

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