

**As Introduced**

**131st General Assembly**

**Regular Session**

**2015-2016**

**H. B. No. 33**

**Representatives Retherford, Rogers**

**Cosponsors: Representatives Boose, Brenner, Thompson, Roegner, Bishoff,  
Sheehy, Lepore-Hagan**

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**A BILL**

To enact section 3719.17 of the Revised Code to  
authorize for persons diagnosed with seizure  
disorders certain uses of cannabidiol and other  
drugs or substances derived from cannabis.

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

**Section 1.** That section 3719.17 of the Revised Code be  
enacted to read as follows:

**Sec. 3719.17.** (A) As used in this section:

(1) "Cannabidiol" means a nonpsychoactive cannabinoid  
found in a plant of the genus cannabis or any other preparation  
thereof that is essentially free from plant material and has a  
tetrahydrocannabinol level of not more than three per cent.

(2) "Physician" means an individual authorized under  
Chapter 4731. of the Revised Code to practice medicine and  
surgery or osteopathic medicine and surgery.

(B) Notwithstanding any conflicting provision of this  
chapter or Chapter 2925. of the Revised Code, both of the  
following apply:

(1) Cannabidiol may be possessed, used, administered, or 18  
dispensed to the extent authorized by division (C) of this 19  
section. 20

(2) A drug or substance derived in part from a plant of 21  
the genus cannabis may be possessed, used, administered, or 22  
dispensed to the extent authorized by division (D) of this 23  
section. 24

(C) Pursuant to the written order of a physician who 25  
practices at or is affiliated with the Ohio state university 26  
Wexner medical center, nationwide children's hospital, the 27  
university of Cincinnati medical center, Cincinnati children's 28  
hospital, or university hospitals Case medical center, including 29  
university hospitals rainbow babies and children's hospital, any 30  
of the following may occur: 31

(1) A person who has been diagnosed with a seizure 32  
disorder may possess or use cannabidiol; 33

(2) A parent, guardian, or other person having care or 34  
charge of a person who has been diagnosed with a seizure 35  
disorder may possess or administer cannabidiol to the person 36  
with that diagnosis; 37

(3) A health care professional acting within the scope of 38  
the professional's practice may possess, administer, or dispense 39  
cannabidiol. 40

(4) A health care facility or other entity may possess 41  
cannabidiol. 42

(D) In the case of a drug or substance derived in part 43  
from a plant of the genus cannabis that is included in a 44  
clinical trial or expanded access program approved by the 45  
national institutes of health or one of its cooperative groups 46

or centers under the United States department of health and 47  
human services or the United States food and drug 48  
administration, any of the following may occur: 49

(1) A person who has been diagnosed with a seizure 50  
disorder and is participating in the trial or program may 51  
possess or use the drug or substance; 52

(2) A parent, guardian, or other person having care or 53  
charge of a person who has been diagnosed with a seizure 54  
disorder and is participating in the trial or program may 55  
possess or administer the drug or substance to the person with 56  
that diagnosis; 57

(3) A health care professional acting within the scope of 58  
the professional's practice may possess, administer, or dispense 59  
the drug or substance; 60

(4) A health care facility or other entity may possess the 61  
drug or substance. 62