

**As Introduced**

**133rd General Assembly  
Regular Session  
2019-2020**

**H. B. No. 660**

**Representative Galonski**

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**A BILL**

To amend sections 2913.01, 2913.02, 2913.51, and 1  
3796.01 of the Revised Code to establish theft 2  
offenses for medical marijuana. 3

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

**Section 1.** That sections 2913.01, 2913.02, 2913.51, and 4  
3796.01 of the Revised Code be amended to read as follows: 5

**Sec. 2913.01.** As used in this chapter, unless the context 6  
requires that a term be given a different meaning: 7

(A) "Deception" means knowingly deceiving another or 8  
causing another to be deceived by any false or misleading 9  
representation, by withholding information, by preventing 10  
another from acquiring information, or by any other conduct, 11  
act, or omission that creates, confirms, or perpetuates a false 12  
impression in another, including a false impression as to law, 13  
value, state of mind, or other objective or subjective fact. 14

(B) "Defraud" means to knowingly obtain, by deception, 15  
some benefit for oneself or another, or to knowingly cause, by 16  
deception, some detriment to another. 17

(C) "Deprive" means to do any of the following: 18

(1) Withhold property of another permanently, or for a 19  
period that appropriates a substantial portion of its value or 20  
use, or with purpose to restore it only upon payment of a reward 21  
or other consideration; 22

(2) Dispose of property so as to make it unlikely that the 23  
owner will recover it; 24

(3) Accept, use, or appropriate money, property, or 25  
services, with purpose not to give proper consideration in 26  
return for the money, property, or services, and without 27  
reasonable justification or excuse for not giving proper 28  
consideration. 29

(D) "Owner" means, unless the context requires a different 30  
meaning, any person, other than the actor, who is the owner of, 31  
who has possession or control of, or who has any license or 32  
interest in property or services, even though the ownership, 33  
possession, control, license, or interest is unlawful. 34

(E) "Services" include labor, personal services, 35  
professional services, rental services, public utility services 36  
including wireless service as defined in division (F) (1) of 37  
section 128.01 of the Revised Code, common carrier services, and 38  
food, drink, transportation, entertainment, and cable television 39  
services and, for purposes of section 2913.04 of the Revised 40  
Code, include cable services as defined in that section. 41

(F) "Writing" means any computer software, document, 42  
letter, memorandum, note, paper, plate, data, film, or other 43  
thing having in or upon it any written, typewritten, or printed 44  
matter, and any token, stamp, seal, credit card, badge, 45  
trademark, label, or other symbol of value, right, privilege, 46  
license, or identification. 47

(G) "Forge" means to fabricate or create, in whole or in part and by any means, any spurious writing, or to make, execute, alter, complete, reproduce, or otherwise purport to authenticate any writing, when the writing in fact is not authenticated by that conduct.

(H) "Utter" means to issue, publish, transfer, use, put or send into circulation, deliver, or display.

(I) "Coin machine" means any mechanical or electronic device designed to do both of the following:

(1) Receive a coin, bill, or token made for that purpose;

(2) In return for the insertion or deposit of a coin, bill, or token, automatically dispense property, provide a service, or grant a license.

(J) "Slug" means an object that, by virtue of its size, shape, composition, or other quality, is capable of being inserted or deposited in a coin machine as an improper substitute for a genuine coin, bill, or token made for that purpose.

(K) "Theft offense" means any of the following:

(1) A violation of section 2911.01, 2911.02, 2911.11, 2911.12, 2911.13, 2911.31, 2911.32, 2913.02, 2913.03, 2913.04, 2913.041, 2913.05, 2913.06, 2913.11, 2913.21, 2913.31, 2913.32, 2913.33, 2913.34, 2913.40, 2913.42, 2913.43, 2913.44, 2913.45, 2913.47, 2913.48, former section 2913.47 or 2913.48, or section 2913.51, 2915.05, or 2921.41 of the Revised Code;

(2) A violation of an existing or former municipal ordinance or law of this or any other state, or of the United States, substantially equivalent to any section listed in

division (K) (1) of this section or a violation of section 76  
2913.41, 2913.81, or 2915.06 of the Revised Code as it existed 77  
prior to July 1, 1996; 78

(3) An offense under an existing or former municipal 79  
ordinance or law of this or any other state, or of the United 80  
States, involving robbery, burglary, breaking and entering, 81  
theft, embezzlement, wrongful conversion, forgery, 82  
counterfeiting, deceit, or fraud; 83

(4) A conspiracy or attempt to commit, or complicity in 84  
committing, any offense under division (K) (1), (2), or (3) of 85  
this section. 86

(L) "Computer services" includes, but is not limited to, 87  
the use of a computer system, computer network, computer 88  
program, data that is prepared for computer use, or data that is 89  
contained within a computer system or computer network. 90

(M) "Computer" means an electronic device that performs 91  
logical, arithmetic, and memory functions by the manipulation of 92  
electronic or magnetic impulses. "Computer" includes, but is not 93  
limited to, all input, output, processing, storage, computer 94  
program, or communication facilities that are connected, or 95  
related, in a computer system or network to an electronic device 96  
of that nature. 97

(N) "Computer system" means a computer and related 98  
devices, whether connected or unconnected, including, but not 99  
limited to, data input, output, and storage devices, data 100  
communications links, and computer programs and data that make 101  
the system capable of performing specified special purpose data 102  
processing tasks. 103

(O) "Computer network" means a set of related and remotely 104

connected computers and communication facilities that includes 105  
more than one computer system that has the capability to 106  
transmit among the connected computers and communication 107  
facilities through the use of computer facilities. 108

(P) "Computer program" means an ordered set of data 109  
representing coded instructions or statements that, when 110  
executed by a computer, cause the computer to process data. 111

(Q) "Computer software" means computer programs, 112  
procedures, and other documentation associated with the 113  
operation of a computer system. 114

(R) "Data" means a representation of information, 115  
knowledge, facts, concepts, or instructions that are being or 116  
have been prepared in a formalized manner and that are intended 117  
for use in a computer, computer system, or computer network. For 118  
purposes of section 2913.47 of the Revised Code, "data" has the 119  
additional meaning set forth in division (A) of that section. 120

(S) "Cable television service" means any services provided 121  
by or through the facilities of any cable television system or 122  
other similar closed circuit coaxial cable communications 123  
system, or any microwave or similar transmission service used in 124  
connection with any cable television system or other similar 125  
closed circuit coaxial cable communications system. 126

(T) "Gain access" means to approach, instruct, communicate 127  
with, store data in, retrieve data from, or otherwise make use 128  
of any resources of a computer, computer system, or computer 129  
network, or any cable service or cable system both as defined in 130  
section 2913.04 of the Revised Code. 131

(U) "Credit card" includes, but is not limited to, a card, 132  
code, device, or other means of access to a customer's account 133

for the purpose of obtaining money, property, labor, or services 134  
on credit, or for initiating an electronic fund transfer at a 135  
point-of-sale terminal, an automated teller machine, or a cash 136  
dispensing machine. It also includes a county procurement card 137  
issued under section 301.29 of the Revised Code. 138

(V) "Electronic fund transfer" has the same meaning as in 139  
92 Stat. 3728, 15 U.S.C.A. 1693a, as amended. 140

(W) "Rented property" means personal property in which the 141  
right of possession and use of the property is for a short and 142  
possibly indeterminate term in return for consideration; the 143  
rentee generally controls the duration of possession of the 144  
property, within any applicable minimum or maximum term; and the 145  
amount of consideration generally is determined by the duration 146  
of possession of the property. 147

(X) "Telecommunication" means the origination, emission, 148  
dissemination, transmission, or reception of data, images, 149  
signals, sounds, or other intelligence or equivalence of 150  
intelligence of any nature over any communications system by any 151  
method, including, but not limited to, a fiber optic, 152  
electronic, magnetic, optical, digital, or analog method. 153

(Y) "Telecommunications device" means any instrument, 154  
equipment, machine, or other device that facilitates 155  
telecommunication, including, but not limited to, a computer, 156  
computer network, computer chip, computer circuit, scanner, 157  
telephone, cellular telephone, pager, personal communications 158  
device, transponder, receiver, radio, modem, or device that 159  
enables the use of a modem. 160

(Z) "Telecommunications service" means the providing, 161  
allowing, facilitating, or generating of any form of 162

telecommunication through the use of a telecommunications device 163  
over a telecommunications system. 164

(AA) "Counterfeit telecommunications device" means a 165  
telecommunications device that, alone or with another 166  
telecommunications device, has been altered, constructed, 167  
manufactured, or programmed to acquire, intercept, receive, or 168  
otherwise facilitate the use of a telecommunications service or 169  
information service without the authority or consent of the 170  
provider of the telecommunications service or information 171  
service. "Counterfeit telecommunications device" includes, but 172  
is not limited to, a clone telephone, clone microchip, tumbler 173  
telephone, or tumbler microchip; a wireless scanning device 174  
capable of acquiring, intercepting, receiving, or otherwise 175  
facilitating the use of telecommunications service or 176  
information service without immediate detection; or a device, 177  
equipment, hardware, or software designed for, or capable of, 178  
altering or changing the electronic serial number in a wireless 179  
telephone. 180

(BB) (1) "Information service" means, subject to division 181  
(BB) (2) of this section, the offering of a capability for 182  
generating, acquiring, storing, transforming, processing, 183  
retrieving, utilizing, or making available information via 184  
telecommunications, including, but not limited to, electronic 185  
publishing. 186

(2) "Information service" does not include any use of a 187  
capability of a type described in division (BB) (1) of this 188  
section for the management, control, or operation of a 189  
telecommunications system or the management of a 190  
telecommunications service. 191

(CC) "Elderly person" means a person who is sixty-five 192

years of age or older.	193
(DD) "Disabled adult" means a person who is eighteen years	194
of age or older and has some impairment of body or mind that	195
makes the person unable to work at any substantially	196
remunerative employment that the person otherwise would be able	197
to perform and that will, with reasonable probability, continue	198
for a period of at least twelve months without any present	199
indication of recovery from the impairment, or who is eighteen	200
years of age or older and has been certified as permanently and	201
totally disabled by an agency of this state or the United States	202
that has the function of so classifying persons.	203
(EE) "Firearm" and "dangerous ordnance" have the same	204
meanings as in section 2923.11 of the Revised Code.	205
(FF) "Motor vehicle" has the same meaning as in section	206
4501.01 of the Revised Code.	207
(GG) "Dangerous drug" has the same meaning as in section	208
4729.01 of the Revised Code.	209
(HH) "Drug abuse offense" has the same meaning as in	210
section 2925.01 of the Revised Code.	211
(II) (1) "Computer hacking" means any of the following:	212
(a) Gaining access or attempting to gain access to all or	213
part of a computer, computer system, or a computer network	214
without express or implied authorization with the intent to	215
defraud or with intent to commit a crime;	216
(b) Misusing computer or network services including, but	217
not limited to, mail transfer programs, file transfer programs,	218
proxy servers, and web servers by performing functions not	219
authorized by the owner of the computer, computer system, or	220

computer network or other person authorized to give consent. As 221  
used in this division, "misuse of computer and network services" 222  
includes, but is not limited to, the unauthorized use of any of 223  
the following: 224

(i) Mail transfer programs to send mail to persons other 225  
than the authorized users of that computer or computer network; 226

(ii) File transfer program proxy services or proxy servers 227  
to access other computers, computer systems, or computer 228  
networks; 229

(iii) Web servers to redirect users to other web pages or 230  
web servers. 231

(c) (i) Subject to division (II) (1) (c) (ii) of this section, 232  
using a group of computer programs commonly known as "port 233  
scanners" or "probes" to intentionally access any computer, 234  
computer system, or computer network without the permission of 235  
the owner of the computer, computer system, or computer network 236  
or other person authorized to give consent. The group of 237  
computer programs referred to in this division includes, but is 238  
not limited to, those computer programs that use a computer 239  
network to access a computer, computer system, or another 240  
computer network to determine any of the following: the presence 241  
or types of computers or computer systems on a network; the 242  
computer network's facilities and capabilities; the availability 243  
of computer or network services; the presence or versions of 244  
computer software including, but not limited to, operating 245  
systems, computer services, or computer contaminants; the 246  
presence of a known computer software deficiency that can be 247  
used to gain unauthorized access to a computer, computer system, 248  
or computer network; or any other information about a computer, 249  
computer system, or computer network not necessary for the 250

normal and lawful operation of the computer initiating the 251  
access. 252

(ii) The group of computer programs referred to in 253  
division (II) (1) (c) (i) of this section does not include standard 254  
computer software used for the normal operation, administration, 255  
management, and test of a computer, computer system, or computer 256  
network including, but not limited to, domain name services, 257  
mail transfer services, and other operating system services, 258  
computer programs commonly called "ping," "tcpdump," and 259  
"traceroute" and other network monitoring and management 260  
computer software, and computer programs commonly known as 261  
"nslookup" and "whois" and other systems administration computer 262  
software. 263

(d) The intentional use of a computer, computer system, or 264  
a computer network in a manner that exceeds any right or 265  
permission granted by the owner of the computer, computer 266  
system, or computer network or other person authorized to give 267  
consent. 268

(2) "Computer hacking" does not include the introduction 269  
of a computer contaminant, as defined in section 2909.01 of the 270  
Revised Code, into a computer, computer system, computer 271  
program, or computer network. 272

(JJ) "Police dog or horse" has the same meaning as in 273  
section 2921.321 of the Revised Code. 274

(KK) "Anhydrous ammonia" is a compound formed by the 275  
combination of two gaseous elements, nitrogen and hydrogen, in 276  
the manner described in this division. Anhydrous ammonia is one 277  
part nitrogen to three parts hydrogen (NH<sub>3</sub>). Anhydrous ammonia 278  
by weight is fourteen parts nitrogen to three parts hydrogen, 279

which is approximately eighty-two per cent nitrogen to eighteen	280
per cent hydrogen.	281
(LL) "Assistance dog" has the same meaning as in section	282
955.011 of the Revised Code.	283
(MM) "Federally licensed firearms dealer" has the same	284
meaning as in section 5502.63 of the Revised Code.	285
(NN) "Active duty service member" means any member of the	286
armed forces of the United States performing active duty under	287
title 10 of the United States Code.	288
<u>(OO) "Medical marijuana" has the same meaning as in</u>	289
<u>section 3796.01 of the Revised Code.</u>	290
<b>Sec. 2913.02.</b> (A) No person, with purpose to deprive the	291
owner of property or services, shall knowingly obtain or exert	292
control over either the property or services in any of the	293
following ways:	294
(1) Without the consent of the owner or person authorized	295
to give consent;	296
(2) Beyond the scope of the express or implied consent of	297
the owner or person authorized to give consent;	298
(3) By deception;	299
(4) By threat;	300
(5) By intimidation.	301
(B) (1) Whoever violates this section is guilty of theft.	302
(2) Except as otherwise provided in this division or	303
division (B) (3), (4), (5), (6), (7), (8), or (9) of this	304
section, a violation of this section is petty theft, a	305
misdemeanor of the first degree. If the value of the property or	306

services stolen is one thousand dollars or more and is less than 307  
seven thousand five hundred dollars or if the property stolen is 308  
any of the property listed in section 2913.71 of the Revised 309  
Code, a violation of this section is theft, a felony of the 310  
fifth degree. If the value of the property or services stolen is 311  
seven thousand five hundred dollars or more and is less than one 312  
hundred fifty thousand dollars, a violation of this section is 313  
grand theft, a felony of the fourth degree. If the value of the 314  
property or services stolen is one hundred fifty thousand 315  
dollars or more and is less than seven hundred fifty thousand 316  
dollars, a violation of this section is aggravated theft, a 317  
felony of the third degree. If the value of the property or 318  
services is seven hundred fifty thousand dollars or more and is 319  
less than one million five hundred thousand dollars, a violation 320  
of this section is aggravated theft, a felony of the second 321  
degree. If the value of the property or services stolen is one 322  
million five hundred thousand dollars or more, a violation of 323  
this section is aggravated theft of one million five hundred 324  
thousand dollars or more, a felony of the first degree. 325

(3) Except as otherwise provided in division (B) (4), (5), 326  
(6), (7), (8), or (9) of this section, if the victim of the 327  
offense is an elderly person, disabled adult, active duty 328  
service member, or spouse of an active duty service member, a 329  
violation of this section is theft from a person in a protected 330  
class, and division (B) (3) of this section applies. Except as 331  
otherwise provided in this division, theft from a person in a 332  
protected class is a felony of the fifth degree. If the value of 333  
the property or services stolen is one thousand dollars or more 334  
and is less than seven thousand five hundred dollars, theft from 335  
a person in a protected class is a felony of the fourth degree. 336  
If the value of the property or services stolen is seven 337

thousand five hundred dollars or more and is less than thirty- 338  
seven thousand five hundred dollars, theft from a person in a 339  
protected class is a felony of the third degree. If the value of 340  
the property or services stolen is thirty-seven thousand five 341  
hundred dollars or more and is less than one hundred fifty 342  
thousand dollars, theft from a person in a protected class is a 343  
felony of the second degree. If the value of the property or 344  
services stolen is one hundred fifty thousand dollars or more, 345  
theft from a person in a protected class is a felony of the 346  
first degree. If the victim of the offense is an elderly person, 347  
in addition to any other penalty imposed for the offense, the 348  
offender shall be required to pay full restitution to the victim 349  
and to pay a fine of up to fifty thousand dollars. The clerk of 350  
court shall forward all fines collected under division (B) (3) of 351  
this section to the county department of job and family services 352  
to be used for the reporting and investigation of elder abuse, 353  
neglect, and exploitation or for the provision or arrangement of 354  
protective services under sections 5101.61 to 5101.71 of the 355  
Revised Code. 356

(4) If the property stolen is a firearm or dangerous 357  
ordnance, a violation of this section is grand theft. Except as 358  
otherwise provided in this division, grand theft when the 359  
property stolen is a firearm or dangerous ordnance is a felony 360  
of the third degree, and there is a presumption in favor of the 361  
court imposing a prison term for the offense. If the firearm or 362  
dangerous ordnance was stolen from a federally licensed firearms 363  
dealer, grand theft when the property stolen is a firearm or 364  
dangerous ordnance is a felony of the first degree. The offender 365  
shall serve a prison term imposed for grand theft when the 366  
property stolen is a firearm or dangerous ordnance consecutively 367  
to any other prison term or mandatory prison term previously or 368

subsequently imposed upon the offender. 369

(5) If the property stolen is a motor vehicle, a violation 370  
of this section is grand theft of a motor vehicle, a felony of 371  
the fourth degree. 372

(6) If the property stolen is medical marijuana or any 373  
dangerous drug, a violation of this section is theft of drugs, a 374  
felony of the fourth degree, or, if the offender previously has 375  
been convicted of a felony drug abuse offense, a felony of the 376  
third degree. 377

(7) If the property stolen is a police dog or horse or an 378  
assistance dog and the offender knows or should know that the 379  
property stolen is a police dog or horse or an assistance dog, a 380  
violation of this section is theft of a police dog or horse or 381  
an assistance dog, a felony of the third degree. 382

(8) If the property stolen is anhydrous ammonia, a 383  
violation of this section is theft of anhydrous ammonia, a 384  
felony of the third degree. 385

(9) Except as provided in division (B) (2) of this section 386  
with respect to property with a value of seven thousand five 387  
hundred dollars or more and division (B) (3) of this section with 388  
respect to property with a value of one thousand dollars or 389  
more, if the property stolen is a special purpose article as 390  
defined in section 4737.04 of the Revised Code or is a bulk 391  
merchandise container as defined in section 4737.012 of the 392  
Revised Code, a violation of this section is theft of a special 393  
purpose article or articles or theft of a bulk merchandise 394  
container or containers, a felony of the fifth degree. 395

(10) In addition to the penalties described in division 396  
(B) (2) of this section, if the offender committed the violation 397

by causing a motor vehicle to leave the premises of an 398  
establishment at which gasoline is offered for retail sale 399  
without the offender making full payment for gasoline that was 400  
dispensed into the fuel tank of the motor vehicle or into 401  
another container, the court may do one of the following: 402

(a) Unless division (B) (10) (b) of this section applies, 403  
suspend for not more than six months the offender's driver's 404  
license, probationary driver's license, commercial driver's 405  
license, temporary instruction permit, or nonresident operating 406  
privilege; 407

(b) If the offender's driver's license, probationary 408  
driver's license, commercial driver's license, temporary 409  
instruction permit, or nonresident operating privilege has 410  
previously been suspended pursuant to division (B) (10) (a) of 411  
this section, impose a class seven suspension of the offender's 412  
license, permit, or privilege from the range specified in 413  
division (A) (7) of section 4510.02 of the Revised Code, provided 414  
that the suspension shall be for at least six months. 415

(c) The court, in lieu of suspending the offender's 416  
driver's or commercial driver's license, probationary driver's 417  
license, temporary instruction permit, or nonresident operating 418  
privilege pursuant to division (B) (10) (a) or (b) of this 419  
section, instead may require the offender to perform community 420  
service for a number of hours determined by the court. 421

(11) In addition to the penalties described in division 422  
(B) (2) of this section, if the offender committed the violation 423  
by stealing rented property or rental services, the court may 424  
order that the offender make restitution pursuant to section 425  
2929.18 or 2929.28 of the Revised Code. Restitution may include, 426  
but is not limited to, the cost of repairing or replacing the 427

stolen property, or the cost of repairing the stolen property 428  
and any loss of revenue resulting from deprivation of the 429  
property due to theft of rental services that is less than or 430  
equal to the actual value of the property at the time it was 431  
rented. Evidence of intent to commit theft of rented property or 432  
rental services shall be determined pursuant to the provisions 433  
of section 2913.72 of the Revised Code. 434

(C) The sentencing court that suspends an offender's 435  
license, permit, or nonresident operating privilege under 436  
division (B) (10) of this section may grant the offender limited 437  
driving privileges during the period of the suspension in 438  
accordance with Chapter 4510. of the Revised Code. 439

**Sec. 2913.51.** (A) No person shall receive, retain, or 440  
dispose of property of another knowing or having reasonable 441  
cause to believe that the property has been obtained through 442  
commission of a theft offense. 443

(B) It is not a defense to a charge of receiving stolen 444  
property in violation of this section that the property was 445  
obtained by means other than through the commission of a theft 446  
offense if the property was explicitly represented to the 447  
accused person as being obtained through the commission of a 448  
theft offense. 449

(C) Whoever violates this section is guilty of receiving 450  
stolen property. Except as otherwise provided in this division 451  
or division (D) of this section, receiving stolen property is a 452  
misdemeanor of the first degree. If the value of the property 453  
involved is one thousand dollars or more and is less than seven 454  
thousand five hundred dollars, if the property involved is any 455  
of the property listed in section 2913.71 of the Revised Code, 456  
receiving stolen property is a felony of the fifth degree. If 457

the property involved is a motor vehicle, as defined in section 458  
4501.01 of the Revised Code, if the property involved is medical 459  
marijuana or a dangerous drug, ~~as defined in section 4729.01 of~~ 460  
~~the Revised Code~~, if the value of the property involved is seven 461  
thousand five hundred dollars or more and is less than one 462  
hundred fifty thousand dollars, or if the property involved is a 463  
firearm or dangerous ordnance, as defined in section 2923.11 of 464  
the Revised Code, receiving stolen property is a felony of the 465  
fourth degree. If the value of the property involved is one 466  
hundred fifty thousand dollars or more, receiving stolen 467  
property is a felony of the third degree. 468

(D) Except as provided in division (C) of this section 469  
with respect to property involved in a violation of this section 470  
with a value of seven thousand five hundred dollars or more, if 471  
the property involved in violation of this section is a special 472  
purchase article as defined in section 4737.04 of the Revised 473  
Code or a bulk merchandise container as defined in section 474  
4737.012 of the Revised Code, a violation of this section is 475  
receiving a stolen special purchase article or articles or 476  
receiving a stolen bulk merchandise container or containers, a 477  
felony of the fifth degree. 478

**Sec. 3796.01.** (A) As used in this chapter: 479

(1) "Marijuana" means marihuana as defined in section 480  
3719.01 of the Revised Code. 481

(2) "Medical marijuana" means marijuana that is 482  
cultivated, processed, dispensed, tested, possessed, or used ~~for~~ 483  
a medical purpose in accordance with the medical marijuana 484  
control program established by section 3796.02 of the Revised 485  
Code. 486

(3) "Academic medical center" has the same meaning as in section 4731.297 of the Revised Code.	487 488
(4) "Drug database" means the database established and maintained by the state board of pharmacy pursuant to section 4729.75 of the Revised Code.	489 490 491
(5) "Physician" means an individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery.	492 493 494
(6) "Qualifying medical condition" means any of the following:	495 496
(a) Acquired immune deficiency syndrome;	497
(b) Alzheimer's disease;	498
(c) Amyotrophic lateral sclerosis;	499
(d) Cancer;	500
(e) Chronic traumatic encephalopathy;	501
(f) Crohn's disease;	502
(g) Epilepsy or another seizure disorder;	503
(h) Fibromyalgia;	504
(i) Glaucoma;	505
(j) Hepatitis C;	506
(k) Inflammatory bowel disease;	507
(l) Multiple sclerosis;	508
(m) Pain that is either of the following:	509
(i) Chronic and severe;	510

(ii) Intractable.	511
(n) Parkinson's disease;	512
(o) Positive status for HIV;	513
(p) Post-traumatic stress disorder;	514
(q) Sickle cell anemia;	515
(r) Spinal cord disease or injury;	516
(s) Tourette's syndrome;	517
(t) Traumatic brain injury;	518
(u) Ulcerative colitis;	519
(v) Any other disease or condition added by the state medical board under section 4731.302 of the Revised Code.	520 521
(7) "State university" has the same meaning as in section 3345.011 of the Revised Code.	522 523
(B) Notwithstanding any conflicting provision of Chapter 3719. of the Revised Code or the rules adopted under it, for purposes of this chapter, medical marijuana is a schedule II controlled substance.	524 525 526 527
<b>Section 2.</b> That existing sections 2913.01, 2913.02, 2913.51, and 3796.01 of the Revised Code are hereby repealed.	528 529