

**As Introduced**

**136th General Assembly**

**Regular Session**

**2025-2026**

**H. B. No. 631**

**Representatives Ghanbari, Miller, K.**

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To amend sections 3796.06 and 3796.99 of the  
Revised Code to modify prohibitions regarding  
underage possession, consumption, and purchase  
of marijuana.

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

**Section 1.** That sections 3796.06 and 3796.99 of the  
Revised Code be amended to read as follows:

**Sec. 3796.06.** (A) Only the following forms of medical  
marijuana may be dispensed under this chapter:

- (1) Oils;
- (2) Tinctures;
- (3) Plant material;
- (4) Edibles;
- (5) Patches;

(6) Any other form approved by the division of marijuana  
control under section 3796.061 of the Revised Code.

(B) Only the following forms of adult-use marijuana may be  
dispensed under this chapter:

- (1) Any form in which medical marijuana may be dispensed;

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| (2) Extracts;  | 19 |
| (3) Drops;   | 20 |
| (4) Lozenges;  | 21 |
| (5) Smoking or combustible products;                           | 22 |
| (6) Vaporization products;                                     | 23 |
| (7) Beverages;   | 24 |
| (8) Pills;   | 25 |
| (9) Capsules;  | 26 |
| (10) Suppositories;  | 27 |
| (11) Oral pouches;   | 28 |
| (12) Oral strips;  | 29 |
| (13) Oral and topical sprays;                                  | 30 |
| (14) Salves;   | 31 |
| (15) Lotions or similar cosmetic products;                     | 32 |
| (16) Inhalers;   | 33 |
| (17) Seeds;  | 34 |
| (18) Live plants;  | 35 |
| (19) Clones;   | 36 |
| (20) Pre-rolled products.                                      | 37 |
| (C) With respect to the methods of using medical               | 38 |
| marijuana, adult-use marijuana and homegrown marijuana, all of | 39 |
| the following apply:   | 40 |
| (1) The smoking or combustion of medical marijuana is          | 41 |

prohibited. 42

(2) No person shall knowingly consume adult-use marijuana 43  
or homegrown marijuana by smoking, combustion, or vaporization 44  
or knowingly consume medical marijuana by vaporization in any 45  
place other than privately owned real property that is used 46  
primarily for residential or agricultural purposes, including 47  
any dwellings, facilities, improvements, and appurtenances on 48  
such real property. 49

(3) No person shall knowingly smoke, combust, or vaporize 50  
marijuana in any of the following: 51

(a) A type A family child care home or type B family child 52  
care home, as those terms are defined in section 5104.01 of the 53  
Revised Code; 54

(b) A halfway house, community transitional housing 55  
facility, community residential center, or other similar 56  
facility licensed by the division of parole and community 57  
services under section 2967.14 of the Revised Code; 58

(c) A residential premises occupied pursuant to a rental 59  
agreement that prohibits the smoking, combustion, or 60  
vaporization of marijuana; 61

(d) A public place or place of employment, as those terms 62  
are defined in section 3794.01 of the Revised Code. 63

(4) The division may approve additional methods of using 64  
medical marijuana, other than smoking or combustion, under 65  
section 3796.061 of the Revised Code. 66

(D) (1) Any form or method of using adult-use marijuana or 67  
medical marijuana that is considered attractive to children, as 68  
specified in rules adopted by the division, is prohibited. 69

(2) Adult-use marijuana and medical marijuana shall not be 70  
dispensed or sold in a form or shape that bears the likeness or 71  
contains the characteristics of a realistic or fictional human, 72  
animal, or fruit, including artistic, caricature, or cartoon 73  
renderings. 74

(E) (1) Except as otherwise provided in division (E) (3) of 75  
this section, the tetrahydrocannabinol content of medical 76  
marijuana dispensed or sold to patients or caregivers shall not 77  
exceed: 78

(a) Thirty-five per cent for plant material; 79

(b) Seventy per cent for extracts. 80

(2) Except as otherwise provided in division (E) (3) of 81  
this section, the tetrahydrocannabinol content of adult-use 82  
marijuana dispensed or sold to adult-use consumers shall not 83  
exceed: 84

(a) Thirty-five per cent for plant material; 85

(b) Seventy per cent for extracts. 86

(3) The division may adopt rules, in accordance with 87  
Chapter 119. of the Revised Code, that do either or both of the 88  
following: 89

(a) Increase the tetrahydrocannabinol content limits for 90  
extracts prescribed in divisions (E) (1) and (2) of this section; 91

(b) Establish tetrahydrocannabinol content limits for 92  
adult-use and medical marijuana dispensed or sold under this 93  
chapter by content per serving or per package. 94

(F) No person shall knowingly give, sell, or distribute 95  
adult-use marijuana or homegrown marijuana to a person under 96

twenty-one years of age.

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(G) (1) No person under the age of ~~twenty one~~ twenty-one  
shall knowingly purchase, use, or possess adult-use marijuana or  
homegrown marijuana.

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(2) If a person is charged with violating division (G) (1)  
of this section in a complaint filed under section 2151.27 of  
the Revised Code, the court may order the child into a diversion  
program specified by the court and hold the complaint in  
abeyance pending successful completion of the diversion program.  
A child is ineligible to enter into a diversion program under  
division (G) (2) of this section if the child previously has been  
diverted pursuant to division (G) (2) of this section. If the  
child completes the diversion program to the satisfaction of the  
court, the court shall dismiss the complaint and order the  
child's record in the case sealed under sections 2151.356 to  
2151.358 of the Revised Code. If the child fails to  
satisfactorily complete the diversion program, the court shall  
proceed with the complaint.

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(3) If a person is charged in a criminal complaint with  
violating division (G) (1) of this section, section 2935.36 of  
the Revised Code applies to the offense, except that a person is  
ineligible for diversion under that section if the person  
previously has been diverted pursuant to division (G) (2) or (3)  
of this section. If the person completes the diversion program  
to the satisfaction of the court, the court shall dismiss the  
complaint and order the record in the case sealed under section  
2953.33 of the Revised Code. If the person fails to  
satisfactorily complete the diversion program, the court shall  
proceed with the complaint.

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(H) An adult-use consumer, medical marijuana patient, or

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medical marijuana caregiver shall store edible adult-use and 127  
medical marijuana products in the original packaging at all 128  
times when the products are not actively in use. 129

**Sec. 3796.99.** (A) (1) Whoever violates division (C) (2) of 130  
section 3796.06 of the Revised Code as an operator of the 131  
vehicle, streetcar, trackless trolley, watercraft, or aircraft 132  
is subject to section 1547.11, 4511.19, 4511.194, or 4561.15 of 133  
the Revised Code, as applicable. 134

(2) Whoever violates division (C) (2) of section 3796.06 of 135  
the Revised Code as a passenger of a vehicle, streetcar, 136  
trackless trolley, watercraft, or aircraft when the operator is 137  
operating or has physical control of the vehicle, streetcar, 138  
trackless trolley, watercraft, or aircraft is guilty of a 139  
misdemeanor of the third degree. 140

(B) Except as otherwise provided in division (A) of this 141  
section, whoever violates division (C) (2) or (3) (a), (b), or (d) 142  
of section 3796.06 of the Revised Code is guilty of a minor 143  
misdemeanor. 144

(C) (1) (a) Except as provided in division (C) (1) (b) of this 145  
section, whoever violates division (F) of section 3796.06 of the 146  
Revised Code is guilty of a misdemeanor of the first degree. 147

(b) An offender who has previously been convicted of, or 148  
pleaded guilty to, a violation of division (F) of section 149  
3796.06 of the Revised Code, is guilty of a felony of the fifth 150  
degree. 151

(2) The division of cannabis control shall immediately 152  
revoke the license of any license holder under this chapter who 153  
is found guilty of, or who pleads guilty or no contest to, 154  
violating division (F) of section 3796.06 of the Revised Code. 155

(D) Whoever violates division (B) of section 3796.221 of 156  
the Revised Code is guilty of possession of marijuana under 157  
section 2925.11 of the Revised Code. 158

(E) Whoever violates division (C) of section 3796.04 of 159  
the Revised Code is guilty of illegal cultivation of marijuana 160  
under section 2925.04 of the Revised Code. 161

(F) Whoever violates division (I) of section 3796.09, 162  
division (I) of section 3796.10, division (C) (2) of section 163  
3796.20, or division (C) of section 3796.221 of the Revised Code 164  
is guilty of trafficking in marijuana under section 2925.03 of 165  
the Revised Code. 166

(G) (1) Except as otherwise provided in divisions (G) (2) to 167  
(4) of this section, whoever violates division (G) of section 168  
3796.06 of the Revised Code by knowingly showing or giving false 169  
information concerning the individual's name, age, or other 170  
identification for the purpose of purchasing or otherwise 171  
obtaining adult-use marijuana from an adult-use dispensary 172  
licensed under this chapter is guilty of a misdemeanor of the 173  
first degree. 174

(2) Except as otherwise provided in divisions (G) (3) and 175  
(4) of this section, whoever violates division (G) of section 176  
3796.06 of the Revised Code by knowingly presenting to an adult- 177  
use dispensary licensed under this chapter a false, fictitious, 178  
or altered identification card, a false or fictitious driver's 179  
license purportedly issued by any state, or a driver's license 180  
issued by any state that has been altered, is guilty of a 181  
misdemeanor of the first degree and, notwithstanding division 182  
(A) (2) of section 2929.28 of the Revised Code, shall be fined 183  
not less than two hundred fifty dollars and not more than one 184  
thousand dollars. 185

(3) (a) Except as otherwise provided in division (G) (4) of 186  
this section, an offender who has previously been convicted of 187  
or pleaded guilty to a violation of division (G) of section 188  
3796.06 of the Revised Code by knowingly presenting to an adult- 189  
use dispensary licensed under this chapter a false, fictitious, 190  
or altered identification card, a false or fictitious driver's 191  
license purportedly issued by any state, or a driver's license 192  
issued by any state that has been altered, is guilty of a 193  
misdemeanor of the first degree and, notwithstanding division 194  
(A) (2) of section 2929.28 of the Revised Code, shall be fined 195  
not less than five hundred dollars nor more than one thousand 196  
dollars. 197

(b) (i) The court also may impose a class seven suspension 198  
of the offender's driver's or commercial driver's license or 199  
permit, or nonresident operating privilege, from the range 200  
specified in division (A) (7) of section 4510.02 of the Revised 201  
Code. 202

(ii) The court, in lieu of suspending the offender's 203  
temporary instruction permit, probationary driver's license, or 204  
driver's license, instead may order the offender to perform a 205  
determinate number of hours of community service, with the court 206  
determining the actual number of hours and the nature of the 207  
community service the offender shall perform. 208

(4) (a) An offender who has previously been convicted of or 209  
pleaded guilty to two or more violations of division (G) of 210  
section 3796.06 of the Revised Code by knowingly presenting to 211  
an adult-use dispensary licensed under this chapter a false, 212  
fictitious, or altered identification card, a false or 213  
fictitious driver's license purportedly issued by any state, or 214  
a driver's license issued by any state that has been altered, is 215



guilty of a misdemeanor of the first degree and, notwithstanding 216  
division (A) (2) of section 2929.28 of the Revised Code, shall be 217  
fined not less than five hundred dollars nor more than one 218  
thousand dollars. 219

(b) (i) The court also may impose a class six suspension of 220  
the offender's driver's or commercial driver's license or permit 221  
or nonresident operating privilege from the range specified in 222  
division (A) (6) of section 4510.02 of the Revised Code, and the 223  
court may order that the suspension or denial remain in effect 224  
until the offender attains the age of twenty-one years. 225

(ii) The court, in lieu of suspending the offender's 226  
temporary instruction permit, probationary driver's license, or 227  
driver's license, instead may order the offender to perform a 228  
determinate number of hours of community service, with the court 229  
determining the actual number of hours and the nature of the 230  
community service the offender shall perform. 231

(5) The financial sanctions required by divisions (G) (2) 232  
to (4) of this section are in lieu of the financial sanctions 233  
described in division (A) (2) of section 2929.28 of the Revised 234  
Code but are in addition to any other sanctions or penalties 235  
that may apply to the offender, including other financial 236  
sanctions under that section or a jail term under section 237  
2929.24 of the Revised Code. 238

(H) (1) Except as otherwise provided in division (H) (2) of 239  
this section, whoever violates division (G) of section 3796.06 240  
of the Revised Code by knowingly soliciting another person to 241  
purchase adult-use marijuana from an adult-use dispensary 242  
licensed under this chapter is guilty of a misdemeanor of the 243  
fourth degree. 244

(2) An offender who has previously been convicted of or 245  
pleaded guilty to a violation of division (G) of section 3796.06 246  
of the Revised Code by knowingly soliciting another individual 247  
to purchase adult-use marijuana from an adult-use dispensary 248  
licensed under this chapter is guilty of a misdemeanor of the 249  
second degree. 250

(I) Whoever violates division (A), (B), or (C) of section 251  
3796.062 of the Revised Code is guilty of a minor misdemeanor. 252

(J) Whoever violates division (D) of section 3796.062 of 253  
the Revised Code is guilty of illegal use or possession of 254  
marijuana drug paraphernalia under section 2925.141 of the 255  
Revised Code. 256

(K) Whoever violates division (G) (1) of section 3796.06 is 257  
guilty of a misdemeanor of the third degree. 258

If an offender who violates division (G) (1) of section 259  
3796.06 of the Revised Code was under the age of eighteen years 260  
at the time of the offense and the offense occurred while the 261  
offender was the operator of or a passenger in a motor vehicle, 262  
the court, in addition to any other penalties it imposes upon 263  
the offender, shall suspend the offender's temporary instruction 264  
permit or probationary driver's license for a period of not less 265  
than six months and not more than one year. If the offender is 266  
fifteen years and six months of age or older and has not been 267  
issued a temporary instruction permit or probationary driver's 268  
license, the offender shall not be eligible to be issued such a 269  
license or permit for a period of six months. If the offender 270  
has not attained the age of fifteen years and six months, the 271  
offender shall not be eligible to be issued a temporary 272  
instruction permit until the offender attains the age of sixteen 273  
years. 274

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| <b>Section 2.</b> That existing sections 3796.06 and 3796.99 of | 275 |
| the Revised Code are hereby repealed.                           | 276 |