clonazepam, clorazepate, diazepam, 864

estazolam, flurazepam hydrochloride, lorazepam, midazolam, 865  
oxazepam, quazepam, temazepam, and triazolam. 866

(BB) "Opioid analgesic" means a controlled substance that 867  
has analgesic pharmacologic activity at the opioid receptors of 868  
the central nervous system, including the following drugs and 869  
their varying salt forms or chemical congeners: buprenorphine, 870  
butorphanol, codeine (including acetaminophen and other 871  
combination products), dihydrocodeine, fentanyl, hydrocodone 872  
(including acetaminophen combination products), hydromorphone, 873  
meperidine, methadone, morphine sulfate, oxycodone (including 874  
acetaminophen, aspirin, and other combination products), 875  
oxymorphone, tapentadol, and tramadol. 876

(CC) "Outsourcing facility," "repackager of dangerous 877  
drugs," and "third-party logistics provider" have the same 878  
meanings as in section 4729.01 of the Revised Code. 879

**Section 2.** That existing sections 928.01, 928.06, and 880  
3719.01 of the Revised Code are hereby repealed. 881