

**As Reported by the House Judiciary Committee**

**136th General Assembly**

**Regular Session**

**2025-2026**

**Sub. H. B. No. 611**

**Representatives Callender, Stewart**

**Cosponsors: Representatives Mathews, A., Odioso**

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To amend sections 3796.01 and 3796.21 and to enact 1  
section 3796.25 of the Revised Code to issue 2  
paired cultivator and dispensary licenses to 3  
certain medical marijuana processors. 4

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

**Section 1.** That sections 3796.01 and 3796.21 be amended 5  
and section 3796.25 of the Revised Code be enacted to read as 6  
follows: 7

**Sec. 3796.01.** (A) As used in this chapter: 8

(1) "Marijuana" means marihuana as defined in section 9  
3719.01 of the Revised Code. 10

(2) "Medical marijuana" means marijuana that is 11  
cultivated, processed, dispensed, tested, possessed, or used for 12  
a medical purpose in accordance with this chapter. "Medical 13  
marijuana" does not include adult-use marijuana or homegrown 14  
marijuana. 15

(3) "Academic medical center" has the same meaning as in 16  
section 4731.297 of the Revised Code. 17

(4) "Drug database" means the database established and 18

maintained by the state board of pharmacy pursuant to section	19
4729.75 of the Revised Code.	20
(5) "Physician" means an individual authorized under	21
Chapter 4731. of the Revised Code to practice medicine and	22
surgery or osteopathic medicine and surgery.	23
(6) "Qualifying medical condition" means any of the	24
following:	25
(a) Acquired immune deficiency syndrome;	26
(b) Alzheimer's disease;	27
(c) Amyotrophic lateral sclerosis;	28
(d) Cancer;	29
(e) Chronic traumatic encephalopathy;	30
(f) Crohn's disease;	31
(g) Epilepsy or another seizure disorder;	32
(h) Fibromyalgia;	33
(i) Glaucoma;	34
(j) Hepatitis C;	35
(k) Inflammatory bowel disease;	36
(l) Multiple sclerosis;	37
(m) Pain that is either of the following:	38
(i) Chronic and severe;	39
(ii) Intractable.	40
(n) Parkinson's disease;	41
(o) Positive status for HIV;	42

(p) Post-traumatic stress disorder;	43
(q) Sickle cell anemia;	44
(r) Spinal cord disease or injury;	45
(s) Tourette's syndrome;	46
(t) Traumatic brain injury;	47
(u) Ulcerative colitis;	48
(v) Any other disease or condition added by the state medical board under section 4731.302 of the Revised Code.	49 50
(7) "State university" has the same meaning as in section 3345.011 of the Revised Code.	51 52
(8) "Adult-use consumer" means an individual who is at least twenty-one years of age.	53 54
(9) "Adult-use marijuana" means marijuana that is cultivated, processed, dispensed, or tested for, or possessed or used by, an adult-use consumer, in accordance with this chapter. "Adult-use marijuana" includes marijuana cultivated, processed, dispensed, or tested for, or possessed or used by, an adult-use consumer before <del>the effective date of this amendment</del> <u>March 20,</u> <u>2026,</u> in accordance with Chapter 3780. of the Revised Code, as that chapter existed immediately prior to <del>the effective date of</del> <del>this amendment</del> <u>March 20, 2026.</u> "Adult-use marijuana" does not include medical marijuana or homegrown marijuana.	55 56 57 58 59 60 61 62 63 64
(10) "Church" has the meaning defined in section 1710.01 of the Revised Code.	65 66
(11) "Public library" means a library provided for under Chapter 3375. of the Revised Code.	67 68
(12) "Public park" means a park established by the state	69

or a political subdivision of the state, including a county, 70  
township, municipal corporation, or park district. 71

(13) "Public playground" means a playground established by 72  
the state or a political subdivision of the state, including a 73  
county, township, municipal corporation, or park district. 74

(14) "School" means a child care center as defined under 75  
section 5104.01 of the Revised Code, a preschool as defined 76  
under section 2950.034 of the Revised Code, or a public or 77  
nonpublic primary school or secondary school. 78

(15) "Public place" has the same meaning as in section 79  
3794.01 of the Revised Code. 80

(16) "Ohio investigative unit" means the investigative 81  
unit maintained by the department of public safety under section 82  
5502.13 of the Revised Code. 83

(17) "Homegrown marijuana" means marijuana cultivated, 84  
grown, processed, or possessed by an adult-use consumer in 85  
accordance with section 3796.04 of the Revised Code. "Homegrown 86  
marijuana" includes marijuana cultivated, grown, processed, or 87  
possessed before ~~the effective date of this amendment~~ March 20, 88  
2026, under former section 3780.28 of the Revised Code, as that 89  
section existed immediately prior to ~~the effective date of this~~ 90  
~~amendment~~ March 20, 2026. "Homegrown marijuana" does not include 91  
medical marijuana or adult-use marijuana. 92

(18) "Provisional license" means a temporary license 93  
issued to an applicant for a cultivator, processor, retail 94  
dispensary, or laboratory license under this chapter or Chapter 95  
3780. of the Revised Code, as that chapter existed immediately 96  
before ~~the effective date of this amendment~~ March 20, 2026, that 97  
establishes the conditions that must be met before the 98

provisional license holder may engage in the activities 99  
authorized by section 3796.18, 3796.19, 3796.20, or 3796.21 of 100  
the Revised Code. 101

(19) "Certificate of operation" means a certificate issued 102  
to the holder of a provisional license that authorizes the 103  
recipient to engage in the activities authorized by section 104  
3796.18, 3796.19, 3796.20, or 3796.21 of the Revised Code. 105

(20) "Licensed cultivator" means the holder of a current, 106  
valid license issued pursuant to this chapter or Chapter 3780. 107  
of the Revised Code, as that chapter existed immediately before 108  
~~the effective date of this amendment~~March 20, 2026, to engage in 109  
the activities authorized by section 3796.18 of the Revised 110  
Code. 111

(21) "Licensed processor" means the holder of a current, 112  
valid license issued pursuant to this chapter or Chapter 3780. 113  
of the Revised Code, as that chapter existed immediately before 114  
~~the effective date of this amendment~~March 20, 2026, to engage in 115  
the activities authorized by section 3796.19 of the Revised 116  
Code. 117

(22) "Licensed dispensary" means the holder of a current, 118  
valid license issued pursuant to this chapter or Chapter 3780. 119  
of the Revised Code, as that chapter existed immediately before 120  
~~the effective date of this amendment~~March 20, 2026, to engage in 121  
the activities authorized by section 3796.20 of the Revised 122  
Code. 123

(23) "Licensed laboratory" means the holder of a current, 124  
valid license issued pursuant to this chapter or Chapter 3780. 125  
of the Revised Code, as that chapter existed immediately before 126  
~~the effective date of this amendment~~March 20, 2026, to engage in 127

the activities authorized by section 3796.21 of the Revised Code. 128  
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(24) "License holder" means the holder of a current, valid license issued under this chapter or Chapter 3780. of the Revised Code, as that chapter existed immediately before ~~the~~ effective date of this amendment, March 20, 2026. 130  
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(25) "Physical control" means being in the operator's position of a vehicle, streetcar, trackless trolley, watercraft, or aircraft and having possession of the vehicle's, streetcar's, trackless trolley's, watercraft's, or aircraft's ignition key or other ignition device. 134  
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(26) "Licensed paired cultivator" means the holder of a current, valid license issued pursuant to section 3796.25 of the Revised Code to engage in activities authorized by that section. 139  
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(B) As used in the Revised Code, the "division of marijuana control" means the division of cannabis control and the "superintendent of marijuana control" means the superintendent of cannabis control. Whenever the division of marijuana control or the superintendent of marijuana control is referred to or designated in any statute, rule, contract, grant, or other document, the reference or designation shall be deemed to refer to the division of cannabis control or the superintendent of cannabis control, as indicated by context. 142  
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(C) Notwithstanding any conflicting provision of Chapter 3719. of the Revised Code or the rules adopted under it, for purposes of this chapter, marijuana is a schedule II controlled substance. 151  
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**Sec. 3796.21.** (A) Notwithstanding any conflicting provision of the Revised Code, a licensed laboratory, including 155  
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the holder of a current, valid laboratory license issued under 157  
this chapter before ~~the effective date of this amendment~~ March 158  
20, 2026, shall do both of the following: 159

(1) Obtain medical marijuana and adult-use marijuana from 160  
one or more licensed cultivators, licensed processors, ~~and~~ 161  
licensed dispensaries, and licensed paired cultivators; 162

(2) Conduct testing in the manner specified in rules 163  
adopted under section 3796.03 of the Revised Code. 164

(B) When testing medical marijuana or adult-use marijuana, 165  
a licensed laboratory shall do both of the following: 166

(1) Test for potency, homogeneity, and contamination; 167

(2) Prepare a report of the test results. 168

**Sec. 3796.25.** (A) Not later than ninety days after the 169  
effective date of this section, subject to division (B)(1) of 170  
section 3796.05 of the Revised Code, the division of cannabis 171  
control shall issue the following licenses to an applicant that 172  
meets all of the requirements described in division (B) of this 173  
section: 174

(1) One dispensary license, at a location designated in 175  
the application for certificate of operation; 176

(2) One paired cultivator license, at a location 177  
designated in the application for certificate of operation. 178

(B) Subject to division (C) of this section, the division 179  
of cannabis control shall issue the licenses described in 180  
division (A) of this section to an applicant that meets all of 181  
the following: 182

(1) The applicant is a licensed processor that was issued 183

a processor license pursuant to this chapter on or before 184  
December 7, 2023. 185

(2) The applicant has not and does not transfer the 186  
processor license or control of processing operations at any 187  
point after December 7, 2023, and before the date the respective 188  
license is issued under this section. 189

(3) The applicant does not have any common ownership or 190  
control with a licensed cultivator. 191

(C) Notwithstanding any contrary provision of the Revised 192  
Code, and except as otherwise provided in division (D) of this 193  
section, the holder of a current and valid paired cultivator 194  
license issued in accordance with this section may do any of the 195  
following: 196

(1) Cultivate adult-use marijuana and medical marijuana; 197

(2) Distribute, transfer, and sell adult-use marijuana and 198  
medical marijuana to other license holders; 199

(3) Acquire seeds, clones, plants, and other genetic 200  
material. 201

(D) A licensed paired cultivator shall not cultivate 202  
adult-use marijuana or medical marijuana for personal, family, 203  
or household use under the license. 204

(E) (1) A licensed paired cultivator may operate a 205  
cultivation area specified by the division not to exceed five 206  
thousand square feet. 207

(2) A licensed paired cultivator may request and receive 208  
one or more expansions to the licensed paired cultivator's 209  
cultivation area, subject to the approval of the division, so 210  
long as the resulting total cultivation area, including all 211

<u>expansions, does not exceed the applicable maximum cultivation</u>	212
<u>area prescribed by division (E) (1) of this section.</u>	213
<b>Section 2.</b> That existing sections 3796.01 and 3796.21 of	214
the Revised Code are hereby repealed.	215