



SENATE JUDICIARY COMMITTEE – Proponent Testimony, SB 26, February 22<sup>nd</sup>,  
2023

Chairman Manning, Vice Chair Reynolds, Ranking Member Hicks-Hudson, and members of the committee, thank you for holding this hearing and for the opportunity to provide testimony.

My name is Jeff Dillon, and I am the Ohio Legislative Director for Americans for Prosperity (AFP). As one of the largest grassroots organizations in the country, AFP is driving long-term solutions to some of the country's biggest problems. Our organization, and its activists across Ohio, are dedicated to breaking barriers that stand in the way of people realizing their full potential. Accordingly, we support SB 26, which provides a long overdue update to Ohio law regarding OVI statutes in the era of sanctioned medical marijuana use in our state.

As presented by Chairman Manning during his sponsor testimony, and by other stakeholders during hearings of a previous version of this bill (SB 203) last session, the growing scientific consensus is that the mere presence of THC in a person's system is not an indication they are experiencing impairment at the time of a drug test. Even if a person consumed cannabis weeks prior to a drug test, because of the way our bodies metabolize it, it still shows up even though the impairing effect of the drug only lasts for hours.

SB 26 removes the per se limits for marijuana for purposes of determining OVI violations and replaces those per se limits with a new evidentiary standard that may be used to determine if a driver was actually experiencing chemical impairment at the time of their interaction with law enforcement. The bill also states that because the per se limits have been removed, the practice of automatic license suspension for a per se violation shall be eliminated.

Many Ohioans are legally allowed to consume marijuana, yet Ohio law in its current form does not allow them to follow the letter of the law regarding driving under the influence. SB 26 will correct this problem. Furthermore, as fully legalizing adult use cannabis, which AFP supports,

seems likely to become law in coming years or decades, Ohio policymakers would be wise to develop a system to truly ascertain which drivers are genuinely under the active influence of the drug, and which drivers used the drug many hours, days, or weeks prior.

Thank you again, Mr. Chairman, for your leadership on this issue and for the opportunity to offer testimony today. I'm happy to do my best to answer any questions that the committee may have.

*Americans for Prosperity (AFP) exists to recruit, educate, and mobilize citizens in support of the policies and goals of a free society at the local, state, and federal level, helping every American live their dream – especially the least fortunate. AFP has more than 3.2 million activists across the nation, a local infrastructure that includes 36 state chapters, and has received financial support from more than 100,000 Americans in all 50 states. For more information, visit [www.AmericansForProsperity.org](http://www.AmericansForProsperity.org).*