

As Introduced

136th General Assembly

Regular Session

2025-2026

H. B. No. 631

Representatives Ghanbari, Miller, K.

To amend sections 3796.06 and 3796.99 of the	1
Revised Code to modify prohibitions regarding	2
underage possession, consumption, and purchase	3
of marijuana.	4

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

Section 1. That sections 3796.06 and 3796.99 of the	5
Revised Code be amended to read as follows:	6

Sec. 3796.06. (A) Only the following forms of medical	7
marijuana may be dispensed under this chapter:	8

(1) Oils;	9
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(2) Tinctures;	10
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(3) Plant material;	11
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(4) Edibles;	12
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(5) Patches;	13
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(6) Any other form approved by the division of marijuana	14
control under section 3796.061 of the Revised Code.	15

(B) Only the following forms of adult-use marijuana may be	16
dispensed under this chapter:	17

(1) Any form in which medical marijuana may be dispensed;	18
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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
pleaded guilty to a violation of division (G) of section 3796.06
of the Revised Code by knowingly soliciting another individual
to purchase adult-use marijuana from an adult-use dispensary
licensed under this chapter is guilty of a misdemeanor of the
second degree.

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

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

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

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

Section 2. That existing sections 3796.06 and 3796.99 of	275
the Revised Code are hereby repealed.	276