

As Introduced

**136th General Assembly
Regular Session
2025-2026**

H. C. R. No. 28

Representative Fischer

A CONCURRENT RESOLUTION

To rescind a portion of Executive Order 2025-05D
regarding intoxicating hemp.

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BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF OHIO (THE SENATE CONCURRING):

WHEREAS, Section 107.43 of the Revised Code gives the
General Assembly authority during a state of emergency to
rescind, in whole or in part, any order issued by a statewide
elected officer in response to a state of emergency, including
an order to authorize an agency to amend rules under division
(G) of section 119.03 of the Revised Code; and

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WHEREAS, The Governor issued Executive Order 2025-05D on
October 8, 2025, declaring a state of emergency under section
3715.74 of the Revised Code regarding intoxicating hemp; and

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WHEREAS, The Governor's executive order also allows the
Ohio Department of Agriculture to amend rules 901:14-1-01 and
901:14-2-01 of the Ohio Administrative Code on an emergency
basis under division (G) of section 119.03 of the Revised Code;
now therefore be it

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RESOLVED, That we, the members of the 136th General
Assembly of the State of Ohio, hereby rescind the portion of the
Governor's executive order allowing the Ohio Department of
Agriculture to amend rules 901:14-1-01 and 901:14-2-01 of the

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Ohio Administrative Code on an emergency basis under division 21
(G) of section 119.03 of the Revised Code; and be it further 22

RESOLVED, That we, the members of the 136th General 23
Assembly of the State of Ohio, hereby rescind the portion of the 24
Governor's executive order ordering and directing: that all 25
consumer products containing intoxicating hemp must be removed 26
from public display by all retailers; that no consumer products 27
containing intoxicating hemp may be sold or offered for sale 28
during the pendency of the emergency; and that any retailer who 29
possesses consumer products containing intoxicating hemp must 30
segregate these units from other merchandise and dispossess them 31
in a lawful manner, which includes but is not limited to 32
returning them to the manufacturer or supplier, or holding them 33
for disposition by law enforcement officers, officials of the 34
department of agriculture, or officials of local health 35
departments; and be it further 36

RESOLVED, That the Clerk of the House of Representatives 37
transmit a duly authenticated copy of this resolution to the 38
Governor. 39