

As Passed by the House

133rd General Assembly

Regular Session

2019-2020

Am. Sub. S. B. No. 57

Senators Hill, Huffman, S.

Cosponsors: Senators O'Brien, Uecker, Eklund, Schuring, Hackett, Brenner, Fedor, Antonio, Hoagland, Coley, Craig, Dolan, Gavarone, Huffman, M., Kunze, Lehner, Manning, Peterson, Sykes, Thomas, Williams, Wilson, Yuko Representatives Koehler, Clites, Jones, Baldrige, Blessing, Boggs, Callender, Carfagna, Cera, Crawley, Cross, Crossman, Denson, Galonski, Green, Grendell, Hambley, Hoops, Ingram, Jordan, Kick, Lanese, Lang, Lepore-Hagan, Lightbody, Manning, D., Manning, G., McClain, Miller, A., Miranda, O'Brien, Patton, Perales, Reineke, Richardson, Robinson, Rogers, Ryan, Scherer, Seitz, Sheehy, Smith, K., Smith, R., Smith, T., Stein, Stoltzfus, Strahorn, Upchurch, Weinstein, West, Wiggam, Wilkin

A BILL

To amend sections 109.572, 924.01, 3719.01, 1
3719.41, 4729.01, 4776.01, and 5713.30, to enact 2
sections 924.212, 928.01, 928.02, 928.03, 3
928.04, 928.05, 928.06, 928.07, and 928.99 of 4
the Revised Code to establish conditions and 5
requirements governing the regulation of hemp 6
and hemp products, to amend the version of 7
section 109.572 that is scheduled to take effect 8
on September 20, 2019, and the versions of 9
sections 3719.01, 3719.41, and 4729.01 of the 10
Revised Code that are scheduled to take effect 11
on March 22, 2020, to continue the provisions of 12
this act on and after those dates, and to 13
declare an emergency. 14

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

Section 1. That sections 109.572, 924.01, 3719.01, 15
3719.41, 4729.01, 4776.01, and 5713.30 be amended and sections 16
924.212, 928.01, 928.02, 928.03, 928.04, 928.05, 928.06, 928.07, 17
and 928.99 of the Revised Code be enacted to read as follows: 18

Sec. 109.572. (A) (1) Upon receipt of a request pursuant to 19
section 121.08, 3301.32, 3301.541, or 3319.39 of the Revised 20
Code, a completed form prescribed pursuant to division (C) (1) of 21
this section, and a set of fingerprint impressions obtained in 22
the manner described in division (C) (2) of this section, the 23
superintendent of the bureau of criminal identification and 24
investigation shall conduct a criminal records check in the 25
manner described in division (B) of this section to determine 26
whether any information exists that indicates that the person 27
who is the subject of the request previously has been convicted 28
of or pleaded guilty to any of the following: 29

(a) A violation of section 2903.01, 2903.02, 2903.03, 30
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 31
2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 32
2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 33
2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 34
2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 2919.22, 2919.24, 35
2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 36
2925.05, 2925.06, or 3716.11 of the Revised Code, felonious 37
sexual penetration in violation of former section 2907.12 of the 38
Revised Code, a violation of section 2905.04 of the Revised Code 39
as it existed prior to July 1, 1996, a violation of section 40
2919.23 of the Revised Code that would have been a violation of 41
section 2905.04 of the Revised Code as it existed prior to July 42
1, 1996, had the violation been committed prior to that date, or 43
a violation of section 2925.11 of the Revised Code that is not a 44
minor drug possession offense; 45

(b) A violation of an existing or former law of this state, any other state, or the United States that is substantially equivalent to any of the offenses listed in division (A) (1) (a) of this section;

(c) If the request is made pursuant to section 3319.39 of the Revised Code for an applicant who is a teacher, any offense specified in section 3319.31 of the Revised Code.

(2) On receipt of a request pursuant to section 3712.09 or 3721.121 of the Revised Code, a completed form prescribed pursuant to division (C) (1) of this section, and a set of fingerprint impressions obtained in the manner described in division (C) (2) of this section, the superintendent of the bureau of criminal identification and investigation shall conduct a criminal records check with respect to any person who has applied for employment in a position for which a criminal records check is required by those sections. The superintendent shall conduct the criminal records check in the manner described in division (B) of this section to determine whether any information exists that indicates that the person who is the subject of the request previously has been convicted of or pleaded guilty to any of the following:

(a) A violation of section 2903.01, 2903.02, 2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 2913.21, 2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 2921.36, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 2925.13, 2925.22, 2925.23, or 3716.11 of the Revised Code;

(b) An existing or former law of this state, any other 76
state, or the United States that is substantially equivalent to 77
any of the offenses listed in division (A) (2) (a) of this 78
section. 79

(3) On receipt of a request pursuant to section 173.27, 80
173.38, 173.381, 3701.881, 5164.34, 5164.341, 5164.342, 81
5123.081, or 5123.169 of the Revised Code, a completed form 82
prescribed pursuant to division (C) (1) of this section, and a 83
set of fingerprint impressions obtained in the manner described 84
in division (C) (2) of this section, the superintendent of the 85
bureau of criminal identification and investigation shall 86
conduct a criminal records check of the person for whom the 87
request is made. The superintendent shall conduct the criminal 88
records check in the manner described in division (B) of this 89
section to determine whether any information exists that 90
indicates that the person who is the subject of the request 91
previously has been convicted of, has pleaded guilty to, or 92
(except in the case of a request pursuant to section 5164.34, 93
5164.341, or 5164.342 of the Revised Code) has been found 94
eligible for intervention in lieu of conviction for any of the 95
following, regardless of the date of the conviction, the date of 96
entry of the guilty plea, or (except in the case of a request 97
pursuant to section 5164.34, 5164.341, or 5164.342 of the 98
Revised Code) the date the person was found eligible for 99
intervention in lieu of conviction: 100

(a) A violation of section 959.13, 959.131, 2903.01, 101
2903.02, 2903.03, 2903.04, 2903.041, 2903.11, 2903.12, 2903.13, 102
2903.15, 2903.16, 2903.21, 2903.211, 2903.22, 2903.34, 2903.341, 103
2905.01, 2905.02, 2905.05, 2905.11, 2905.12, 2905.32, 2905.33, 104
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 105
2907.09, 2907.21, 2907.22, 2907.23, 2907.24, 2907.25, 2907.31, 106

2907.32, 2907.321, 2907.322, 2907.323, 2907.33, 2909.02,	107
2909.03, 2909.04, 2909.22, 2909.23, 2909.24, 2911.01, 2911.02,	108
2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.05,	109
2913.11, 2913.21, 2913.31, 2913.32, 2913.40, 2913.41, 2913.42,	110
2913.43, 2913.44, 2913.441, 2913.45, 2913.46, 2913.47, 2913.48,	111
2913.49, 2913.51, 2917.01, 2917.02, 2917.03, 2917.31, 2919.12,	112
2919.121, 2919.123, 2919.22, 2919.23, 2919.24, 2919.25, 2921.03,	113
2921.11, 2921.12, 2921.13, 2921.21, 2921.24, 2921.32, 2921.321,	114
2921.34, 2921.35, 2921.36, 2921.51, 2923.12, 2923.122, 2923.123,	115
2923.13, 2923.161, 2923.162, 2923.21, 2923.32, 2923.42, 2925.02,	116
2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.09, 2925.11,	117
2925.13, 2925.14, 2925.141, 2925.22, 2925.23, 2925.24, 2925.36,	118
2925.55, 2925.56, 2927.12, or 3716.11 of the Revised Code;	119
(b) Felonious sexual penetration in violation of former	120
section 2907.12 of the Revised Code;	121
(c) A violation of section 2905.04 of the Revised Code as	122
it existed prior to July 1, 1996;	123
(d) A violation of section 2923.01, 2923.02, or 2923.03 of	124
the Revised Code when the underlying offense that is the object	125
of the conspiracy, attempt, or complicity is one of the offenses	126
listed in divisions (A) (3) (a) to (c) of this section;	127
(e) A violation of an existing or former municipal	128
ordinance or law of this state, any other state, or the United	129
States that is substantially equivalent to any of the offenses	130
listed in divisions (A) (3) (a) to (d) of this section.	131
(4) On receipt of a request pursuant to section 2151.86 of	132
the Revised Code, a completed form prescribed pursuant to	133
division (C) (1) of this section, and a set of fingerprint	134
impressions obtained in the manner described in division (C) (2)	135

of this section, the superintendent of the bureau of criminal 136
identification and investigation shall conduct a criminal 137
records check in the manner described in division (B) of this 138
section to determine whether any information exists that 139
indicates that the person who is the subject of the request 140
previously has been convicted of or pleaded guilty to any of the 141
following: 142

(a) A violation of section 959.13, 2903.01, 2903.02, 143
2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.15, 2903.16, 144
2903.21, 2903.211, 2903.22, 2903.34, 2905.01, 2905.02, 2905.05, 145
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 146
2907.09, 2907.21, 2907.22, 2907.23, 2907.25, 2907.31, 2907.32, 147
2907.321, 2907.322, 2907.323, 2909.02, 2909.03, 2909.22, 148
2909.23, 2909.24, 2911.01, 2911.02, 2911.11, 2911.12, 2913.49, 149
2917.01, 2917.02, 2919.12, 2919.22, 2919.24, 2919.25, 2923.12, 150
2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, 151
2927.12, or 3716.11 of the Revised Code, a violation of section 152
2905.04 of the Revised Code as it existed prior to July 1, 1996, 153
a violation of section 2919.23 of the Revised Code that would 154
have been a violation of section 2905.04 of the Revised Code as 155
it existed prior to July 1, 1996, had the violation been 156
committed prior to that date, a violation of section 2925.11 of 157
the Revised Code that is not a minor drug possession offense, 158
two or more OVI or OVUAC violations committed within the three 159
years immediately preceding the submission of the application or 160
petition that is the basis of the request, or felonious sexual 161
penetration in violation of former section 2907.12 of the 162
Revised Code; 163

(b) A violation of an existing or former law of this 164
state, any other state, or the United States that is 165
substantially equivalent to any of the offenses listed in 166

division (A) (4) (a) of this section. 167

(5) Upon receipt of a request pursuant to section 5104.013 168
of the Revised Code, a completed form prescribed pursuant to 169
division (C) (1) of this section, and a set of fingerprint 170
impressions obtained in the manner described in division (C) (2) 171
of this section, the superintendent of the bureau of criminal 172
identification and investigation shall conduct a criminal 173
records check in the manner described in division (B) of this 174
section to determine whether any information exists that 175
indicates that the person who is the subject of the request has 176
been convicted of or pleaded guilty to any of the following: 177

(a) A violation of section 2151.421, 2903.01, 2903.02, 178
2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 179
2903.22, 2903.34, 2905.01, 2905.02, 2905.05, 2905.11, 2905.32, 180
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 181
2907.09, 2907.19, 2907.21, 2907.22, 2907.23, 2907.24, 2907.25, 182
2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2909.02, 183
2909.03, 2909.04, 2909.05, 2911.01, 2911.02, 2911.11, 2911.12, 184
2913.02, 2913.03, 2913.04, 2913.041, 2913.05, 2913.06, 2913.11, 185
2913.21, 2913.31, 2913.32, 2913.33, 2913.34, 2913.40, 2913.41, 186
2913.42, 2913.43, 2913.44, 2913.441, 2913.45, 2913.46, 2913.47, 187
2913.48, 2913.49, 2917.01, 2917.02, 2917.03, 2917.31, 2919.12, 188
2919.22, 2919.224, 2919.225, 2919.24, 2919.25, 2921.03, 2921.11, 189
2921.13, 2921.14, 2921.34, 2921.35, 2923.01, 2923.12, 2923.13, 190
2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, or 191
3716.11 of the Revised Code, felonious sexual penetration in 192
violation of former section 2907.12 of the Revised Code, a 193
violation of section 2905.04 of the Revised Code as it existed 194
prior to July 1, 1996, a violation of section 2919.23 of the 195
Revised Code that would have been a violation of section 2905.04 196
of the Revised Code as it existed prior to July 1, 1996, had the 197

violation been committed prior to that date, a violation of 198
section 2925.11 of the Revised Code that is not a minor drug 199
possession offense, a violation of section 2923.02 or 2923.03 of 200
the Revised Code that relates to a crime specified in this 201
division, or a second violation of section 4511.19 of the 202
Revised Code within five years of the date of application for 203
licensure or certification. 204

(b) A violation of an existing or former law of this 205
state, any other state, or the United States that is 206
substantially equivalent to any of the offenses or violations 207
described in division (A) (5) (a) of this section. 208

(6) Upon receipt of a request pursuant to section 5153.111 209
of the Revised Code, a completed form prescribed pursuant to 210
division (C) (1) of this section, and a set of fingerprint 211
impressions obtained in the manner described in division (C) (2) 212
of this section, the superintendent of the bureau of criminal 213
identification and investigation shall conduct a criminal 214
records check in the manner described in division (B) of this 215
section to determine whether any information exists that 216
indicates that the person who is the subject of the request 217
previously has been convicted of or pleaded guilty to any of the 218
following: 219

(a) A violation of section 2903.01, 2903.02, 2903.03, 220
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 221
2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 222
2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 223
2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 224
2909.02, 2909.03, 2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 225
2919.22, 2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 226
2925.03, 2925.04, 2925.05, 2925.06, or 3716.11 of the Revised 227

Code, felonious sexual penetration in violation of former 228
section 2907.12 of the Revised Code, a violation of section 229
2905.04 of the Revised Code as it existed prior to July 1, 1996, 230
a violation of section 2919.23 of the Revised Code that would 231
have been a violation of section 2905.04 of the Revised Code as 232
it existed prior to July 1, 1996, had the violation been 233
committed prior to that date, or a violation of section 2925.11 234
of the Revised Code that is not a minor drug possession offense; 235

(b) A violation of an existing or former law of this 236
state, any other state, or the United States that is 237
substantially equivalent to any of the offenses listed in 238
division (A) (6) (a) of this section. 239

(7) On receipt of a request for a criminal records check 240
from an individual pursuant to section 4749.03 or 4749.06 of the 241
Revised Code, accompanied by a completed copy of the form 242
prescribed in division (C) (1) of this section and a set of 243
fingerprint impressions obtained in a manner described in 244
division (C) (2) of this section, the superintendent of the 245
bureau of criminal identification and investigation shall 246
conduct a criminal records check in the manner described in 247
division (B) of this section to determine whether any 248
information exists indicating that the person who is the subject 249
of the request has been convicted of or pleaded guilty to a 250
felony in this state or in any other state. If the individual 251
indicates that a firearm will be carried in the course of 252
business, the superintendent shall require information from the 253
federal bureau of investigation as described in division (B) (2) 254
of this section. Subject to division (F) of this section, the 255
superintendent shall report the findings of the criminal records 256
check and any information the federal bureau of investigation 257
provides to the director of public safety. 258

(8) On receipt of a request pursuant to section 1321.37, 259
1321.53, or 4763.05 of the Revised Code, a completed form 260
prescribed pursuant to division (C)(1) of this section, and a 261
set of fingerprint impressions obtained in the manner described 262
in division (C)(2) of this section, the superintendent of the 263
bureau of criminal identification and investigation shall 264
conduct a criminal records check with respect to any person who 265
has applied for a license, permit, or certification from the 266
department of commerce or a division in the department. The 267
superintendent shall conduct the criminal records check in the 268
manner described in division (B) of this section to determine 269
whether any information exists that indicates that the person 270
who is the subject of the request previously has been convicted 271
of or pleaded guilty to any of the following: a violation of 272
section 2913.02, 2913.11, 2913.31, 2913.51, or 2925.03 of the 273
Revised Code; any other criminal offense involving theft, 274
receiving stolen property, embezzlement, forgery, fraud, passing 275
bad checks, money laundering, or drug trafficking, or any 276
criminal offense involving money or securities, as set forth in 277
Chapters 2909., 2911., 2913., 2915., 2921., 2923., and 2925. of 278
the Revised Code; or any existing or former law of this state, 279
any other state, or the United States that is substantially 280
equivalent to those offenses. 281

(9) On receipt of a request for a criminal records check 282
from the treasurer of state under section 113.041 of the Revised 283
Code or from an individual under section 928.03, 4701.08, 284
4715.101, 4717.061, 4725.121, 4725.501, 4729.071, 4729.53, 285
4729.90, 4729.92, 4730.101, 4730.14, 4730.28, 4731.081, 4731.15, 286
4731.171, 4731.222, 4731.281, 4731.296, 4731.531, 4732.091, 287
4734.202, 4740.061, 4741.10, 4747.051, 4753.061, 4755.70, 288
4757.101, 4759.061, 4760.032, 4760.06, 4761.051, 4762.031, 289

4762.06, 4774.031, 4774.06, 4776.021, 4778.04, 4778.07, 290
4779.091, or 4783.04 of the Revised Code, accompanied by a 291
completed form prescribed under division (C)(1) of this section 292
and a set of fingerprint impressions obtained in the manner 293
described in division (C)(2) of this section, the superintendent 294
of the bureau of criminal identification and investigation shall 295
conduct a criminal records check in the manner described in 296
division (B) of this section to determine whether any 297
information exists that indicates that the person who is the 298
subject of the request has been convicted of or pleaded guilty 299
to any criminal offense in this state or any other state. 300
Subject to division (F) of this section, the superintendent 301
shall send the results of a check requested under section 302
113.041 of the Revised Code to the treasurer of state and shall 303
send the results of a check requested under any of the other 304
listed sections to the licensing board specified by the 305
individual in the request. 306

(10) On receipt of a request pursuant to section 124.74, 307
1121.23, 1315.141, 1733.47, or 1761.26 of the Revised Code, a 308
completed form prescribed pursuant to division (C)(1) of this 309
section, and a set of fingerprint impressions obtained in the 310
manner described in division (C)(2) of this section, the 311
superintendent of the bureau of criminal identification and 312
investigation shall conduct a criminal records check in the 313
manner described in division (B) of this section to determine 314
whether any information exists that indicates that the person 315
who is the subject of the request previously has been convicted 316
of or pleaded guilty to any criminal offense under any existing 317
or former law of this state, any other state, or the United 318
States. 319

(11) On receipt of a request for a criminal records check 320

from an appointing or licensing authority under section 3772.07 321
of the Revised Code, a completed form prescribed under division 322
(C) (1) of this section, and a set of fingerprint impressions 323
obtained in the manner prescribed in division (C) (2) of this 324
section, the superintendent of the bureau of criminal 325
identification and investigation shall conduct a criminal 326
records check in the manner described in division (B) of this 327
section to determine whether any information exists that 328
indicates that the person who is the subject of the request 329
previously has been convicted of or pleaded guilty or no contest 330
to any offense under any existing or former law of this state, 331
any other state, or the United States that is a disqualifying 332
offense as defined in section 3772.07 of the Revised Code or 333
substantially equivalent to such an offense. 334

(12) On receipt of a request pursuant to section 2151.33 335
or 2151.412 of the Revised Code, a completed form prescribed 336
pursuant to division (C) (1) of this section, and a set of 337
fingerprint impressions obtained in the manner described in 338
division (C) (2) of this section, the superintendent of the 339
bureau of criminal identification and investigation shall 340
conduct a criminal records check with respect to any person for 341
whom a criminal records check is required under that section. 342
The superintendent shall conduct the criminal records check in 343
the manner described in division (B) of this section to 344
determine whether any information exists that indicates that the 345
person who is the subject of the request previously has been 346
convicted of or pleaded guilty to any of the following: 347

(a) A violation of section 2903.01, 2903.02, 2903.03, 348
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 349
2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 350
2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 351

2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 352
2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 353
2913.21, 2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 354
2921.36, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 355
2925.13, 2925.22, 2925.23, or 3716.11 of the Revised Code; 356

(b) An existing or former law of this state, any other 357
state, or the United States that is substantially equivalent to 358
any of the offenses listed in division (A) (12) (a) of this 359
section. 360

(13) On receipt of a request pursuant to section 3796.12 361
of the Revised Code, a completed form prescribed pursuant to 362
division (C) (1) of this section, and a set of fingerprint 363
impressions obtained in a manner described in division (C) (2) of 364
this section, the superintendent of the bureau of criminal 365
identification and investigation shall conduct a criminal 366
records check in the manner described in division (B) of this 367
section to determine whether any information exists that 368
indicates that the person who is the subject of the request 369
previously has been convicted of or pleaded guilty to the 370
following: 371

(a) A disqualifying offense as specified in rules adopted 372
under division (B) (2) (b) of section 3796.03 of the Revised Code 373
if the person who is the subject of the request is an 374
administrator or other person responsible for the daily 375
operation of, or an owner or prospective owner, officer or 376
prospective officer, or board member or prospective board member 377
of, an entity seeking a license from the department of commerce 378
under Chapter 3796. of the Revised Code; 379

(b) A disqualifying offense as specified in rules adopted 380
under division (B) (2) (b) of section 3796.04 of the Revised Code 381

if the person who is the subject of the request is an 382
administrator or other person responsible for the daily 383
operation of, or an owner or prospective owner, officer or 384
prospective officer, or board member or prospective board member 385
of, an entity seeking a license from the state board of pharmacy 386
under Chapter 3796. of the Revised Code. 387

(14) On receipt of a request required by section 3796.13 388
of the Revised Code, a completed form prescribed pursuant to 389
division (C)(1) of this section, and a set of fingerprint 390
impressions obtained in a manner described in division (C)(2) of 391
this section, the superintendent of the bureau of criminal 392
identification and investigation shall conduct a criminal 393
records check in the manner described in division (B) of this 394
section to determine whether any information exists that 395
indicates that the person who is the subject of the request 396
previously has been convicted of or pleaded guilty to the 397
following: 398

(a) A disqualifying offense as specified in rules adopted 399
under division (B)(8)(a) of section 3796.03 of the Revised Code 400
if the person who is the subject of the request is seeking 401
employment with an entity licensed by the department of commerce 402
under Chapter 3796. of the Revised Code; 403

(b) A disqualifying offense as specified in rules adopted 404
under division (B)(14)(a) of section 3796.04 of the Revised Code 405
if the person who is the subject of the request is seeking 406
employment with an entity licensed by the state board of 407
pharmacy under Chapter 3796. of the Revised Code. 408

(15) On receipt of a request pursuant to section 4768.06 409
of the Revised Code, a completed form prescribed under division 410
(C)(1) of this section, and a set of fingerprint impressions 411

obtained in the manner described in division (C) (2) of this 412
section, the superintendent of the bureau of criminal 413
identification and investigation shall conduct a criminal 414
records check in the manner described in division (B) of this 415
section to determine whether any information exists indicating 416
that the person who is the subject of the request has been 417
convicted of or pleaded guilty to a felony in this state or in 418
any other state. 419

(16) On receipt of a request pursuant to division (B) of 420
section 4764.07 of the Revised Code, a completed form prescribed 421
under division (C) (1) of this section, and a set of fingerprint 422
impressions obtained in the manner described in division (C) (2) 423
of this section, the superintendent of the bureau of criminal 424
identification and investigation shall conduct a criminal 425
records check in the manner described in division (B) of this 426
section to determine whether any information exists indicating 427
that the person who is the subject of the request has been 428
convicted of or pleaded guilty to any crime of moral turpitude, 429
a felony, or an equivalent offense in any other state or the 430
United States. 431

(B) Subject to division (F) of this section, the 432
superintendent shall conduct any criminal records check to be 433
conducted under this section as follows: 434

(1) The superintendent shall review or cause to be 435
reviewed any relevant information gathered and compiled by the 436
bureau under division (A) of section 109.57 of the Revised Code 437
that relates to the person who is the subject of the criminal 438
records check, including, if the criminal records check was 439
requested under section 113.041, 121.08, 124.74, 173.27, 173.38, 440
173.381, 928.03, 1121.23, 1315.141, 1321.37, 1321.53, 1733.47, 441

1761.26, 2151.86, 3301.32, 3301.541, 3319.39, 3701.881, 3712.09, 442
3721.121, 3772.07, 3796.12, 3796.13, 4729.071, 4729.53, 4729.90, 443
4729.92, 4749.03, 4749.06, 4763.05, 4764.07, 4768.06, 5104.013, 444
5164.34, 5164.341, 5164.342, 5123.081, 5123.169, or 5153.111 of 445
the Revised Code, any relevant information contained in records 446
that have been sealed under section 2953.32 of the Revised Code; 447

(2) If the request received by the superintendent asks for 448
information from the federal bureau of investigation, the 449
superintendent shall request from the federal bureau of 450
investigation any information it has with respect to the person 451
who is the subject of the criminal records check, including 452
fingerprint-based checks of national crime information databases 453
as described in 42 U.S.C. 671 if the request is made pursuant to 454
section 2151.86 or 5104.013 of the Revised Code or if any other 455
Revised Code section requires fingerprint-based checks of that 456
nature, and shall review or cause to be reviewed any information 457
the superintendent receives from that bureau. If a request under 458
section 3319.39 of the Revised Code asks only for information 459
from the federal bureau of investigation, the superintendent 460
shall not conduct the review prescribed by division (B)(1) of 461
this section. 462

(3) The superintendent or the superintendent's designee 463
may request criminal history records from other states or the 464
federal government pursuant to the national crime prevention and 465
privacy compact set forth in section 109.571 of the Revised 466
Code. 467

(4) The superintendent shall include in the results of the 468
criminal records check a list or description of the offenses 469
listed or described in division (A)(1), (2), (3), (4), (5), (6), 470
(7), (8), (9), (10), (11), (12), (13), (14), (15), or (16) of 471

this section, whichever division requires the superintendent to 472
conduct the criminal records check. The superintendent shall 473
exclude from the results any information the dissemination of 474
which is prohibited by federal law. 475

(5) The superintendent shall send the results of the 476
criminal records check to the person to whom it is to be sent 477
not later than the following number of days after the date the 478
superintendent receives the request for the criminal records 479
check, the completed form prescribed under division (C) (1) of 480
this section, and the set of fingerprint impressions obtained in 481
the manner described in division (C) (2) of this section: 482

(a) If the superintendent is required by division (A) of 483
this section (other than division (A) (3) of this section) to 484
conduct the criminal records check, thirty; 485

(b) If the superintendent is required by division (A) (3) 486
of this section to conduct the criminal records check, sixty. 487

(C) (1) The superintendent shall prescribe a form to obtain 488
the information necessary to conduct a criminal records check 489
from any person for whom a criminal records check is to be 490
conducted under this section. The form that the superintendent 491
prescribes pursuant to this division may be in a tangible 492
format, in an electronic format, or in both tangible and 493
electronic formats. 494

(2) The superintendent shall prescribe standard impression 495
sheets to obtain the fingerprint impressions of any person for 496
whom a criminal records check is to be conducted under this 497
section. Any person for whom a records check is to be conducted 498
under this section shall obtain the fingerprint impressions at a 499
county sheriff's office, municipal police department, or any 500

other entity with the ability to make fingerprint impressions on 501
the standard impression sheets prescribed by the superintendent. 502
The office, department, or entity may charge the person a 503
reasonable fee for making the impressions. The standard 504
impression sheets the superintendent prescribes pursuant to this 505
division may be in a tangible format, in an electronic format, 506
or in both tangible and electronic formats. 507

(3) Subject to division (D) of this section, the 508
superintendent shall prescribe and charge a reasonable fee for 509
providing a criminal records check under this section. The 510
person requesting the criminal records check shall pay the fee 511
prescribed pursuant to this division. In the case of a request 512
under section 1121.23, 1155.03, 1163.05, 1315.141, 1733.47, 513
1761.26, 2151.33, 2151.412, or 5164.34 of the Revised Code, the 514
fee shall be paid in the manner specified in that section. 515

(4) The superintendent of the bureau of criminal 516
identification and investigation may prescribe methods of 517
forwarding fingerprint impressions and information necessary to 518
conduct a criminal records check, which methods shall include, 519
but not be limited to, an electronic method. 520

(D) The results of a criminal records check conducted 521
under this section, other than a criminal records check 522
specified in division (A)(7) of this section, are valid for the 523
person who is the subject of the criminal records check for a 524
period of one year from the date upon which the superintendent 525
completes the criminal records check. If during that period the 526
superintendent receives another request for a criminal records 527
check to be conducted under this section for that person, the 528
superintendent shall provide the results from the previous 529
criminal records check of the person at a lower fee than the fee 530

prescribed for the initial criminal records check. 531

(E) When the superintendent receives a request for 532
information from a registered private provider, the 533
superintendent shall proceed as if the request was received from 534
a school district board of education under section 3319.39 of 535
the Revised Code. The superintendent shall apply division (A) (1) 536
(c) of this section to any such request for an applicant who is 537
a teacher. 538

(F) (1) Subject to division (F) (2) of this section, all 539
information regarding the results of a criminal records check 540
conducted under this section that the superintendent reports or 541
sends under division (A) (7) or (9) of this section to the 542
director of public safety, the treasurer of state, or the 543
person, board, or entity that made the request for the criminal 544
records check shall relate to the conviction of the subject 545
person, or the subject person's plea of guilty to, a criminal 546
offense. 547

(2) Division (F) (1) of this section does not limit, 548
restrict, or preclude the superintendent's release of 549
information that relates to the arrest of a person who is 550
eighteen years of age or older, to an adjudication of a child as 551
a delinquent child, or to a criminal conviction of a person 552
under eighteen years of age in circumstances in which a release 553
of that nature is authorized under division (E) (2), (3), or (4) 554
of section 109.57 of the Revised Code pursuant to a rule adopted 555
under division (E) (1) of that section. 556

(G) As used in this section: 557

(1) "Criminal records check" means any criminal records 558
check conducted by the superintendent of the bureau of criminal 559

identification and investigation in accordance with division (B) 560
of this section. 561

(2) "Minor drug possession offense" has the same meaning 562
as in section 2925.01 of the Revised Code. 563

(3) "OVI or OVUAC violation" means a violation of section 564
4511.19 of the Revised Code or a violation of an existing or 565
former law of this state, any other state, or the United States 566
that is substantially equivalent to section 4511.19 of the 567
Revised Code. 568

(4) "Registered private provider" means a nonpublic school 569
or entity registered with the superintendent of public 570
instruction under section 3310.41 of the Revised Code to 571
participate in the autism scholarship program or section 3310.58 572
of the Revised Code to participate in the Jon Peterson special 573
needs scholarship program. 574

Sec. 924.01. As used in sections 924.01 to 924.16 and 575
924.40 to 924.55 of the Revised Code: 576

(A) "Agricultural commodity" means any food, fiber, feed, 577
animal, or plant, or group of foods, fibers, feeds, animals, or 578
plants that the director of agriculture determines to be of the 579
same nature, in either a natural or a processed state. 580

"Agricultural commodity" does not include ~~grain~~ any of the 581
following: 582

(1) Grain, as defined in section 924.20 of the Revised 583
Code ~~or soybeans;~~ 584

(2) Soybeans; 585

(3) Hemp, as defined in section 928.01 of the Revised 586
Code. 587

(B) "Distributor" means any person who sells, offers for sale, markets, or distributes an agricultural commodity that the person has purchased or acquired directly from a producer, or that the person markets on behalf of a producer.

(C) "Handler" means any person who is in the business of packing, grading, selling, offering for sale, or marketing any agricultural commodity in commercial quantities as defined in a marketing program.

(D) "Marketing program" means a program that is established by order of the director pursuant to this chapter, to improve or expand the market for an agricultural commodity.

(E) "Operating committee" means a committee established to administer a marketing program for an agricultural commodity.

(F) "Person" means any natural person, partnership, sole proprietorship, limited liability company, corporation, society, agricultural cooperative as defined in section 1729.01 of the Revised Code, association, or fiduciary.

(G) "Processor" means any person who is in the business of grading, packaging, packing, canning, freezing, dehydrating, fermenting, distilling, extracting, preserving, grinding, crushing, juicing, or in any other way preserving or changing the form of any agricultural commodity.

(H) "Producer" means any person who is in the business of producing, or causing to be produced, any agricultural commodity for commercial sale, except that when used in reference to nursery stock, "producer" also means a distributor, processor, handler, or retailer of nursery stock.

Sec. 924.212. (A) There is hereby established the hemp marketing program. Except as provided under divisions (B) and

(C) of this section, the procedures, requirements, and other 617
provisions that are established under sections 924.20 to 924.30 618
of the Revised Code and rules that apply to the grain marketing 619
program shall apply to the hemp marketing program. For purposes 620
of that application, references in those sections to "grain" are 621
deemed to be replaced with references to "hemp." 622

(B) The hemp marketing program operating committee shall 623
consist of eighteen members. Fourteen of those members shall be 624
elected in accordance with section 924.22 of the Revised Code. 625
The director of agriculture shall appoint the remaining four 626
members. The appointed members of the board shall be voting 627
members of the committee. 628

(C) With regard to the levying of assessments under 629
section 924.26 of the Revised Code, the assessment on hemp shall 630
be one-half of one per cent of the value of hemp seed, fiber, or 631
flower at the first point of sale. 632

Sec. 928.01. As used in this chapter: 633

(A) "Cannabidiol" means the cannabidiol compound, 634
containing a delta-9 tetrahydrocannabinol concentration of not 635
more than three-tenths per cent, derived from hemp. 636

(B) "Cultivate" or "cultivating" means to plant, water, 637
grow, fertilize, till, or harvest a plant or crop. "Cultivating" 638
includes possessing or storing a plant or crop on a premises 639
where the plant or crop was cultivated until transported to the 640
first point of sale. 641

(C) "Hemp" means the plant Cannabis sativa L. and any part 642
of that plant, including the seeds thereof and all derivatives, 643
extracts, cannabinoids, isomers, acids, salts, and salts of 644
isomers, whether growing or not, with a delta-9 645

tetrahydrocannabinol concentration of not more than three-tenths 646
per cent on a dry weight basis. 647

(D) "Hemp cultivation license" means a license to 648
cultivate hemp issued under section 928.02 of the Revised Code. 649

(E) "Hemp processing license" means a license to process 650
hemp issued under section 928.02 of the Revised Code. 651

(F) "Hemp product" means any product, containing a delta-9 652
tetrahydrocannabinol concentration of not more than three-tenths 653
per cent, that is made with hemp. "Hemp product" includes 654
cosmetics, personal care products, dietary supplements or food 655
intended for animal or human consumption, cloth, cordage, fiber, 656
fuel, paint, paper, particleboard, and any other product 657
containing one or more cannabinoids derived from hemp, including 658
cannabidiol. 659

(G) "Marihuana" has the same meaning as in section 3719.01 660
of the Revised Code. 661

(H) "Medical marijuana" has the same meaning as in section 662
3796.01 of the Revised Code. 663

(I) "Process" or "processing" means converting hemp into a 664
hemp product. 665

(J) "Delta-9 tetrahydrocannabinol" means the sum of the 666
percentage by weight of tetrahydrocannabinolic acid multiplied 667
by 0.877 plus the percentage by weight of delta-9 668
tetrahydrocannabinol. 669

(K) "University" means an institution of higher education 670
as defined in section 3345.12 of the Revised Code and a private 671
nonprofit institution with a certificate of authorization issued 672
pursuant to Chapter 1713. of the Revised Code. 673

(L) "USDA" means the United States department of 674
agriculture. 675

Sec. 928.02. (A) (1) The director of agriculture shall 676
establish a program to monitor and regulate hemp cultivation and 677
processing in this state. Under the program, the director shall 678
issue hemp cultivation licenses and hemp processing licenses in 679
accordance with rules adopted under section 928.03 of the 680
Revised Code. 681

(2) As authorized by the director, the department of 682
agriculture or a university may cultivate or process hemp 683
without a hemp cultivation license or hemp processing license 684
for research purposes. 685

(B) Except as authorized under division (A) (2) of this 686
section, any person that wishes to cultivate hemp shall apply 687
for and obtain a hemp cultivation license from the director in 688
accordance with rules adopted under section 928.03 of the 689
Revised Code. Except as authorized under division (A) (2) of this 690
section, any person that wishes to process hemp shall apply for 691
and obtain a hemp processing license from the director in 692
accordance with those rules. Such licenses are valid for three 693
years unless earlier suspended or revoked by the director. 694

(C) The department, a university, or any person may, 695
without a hemp cultivation license or hemp processing license, 696
possess, buy, or sell hemp or a hemp product. 697

(D) Notwithstanding any other provision of the Revised 698
Code to the contrary, the addition of hemp or a hemp product to 699
any other product does not adulterate that other product. 700

Sec. 928.03. The director of agriculture, in consultation 701
with the governor and attorney general, shall adopt rules in 702

accordance with Chapter 119. of the Revised Code establishing 703
standards and procedures for the regulation of hemp cultivation 704
and processing. The rules shall include all of the following: 705

(A) The form of an application for a hemp cultivation 706
license and hemp processing license and the information required 707
to be included in each license application; 708

(B) The amount of an initial application fee that an 709
applicant shall submit along with an application for a hemp 710
cultivation license or a hemp processing license, and the amount 711
of an annual license fee that a licensee shall submit for a hemp 712
cultivation license or a hemp processing license. In adopting 713
rules under division (B) of this section, the director shall 714
ensure both of the following: 715

(1) That the amount of the application fee and annual 716
license fee does not exceed an amount sufficient to cover the 717
costs incurred by the department of agriculture to administer 718
and enforce this chapter; 719

(2) That there is one uniform application fee and one 720
uniform annual license fee that applies to all applicants for a 721
hemp cultivation license. 722

(C) Requirements and procedures concerning background 723
investigations of each applicant for a hemp cultivation license 724
and each applicant for a hemp processing license. The director 725
shall include both of the following in the rules adopted under 726
this division: 727

(1) A requirement that each applicant comply with sections 728
4776.01 to 4776.04 of the Revised Code; 729

(2) Provisions that prohibit the director from issuing a 730
hemp cultivation license or hemp processing license to an 731

applicant that has not complied with those sections. 732

(D) Requirements regarding the experience, equipment, 733
facilities, or land necessary to obtain a hemp cultivation 734
license; 735

(E) Requirements and procedures regarding standards of 736
financial responsibility for each applicant for a hemp 737
processing license. 738

(F) Procedures and requirements for the issuance, renewal, 739
denial, suspension, and revocation of a hemp cultivation license 740
and hemp processing license, including providing for a hearing 741
under Chapter 119. of the Revised Code with regard to such a 742
denial, suspension, or revocation; 743

(G) Grounds for the denial, suspension, and revocation of 744
a hemp cultivation license and of a hemp processing license, 745
including a requirement that the director revoke a hemp 746
cultivation license or hemp processing license, for a period of 747
ten years, of any person who pleads guilty to or is convicted of 748
a felony relating to a controlled substance; 749

(H) A requirement that the director shall not issue a hemp 750
cultivation license or hemp processing license to any person who 751
has pleaded guilty to or been convicted of a felony relating to 752
a controlled substance in the ten years immediately prior to the 753
submission of the application for a license; 754

(I) A requirement that any person that materially 755
falsifies information in an application for a hemp cultivation 756
license or hemp processing license is ineligible to receive 757
either license; 758

(J) A practice for maintaining relevant information 759
regarding land on which hemp is cultivated by hemp cultivation 760

licensees, including a legal description of the land, in 761
accordance with applicable federal law; 762

(K) Requirements prohibiting a hemp cultivation licensee 763
and a hemp processing licensee from cultivating or processing 764
marihuana; 765

(L) A procedure for testing, using post-decarboxylation or 766
other similarly reliable methods, delta-9 tetrahydrocannabinol 767
concentration levels of plants and products for purposes of 768
determining compliance with this chapter and rules adopted under 769
it; 770

(M) Requirements and procedures for the issuance, 771
administration, and enforcement of corrective action plans 772
issued under this chapter; 773

(N) A procedure for conducting annual inspections of, at a 774
minimum, a random sample of hemp cultivation license holders to 775
verify that plants are not being cultivated in violation of this 776
chapter or rules adopted under it; 777

(O) A procedure for conducting annual inspections of, at a 778
minimum, a random sample of hemp processing license holders to 779
verify that such license holders are not operating in violation 780
of this chapter or rules adopted under it; 781

(P) A procedure for complying with enforcement procedures 782
required under federal law; 783

(Q) A procedure for the effective disposal of all of the 784
following: 785

(1) Plants, whether growing or not, cultivated in 786
violation of this chapter or rules adopted under it; 787

(2) Products derived from plants cultivated in violation 788

<u>of this chapter or rules adopted under it;</u>	789
<u>(3) Products produced in violation of this chapter or rules adopted under it.</u>	790 791
<u>(R) Requirements and procedures governing the production, storage, and disposal of hemp byproducts.</u>	792 793
<u>For the purposes of this chapter and notwithstanding any provision of law to the contrary, "hemp product" includes a byproduct, produced as a result of processing hemp, that contains a delta-9 tetrahydrocannabinol concentration of more than three-tenths per cent, provided that the byproduct is produced, stored, and disposed of in accordance with rules adopted under division (R) of this section.</u>	794 795 796 797 798 799 800
<u>(S) Procedures for sharing information regarding hemp cultivation license holders with the secretary of the USDA;</u>	801 802
<u>(T) A setback distance requirement that specifies the distance that a hemp cultivation license holder shall locate hemp plants from a location where medical marijuana is being cultivated. The requirement does not apply to a hemp cultivation license holder with regard to a medical marijuana cultivator that locates medical marijuana within the established setback distance requirement after the hemp cultivation license holder begins operation.</u>	803 804 805 806 807 808 809 810
<u>(U) Annual reporting requirements and procedures for hemp cultivation license holders and hemp processing license holders;</u>	811 812
<u>(V) Recordkeeping and documentation maintenance requirements and procedures for hemp cultivation license holders and hemp processing license holders;</u>	813 814 815
<u>(W) Fees for the laboratory testing of plants and</u>	816

<u>products;</u>	817
<u>(X) Standards for the testing and labeling of hemp and</u>	818
<u>hemp products;</u>	819
<u>(Y) Requirements prohibiting the processing of hemp in a</u>	820
<u>building used as a personal residence or on land that is zoned</u>	821
<u>for residential use;</u>	822
<u>(Z) Production standards and manufacturing practices for</u>	823
<u>processing hemp;</u>	824
<u>(AA) Procedures and requirements for the transportation</u>	825
<u>and storage of both hemp and hemp products;</u>	826
<u>(BB) Any other requirements or procedures necessary to</u>	827
<u>administer and enforce this chapter.</u>	828
<u>Sec. 928.04.</u> (A) <u>Except as authorized under division (A)</u>	829
<u>(2) of section 928.02 of the Revised Code, no person shall</u>	830
<u>cultivate hemp without a hemp cultivation license or process</u>	831
<u>hemp without a hemp processing license issued by the director of</u>	832
<u>agriculture under this chapter.</u>	833
<u>(B) No person who holds a hemp cultivation license or hemp</u>	834
<u>processing license shall violate this chapter or rules adopted</u>	835
<u>under it.</u>	836
<u>(C) No person subject to a corrective action plan issued</u>	837
<u>by the director of agriculture under section 928.05 of the</u>	838
<u>Revised Code shall fail to comply with the plan.</u>	839
<u>(D) No person shall transport hemp or a hemp product in</u>	840
<u>violation of rules adopted under section 928.03 of the Revised</u>	841
<u>Code.</u>	842
<u>Sec. 928.05.</u> (A) <u>The director of agriculture shall issue a</u>	843

corrective action plan to any person that the director 844
determines has negligently violated section 928.04 of the 845
Revised Code. The director shall include in the corrective 846
action plan both of the following: 847

(1) A reasonable date by which the person shall correct 848
the violation; 849

(2) A requirement that the person report to the director 850
regarding the person's compliance with the requirements of this 851
chapter, rules adopted under it, and the corrective action plan 852
for two calendar years immediately following the date of the 853
violation. 854

(B) If the director determines that a person negligently 855
violated section 928.04 of the Revised Code three or more times 856
in any five-year period, the director shall revoke the person's 857
hemp cultivation license or hemp processing license, if any, and 858
shall refuse to issue a hemp cultivation license or hemp 859
processing license to that person for a period of five years 860
beginning on the date that the director determines that the 861
person committed the most recent violation. 862

(C) The director shall report a person who the director 863
determines has violated section 928.04 of the Revised Code with 864
a culpable mental state greater than negligence to the attorney 865
general, the United States attorney general, and the applicable 866
county prosecutor. 867

Sec. 928.06. There is hereby created in the state treasury 868
the hemp program fund. The fund shall consist of all fees 869
collected under rules adopted under section 928.03 of the 870
Revised Code; money appropriated to the fund; and any other 871
money received from gifts or federal grants. All investment 872

earnings of the fund shall be credited to the fund. The director 873
of agriculture shall use money in the fund to administer and 874
enforce this chapter and rules adopted under it. 875

Sec. 928.07. (A) The director of agriculture may enter at 876
reasonable times upon any public or private property at which 877
hemp is being cultivated or processed for the purpose of 878
determining compliance with this chapter and rules adopted under 879
it. The director may apply for and any judge of an appropriate 880
court of record may issue a search warrant, necessary to achieve 881
the purposes of this chapter within the court's territorial 882
jurisdiction. 883

(B) (1) If the director determines that emergency 884
conditions exist requiring immediate action necessary to protect 885
public health or safety or the environment, the director may 886
issue an order stating the existence of such conditions and 887
requiring specific actions be taken to mitigate those conditions 888
without providing prior notice or an adjudication hearing in 889
accordance with Chapter 119. of the Revised Code. 890

(2) Any person to whom such an order is issued shall 891
immediately comply with that order, and may apply to the 892
director for an adjudication hearing. Upon receiving an 893
application for an adjudication hearing, the director shall hold 894
the hearing as soon as practicable and not later than thirty 895
days after receipt of the application. On the basis of the 896
hearing, the director shall continue the order in effect, revoke 897
it, or modify it. 898

(C) In addition to any other available remedies, the 899
director of agriculture, the attorney general, or a county 900
prosecutor may apply to a court of common pleas in the county 901
where any provision of section 928.04 of the Revised Code or an 902

order issued under division (B) of this section is being 903
violated for an injunction restraining any person from 904
continuing the violation. 905

Sec. 928.99. (A) Whoever recklessly violates section 906
928.04 of the Revised Code is guilty of the following: 907

(1) For a first offense, a minor misdemeanor; 908

(2) For each subsequent offense, a misdemeanor of the 909
fourth degree. 910

The court shall order an offender who is convicted of or 911
pleads guilty to a third or subsequent offense ineligible to 912
receive a hemp cultivation license or hemp processing license 913
under this chapter. The court shall provide written notice of 914
that order to the director of agriculture. Upon receipt of the 915
notice, the director shall revoke any hemp cultivation license 916
or hemp processing license that the offender holds and shall 917
refuse to issue a hemp cultivation license or hemp processing 918
license to the offender beginning on the date of the court 919
order. 920

(B) The prosecuting attorney of the applicable county or 921
the attorney general may prosecute an action under this section. 922

Sec. 3719.01. As used in this chapter: 923

(A) "Administer" means the direct application of a drug, 924
whether by injection, inhalation, ingestion, or any other means 925
to a person or an animal. 926

(B) "Drug enforcement administration" means the drug 927
enforcement administration of the United States department of 928
justice or its successor agency. 929

(C) "Controlled substance" means a drug, compound, 930

mixture, preparation, or substance included in schedule I, II,	931
III, IV, or V.	932
(D) "Dangerous drug" has the same meaning as in section	933
4729.01 of the Revised Code.	934
(E) "Dispense" means to sell, leave with, give away,	935
dispose of, or deliver.	936
(F) "Distribute" means to deal in, ship, transport, or	937
deliver but does not include administering or dispensing a drug.	938
(G) "Drug" has the same meaning as in section 4729.01 of	939
the Revised Code.	940
(H) "Drug abuse offense," "felony drug abuse offense,"	941
"cocaine," and "hashish" have the same meanings as in section	942
2925.01 of the Revised Code.	943
(I) "Federal drug abuse control laws" means the	944
"Comprehensive Drug Abuse Prevention and Control Act of 1970,"	945
84 Stat. 1242, 21 U.S.C. 801, as amended.	946
(J) "Hospital" means an institution for the care and	947
treatment of the sick and injured that is certified by the	948
department of health and approved by the state board of pharmacy	949
as proper to be entrusted with the custody of controlled	950
substances and the professional use of controlled substances.	951
(K) "Hypodermic" means a hypodermic syringe or needle, or	952
other instrument or device for the injection of medication.	953
(L) "Isomer," except as otherwise expressly stated, means	954
the optical isomer.	955
(M) "Laboratory" means a laboratory approved by the state	956
board of pharmacy as proper to be entrusted with the custody of	957

controlled substances and the use of controlled substances for 958
scientific and clinical purposes and for purposes of 959
instruction. 960

(N) "Manufacturer" means a person who manufactures a 961
controlled substance, as "manufacture" is defined in section 962
3715.01 of the Revised Code. 963

(O) "Marihuana" means all parts of a plant of the genus 964
cannabis, whether growing or not; the seeds of a plant of that 965
type; the resin extracted from a part of a plant of that type; 966
and every compound, manufacture, salt, derivative, mixture, or 967
preparation of a plant of that type or of its seeds or resin. 968
"Marihuana" does not include the mature stalks of the plant, 969
fiber produced from the stalks, oils or cake made from the seeds 970
of the plant, or any other compound, manufacture, salt, 971
derivative, mixture, or preparation of the mature stalks, except 972
the resin extracted from the mature stalks, fiber, oil or cake, 973
or the sterilized seed of the plant that is incapable of 974
germination. "Marihuana" does not include "hemp" or a "hemp 975
product" as those terms are defined in section 928.01 of the 976
Revised Code. 977

(P) "Narcotic drugs" means coca leaves, opium, 978
isonipecaine, amidone, isoamidone, ketobemidone, as defined in 979
this division, and every substance not chemically distinguished 980
from them and every drug, other than cannabis, that may be 981
included in the meaning of "narcotic drug" under the federal 982
drug abuse control laws. As used in this division: 983

(1) "Coca leaves" includes cocaine and any compound, 984
manufacture, salt, derivative, mixture, or preparation of coca 985
leaves, except derivatives of coca leaves, that does not contain 986
cocaine, ecgonine, or substances from which cocaine or ecgonine 987

may be synthesized or made.	988
(2) "Isonipecaine" means any substance identified	989
chemically as 1-methyl-4-phenyl-piperidine-4-carboxylic acid	990
ethyl ester, or any salt thereof, by whatever trade name	991
designated.	992
(3) "Amidone" means any substance identified chemically as	993
4-4-diphenyl-6-dimethylamino-heptanone-3, or any salt thereof,	994
by whatever trade name designated.	995
(4) "Isoamidone" means any substance identified chemically	996
as 4-4-diphenyl-5-methyl-6-dimethylaminohexanone-3, or any salt	997
thereof, by whatever trade name designated.	998
(5) "Ketobemidone" means any substance identified	999
chemically as 4-(3-hydroxyphenyl)-1-methyl-4-piperidyl ethyl	1000
ketone hydrochloride, or any salt thereof, by whatever trade	1001
name designated.	1002
(Q) "Official written order" means an order written on a	1003
form provided for that purpose by the director of the United	1004
States drug enforcement administration, under any laws of the	1005
United States making provision for the order, if the order forms	1006
are authorized and required by federal law.	1007
(R) "Opiate" means any substance having an addiction-	1008
forming or addiction-sustaining liability similar to morphine or	1009
being capable of conversion into a drug having addiction-forming	1010
or addiction-sustaining liability. "Opiate" does not include,	1011
unless specifically designated as controlled under section	1012
3719.41 of the Revised Code, the dextrorotatory isomer of 3-	1013
methoxy-N-methylmorphinan and its salts (dextro-methorphan).	1014
"Opiate" does include its racemic and levoratory forms.	1015
(S) "Opium poppy" means the plant of the species papaver	1016

somniferum L., except its seeds. 1017

(T) "Person" means any individual, corporation, 1018
government, governmental subdivision or agency, business trust, 1019
estate, trust, partnership, association, or other legal entity. 1020

(U) "Pharmacist" means a person licensed under Chapter 1021
4729. of the Revised Code to engage in the practice of pharmacy. 1022

(V) "Pharmacy" has the same meaning as in section 4729.01 1023
of the Revised Code. 1024

(W) "Poison" means any drug, chemical, or preparation 1025
likely to be deleterious or destructive to adult human life in 1026
quantities of four grams or less. 1027

(X) "Poppy straw" means all parts, except the seeds, of 1028
the opium poppy, after mowing. 1029

(Y) "Licensed health professional authorized to prescribe 1030
drugs," "prescriber," and "prescription" have the same meanings 1031
as in section 4729.01 of the Revised Code. 1032

(Z) "Registry number" means the number assigned to each 1033
person registered under the federal drug abuse control laws. 1034

(AA) "Sale" includes delivery, barter, exchange, transfer, 1035
or gift, or offer thereof, and each transaction of those natures 1036
made by any person, whether as principal, proprietor, agent, 1037
servant, or employee. 1038

(BB) "Schedule I," "schedule II," "schedule III," 1039
"schedule IV," and "schedule V" mean controlled substance 1040
schedules I, II, III, IV, and V, respectively, established 1041
pursuant to section 3719.41 of the Revised Code, as amended 1042
pursuant to section 3719.43 or 3719.44 of the Revised Code. 1043

(CC) "Wholesaler" means a person who, on official written orders other than prescriptions, supplies controlled substances that the person has not manufactured, produced, or prepared personally and includes a "wholesale distributor of dangerous drugs" as defined in section 4729.01 of the Revised Code.

(DD) "Animal shelter" means a facility operated by a humane society or any society organized under Chapter 1717. of the Revised Code or a dog pound operated pursuant to Chapter 955. of the Revised Code.

(EE) "Terminal distributor of dangerous drugs" has the same meaning as in section 4729.01 of the Revised Code.

(FF) "Category III license" means a license issued to a terminal distributor of dangerous drugs as set forth in section 4729.54 of the Revised Code.

(GG) "Prosecutor" has the same meaning as in section 2935.01 of the Revised Code.

(HH) (1) "Controlled substance analog" means, except as provided in division (HH) (2) of this section, a substance to which both of the following apply:

(a) The chemical structure of the substance is substantially similar to the structure of a controlled substance in schedule I or II.

(b) One of the following applies regarding the substance:

(i) The substance has a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance in schedule I or II.

(ii) With respect to a particular person, that person 1072
represents or intends the substance to have a stimulant, 1073
depressant, or hallucinogenic effect on the central nervous 1074
system that is substantially similar to or greater than the 1075
stimulant, depressant, or hallucinogenic effect on the central 1076
nervous system of a controlled substance in schedule I or II. 1077

(2) "Controlled substance analog" does not include any of 1078
the following: 1079

(a) A controlled substance; 1080

(b) Any substance for which there is an approved new drug 1081
application; 1082

(c) With respect to a particular person, any substance if 1083
an exemption is in effect for investigational use for that 1084
person pursuant to federal law to the extent that conduct with 1085
respect to that substance is pursuant to that exemption; 1086

(d) Any substance to the extent it is not intended for 1087
human consumption before the exemption described in division 1088
(HH) (2) (b) of this section takes effect with respect to that 1089
substance. 1090

(II) "Benzodiazepine" means a controlled substance that 1091
has United States food and drug administration approved labeling 1092
indicating that it is a benzodiazepine, benzodiazepine 1093
derivative, triazolobenzodiazepine, or triazolobenzodiazepine 1094
derivative, including the following drugs and their varying salt 1095
forms or chemical congeners: alprazolam, chlordiazepoxide 1096
hydrochloride, clobazam, clonazepam, clorazepate, diazepam, 1097
estazolam, flurazepam hydrochloride, lorazepam, midazolam, 1098
oxazepam, quazepam, temazepam, and triazolam. 1099

(JJ) "Opioid analgesic" means a controlled substance that 1100

has analgesic pharmacologic activity at the opioid receptors of 1101
the central nervous system, including the following drugs and 1102
their varying salt forms or chemical congeners: buprenorphine, 1103
butorphanol, codeine (including acetaminophen and other 1104
combination products), dihydrocodeine, fentanyl, hydrocodone 1105
(including acetaminophen combination products), hydromorphone, 1106
meperidine, methadone, morphine sulfate, oxycodone (including 1107
acetaminophen, aspirin, and other combination products), 1108
oxymorphone, tapentadol, and tramadol. 1109

(KK) "Emergency facility" means a hospital emergency 1110
department or any other facility that provides emergency care. 1111

Sec. 3719.41. Controlled substance schedules I, II, III, 1112
IV, and V are hereby established, which schedules include the 1113
following, subject to amendment pursuant to section 3719.43 or 1114
3719.44 of the Revised Code. 1115

SCHEDULE I 1116

(A) Narcotics-opiates 1117

Any of the following opiates, including their isomers, 1118
esters, ethers, salts, and salts of isomers, esters, and ethers, 1119
unless specifically excepted under federal drug abuse control 1120
laws, whenever the existence of these isomers, esters, ethers, 1121
and salts is possible within the specific chemical designation: 1122

(1) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2- 1123
phenethyl)-4-piperidinyl]-N-phenylacetamide); 1124

(2) Acetylmethadol; 1125

(3) Allylprodine; 1126

(4) Alphacetylmethadol (except levo-alphacetylmethadol, 1127
also known as levo-alpha-acetylmethadol, levomethadyl acetate, 1128

or LAAM);	1129
(5) Alphameprodine;	1130
(6) Alphamethadol;	1131
(7) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine);	1132 1133 1134
(8) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N- phenylpropanamide);	1135 1136
(9) Benzethidine;	1137
(10) Betacetylmethadol;	1138
(11) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl-4-piperidinyl]-N- phenylpropanamide);	1139 1140
(12) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide);	1141 1142 1143
(13) Betameprodine;	1144
(14) Betamethadol;	1145
(15) Betaprodine;	1146
(16) Clonitazene;	1147
(17) Dextromoramide;	1148
(18) Diampromide;	1149
(19) Diethylthiambutene;	1150
(20) Difenoxin;	1151
(21) Dimenoxadol;	1152

(22) Dimepheptanol;	1153
(23) Dimethylthiambutene;	1154
(24) Dioxaphetyl butyrate;	1155
(25) Dipipanone;	1156
(26) Ethylmethylthiambutene;	1157
(27) Etonitazene;	1158
(28) Etoxeridine;	1159
(29) Furethidine;	1160
(30) Hydroxypethidine;	1161
(31) Ketobemidone;	1162
(32) Levomoramide;	1163
(33) Levophenacymorphan;	1164
(34) 3-methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N- phenylpropanamide);	1165 1166
(35) 3-methylthiofentanyl (N-[3-methyl-1-[2-(thienyl)ethyl]-4-piperidinyl]-N- phenylpropanamide);	1167 1168
(36) Morpheridine;	1169
(37) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);	1170
(38) Noracymethadol;	1171
(39) Norlevorphanol;	1172
(40) Normethadone;	1173
(41) Norpipanone;	1174
(42) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-	1175

phenethyl)-4-piperidinyl]propanamide;	1176
(43) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine;	1177
(44) Phenadoxone;	1178
(45) Phenampromide;	1179
(46) Phenomorphan;	1180
(47) Phenoperidine;	1181
(48) Piritramide;	1182
(49) Proheptazine;	1183
(50) Properidine;	1184
(51) Propiram;	1185
(52) Racemoramide;	1186
(53) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-	1187
piperidinyl]-propanamide;	1188
(54) Tilidine;	1189
(55) Trimeperidine.	1190
(56) Except as otherwise provided in this section, any	1191
compound that meets all of the following fentanyl pharmacophore	1192
requirements to bind at the mu receptor, as identified by a	1193
report from an established forensic laboratory:	1194
(a) A chemical scaffold consisting of both of the	1195
following:	1196
(i) A five, six, or seven member ring structure containing	1197
a nitrogen, whether or not further substituted;	1198
(ii) An attached nitrogen to the ring, whether or not that	1199

nitrogen is enclosed in a ring structure, including an attached	1200
aromatic ring or other lipophilic group to that nitrogen;	1201
(b) A polar functional group attached to the chemical	1202
scaffold, including but not limited to, a hydroxyl, ketone,	1203
amide, or ester;	1204
(c) An alkyl or aryl substitution off the ring nitrogen of	1205
the chemical scaffold; and	1206
(d) The compound has not been approved for medical use by	1207
the United States food and drug administration.	1208
(B) Narcotics-opium derivatives	1209
Any of the following opium derivatives, including their	1210
salts, isomers, and salts of isomers, unless specifically	1211
excepted under federal drug abuse control laws, whenever the	1212
existence of these salts, isomers, and salts of isomers is	1213
possible within the specific chemical designation:	1214
(1) Acetorphine;	1215
(2) Acetyldihydrocodeine;	1216
(3) Benzylmorphine;	1217
(4) Codeine methylbromide;	1218
(5) Codeine-n-oxide;	1219
(6) Cyprenorphine;	1220
(7) Desomorphine;	1221
(8) Dihydromorphine;	1222
(9) Drotebanol;	1223
(10) Etorphine (except hydrochloride salt);	1224

(11) Heroin;	1225
(12) Hydromorphenol;	1226
(13) Methyldesorphine;	1227
(14) Methyldihydromorphine;	1228
(15) Morphine methylbromide;	1229
(16) Morphine methylsulfonate;	1230
(17) Morphine-n-oxide;	1231
(18) Myrophine;	1232
(19) Nicocodeine;	1233
(20) Nicomorphine;	1234
(21) Normorphine;	1235
(22) Pholcodine;	1236
(23) Thebacon.	1237
(C) Hallucinogens	1238
Any material, compound, mixture, or preparation that	1239
contains any quantity of the following hallucinogenic	1240
substances, including their salts, isomers, and salts of	1241
isomers, unless specifically excepted under federal drug abuse	1242
control laws, whenever the existence of these salts, isomers,	1243
and salts of isomers is possible within the specific chemical	1244
designation. For the purposes of this division only, "isomer"	1245
includes the optical isomers, position isomers, and geometric	1246
isomers.	1247
(1) Alpha-ethyltryptamine (some trade or other names:	1248
etryptamine; Monase; alpha-ethyl-1H-indole-3-ethanamine; 3-(2-	1249

aminobutyl) indole; alpha-ET; and AET);	1250
(2) 4-bromo-2,5-dimethoxyamphetamine (some trade or other names: 4-bromo-2,5-dimethoxy-alpha-methylphenethylamine; 4-bromo-2,5-DMA);	1251 1252 1253
(3) 4-bromo-2,5-dimethoxyphenethylamine (some trade or other names: 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-desmethyl DOB; 2C-B, Nexus);	1254 1255 1256
(4) 2,5-dimethoxyamphetamine (some trade or other names: 2,5-dimethoxy-alpha-methylphenethylamine; 2,5-DMA);	1257 1258
(5) 2,5-dimethoxy-4-ethylamphetamine (some trade or other names: DOET);	1259 1260
(6) 4-methoxyamphetamine (some trade or other names: 4-methoxy-alpha-methylphenethylamine; paramethoxyamphetamine; PMA);	1261 1262 1263
(7) 5-methoxy-3,4-methylenedioxy-amphetamine;	1264
(8) 4-methyl-2,5-dimethoxy-amphetamine (some trade or other names: 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine; "DOM" and "STP");	1265 1266 1267
(9) 3,4-methylenedioxy amphetamine (MDA);	1268
(10) 3,4-methylenedioxymethamphetamine (MDMA);	1269
(11) 3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl MDA, MDE, MDEA);	1270 1271 1272
(12) N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine and N-hydroxy MDA);	1273 1274 1275
(13) 3,4,5-trimethoxy amphetamine;	1276

(14) Bufotenine (some trade or other names: 3-(beta-	1277
dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-	1278
indolol; N, N-dimethylserotonin; 5-hydroxy-N, N-	1279
dimethyltryptamine; mappine);	1280
(15) Diethyltryptamine (some trade or other names: N, N-	1281
diethyltryptamine; DET);	1282
(16) Dimethyltryptamine (some trade or other names: DMT);	1283
(17) Ibogaine (some trade or other names: 7-ethyl-	1284
6,6beta,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano- 5H-	1285
pyrido[1',2':1,2] azepino [5, 4-b] indole; tabernanthe iboga);	1286
(18) Lysergic acid diethylamide;	1287
(19) Marihuana;	1288
(20) Mescaline;	1289
(21) Parahexyl (some trade or other names: 3-hexyl-1-	1290
hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-	1291
dibenzo[b,d]pyran; synhexyl);	1292
(22) Peyote (meaning all parts of the plant presently	1293
classified botanically as "Lophophora williamsii Lemaire,"	1294
whether growing or not, the seeds of that plant, any extract	1295
from any part of that plant, and every compound, manufacture,	1296
salts, derivative, mixture, or preparation of that plant, its	1297
seeds, or its extracts);	1298
(23) N-ethyl-3-piperidyl benzilate;	1299
(24) N-methyl-3-piperidyl benzilate;	1300
(25) Psilocybin;	1301
(26) Psilocyn;	1302

(27) Tetrahydrocannabinols (synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis, sp. and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as the following: delta-1-cis or trans tetrahydrocannabinol, and their optical isomers; delta-6-cis or trans tetrahydrocannabinol, and their optical isomers; delta-3,4-cis or trans tetrahydrocannabinol, and its optical isomers. (Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions, are covered.)), <u>excluding tetrahydrocannabinols found in "hemp" and "hemp products" as those terms are defined in section 928.01 of the Revised Code;</u>	1303 1304 1305 1306 1307 1308 1309 1310 1311 1312 1313 1314 1315 1316
(28) Ethylamine analog of phencyclidine (some trade or other names: N-ethyl-1-phenylcyclohexylamine; (1-phenylcyclohexyl)ethylamine; N-(1-phenylcyclohexyl)ethylamine; cyclohexamine; PCE);	1317 1318 1319 1320
(29) Pyrrolidine analog of phencyclidine (some trade or other names: 1-(1-phenylcyclohexyl)pyrrolidine; PCPy; PHP);	1321 1322
(30) Thiophene analog of phencyclidine (some trade or other names: 1-[1-(2-thienyl)-cyclohexyl]-piperidine; 2-thienyl analog of phencyclidine; TPCP; TCP);	1323 1324 1325
(31) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine;	1326
(32) Hashish;	1327
(33) Salvia divinorum;	1328
(34) Salvinorin A;	1329
(35) (1-pentylindol-3-yl)-(2,2,3,3-	1330

tetramethylcyclopropyl)methanone (UR-144);	1331
(36) 1-pentyl-3-(1-adamantoyl)indole (AB-001);	1332
(37) N-adamantyl-1-pentylindole-3-carboxamide;	1333
(38) N-adamantyl-1-pentylindazole-3-carboxamide (AKB48);	1334
(39) 2-ethylamino-2-(3-methoxyphenyl)cyclohexanone (methoxetamine);	1335 1336
(40) N,N-diallyl-5-methoxytryptamine (5MeO-DALT);	1337
(41) [1-(5-fluoropentylindol-3-yl)]-(2,2,3,3- tetramethylcyclopropyl)methanone (5-fluoropentyl-UR-144; XLR11);	1338 1339
(42) [1-(5-chloropentylindol-3-yl)]-(2,2,3,3- tetramethylcyclopropyl)methanone (5-chloropentyl-UR-144);	1340 1341
(43) [1-(5-bromopentylindol-3-yl)]-(2,2,3,3- tetramethylcyclopropyl)methanone (5-bromopentyl-UR-144);	1342 1343
(44) {1-[2-(4-morpholinyl)ethyl]indol-3-yl}-(2,2,3,3- tetramethylcyclopropyl) methanone (A-796,260);	1344 1345
(45) 1-[(N-methylpiperidin-2-yl)methyl]-3-(1- adamantoyl)indole (AM1248);	1346 1347
(46) N-adamantyl-1-(5-fluoropentylindole)-3-carboxamide;	1348
(47) 5-(2-aminopropyl)benzofuran (5-APB);	1349
(48) 6-(2-aminopropyl)benzofuran (6-APB);	1350
(49) 5-(2-aminopropyl)-2,3-dihydrobenzofuran (5-APDB);	1351
(50) 6-(2-aminopropyl)-2,3-dihydrobenzofuran (6-APDB);	1352
(51) Benzothiophenylcyclohexylpiperidine (BTCP);	1353
(52) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E);	1354

(53) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D);	1355
(54) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C);	1356
(55) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I);	1357
(56) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-2);	1358 1359
(57) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-4);	1360 1361
(58) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H);	1362
(59) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (2C-N);	1363
(60) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P);	1364 1365
(61) 4-methoxymethamphetamine (PMMA);	1366
(62) 5,6 - Methylenedioxy-2-aminoindane (MDAI);	1367
(63) 5-iodo-2-aminoindane (5-IAI);	1368
(64) 2-(4-iodo-2,5-dimethoxyphenyl)-N- [(2-methoxyphenyl)methyl]ethanamine (25I-NBOMe);	1369 1370
(65) Diphenylprolinol (diphenyl(pyrrolidin-2-yl)methanol, D2PM);	1371 1372
(66) Desoxypipradrol (2-benzhydrylpiperidine);	1373
(67) Synthetic cannabinoids - unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of a synthetic cannabinoid found to be in any of the following chemical groups or any of those groups which contain any synthetic cannabinoid salts, isomers, or salts of isomers, whenever the existence of such salts, isomers, or salts of	1374 1375 1376 1377 1378 1379 1380

isomers is possible within the specific chemical groups: 1381

(a) Naphthoylindoles: any compound containing a 3-(1- 1382
naphthoyl)indole structure with or without substitution at the 1383
nitrogen atom of the indole ring by an alkyl, haloalkyl, 1384
alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin- 1385
2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, 1386
(tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, 1387
or 2-(4-morpholinyl)ethyl group, whether or not further 1388
substituted on the indole ring to any extent or whether or not 1389
substituted on the naphthyl group to any extent. 1390
Naphthoylindoles include, but are not limited to, 1-[2-(4- 1391
morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-200); 1-(5- 1392
fluoropentyl)-3-(1-naphthoyl)indole (AM2201), 1-pentyl-3-(1- 1393
naphthoyl)indole (JWH-018), and 1-butyl-3-(1-naphthoyl)indole 1394
(JWH-073). 1395

(b) Naphthylmethylinindoles: any compound containing a 1H- 1396
indol-3-yl-(1-naphthyl)methane structure with or without 1397
substitution at the nitrogen atom of the indole ring by an 1398
alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1399
(N-methylpiperidin-2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin- 1400
2-yl)methyl, (tetrahydropyran-4-yl)methyl, ((N-methyl)-3- 1401
morpholinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or 1402
not further substituted on the indole ring to any extent or 1403
whether or not substituted on the naphthyl group to any extent. 1404
Naphthylmethylinindoles include, but are not limited to, (1- 1405
pentylinindol-3-yl)(1-naphthyl)methane (JWH-175). 1406

(c) Naphthoylpyrroles: any compound containing a 3-(1- 1407
naphthoyl)pyrrole structure with or without substitution at the 1408
nitrogen atom of the pyrrole ring by an alkyl, haloalkyl, 1409
alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin- 1410

2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, 1411
(tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, 1412
or 2-(4-morpholinyl)ethyl group, whether or not further 1413
substituted on the pyrrole ring to any extent or whether or not 1414
substituted on the naphthyl group to any extent. 1415
Naphthoylpyrroles include, but are not limited to, 1-hexyl-2- 1416
phenyl-4-(1-naphthoyl)pyrrole (JWH-147). 1417

(d) Naphthylmethylindenes: any compound containing a 1418
naphthylmethylideneindene structure with or without substitution 1419
at the 3-position of the indene ring by an alkyl, haloalkyl, 1420
alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin- 1421
2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, 1422
(tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, 1423
or 2-(4-morpholinyl)ethyl group, whether or not further 1424
substituted on the indene group to any extent or whether or not 1425
substituted on the naphthyl group to any extent. 1426
Naphthylmethylindenes include, but are not limited to, (1-[(3- 1427
pentyl)-1H-inden-1-ylidene)methyl]naphthalene (JWH-176). 1428

(e) Phenylacetylindoles: any compound containing a 3- 1429
phenylacetylindole structure with or without substitution at the 1430
nitrogen atom of the indole ring by an alkyl, haloalkyl, 1431
alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin- 1432
2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, 1433
(tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, 1434
or 2-(4-morpholinyl)ethyl group, whether or not further 1435
substituted on the indole ring to any extent or whether or not 1436
substituted on the phenyl group to any extent. 1437
Phenylacetylindoles include, but are not limited to, 1-pentyl-3- 1438
(2-methoxyphenylacetyl)indole (JWH-250), and 1-(2- 1439
cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole (RCS-8); 1- 1440
pentyl-3-(2-chlorophenylacetyl)indole (JWH-203). 1441

(f) Cyclohexylphenols: any compound containing a 2-(3- 1442
hydroxycyclohexyl)phenol structure with or without substitution 1443
at the 5-position of the phenolic ring by an alkyl, haloalkyl, 1444
alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin- 1445
2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, 1446
(tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, 1447
or 2-(4-morpholinyl)ethyl group, whether or not further 1448
substituted on the cyclohexyl group to any extent. 1449
Cyclohexylphenols include, but are not limited to, 5-(1,1- 1450
dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (some 1451
trade or other names: CP-47,497) and 5-(1,1-dimethyloctyl)-2- 1452
[(1R,3S)-3-hydroxycyclohexyl]-phenol (some trade or other names: 1453
cannabicyclohexanol; CP-47,497 C8 homologue). 1454

(g) Benzoylindoles: any compound containing a 3-(1- 1455
benzoyl)indole structure with or without substitution at the 1456
nitrogen atom of the indole ring by an alkyl, haloalkyl, 1457
alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin- 1458
2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, 1459
(tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl 1460
or 2-(4-morpholinyl)ethyl group, whether or not further 1461
substituted on the indole ring to any extent or whether or not 1462
substituted on the phenyl group to any extent. Benzoylindoles 1463
include, but are not limited to, 1-pentyl-3-(4- 1464
methoxybenzoyl)indole (RCS-4), 1-[2-(4-morpholinyl)ethyl]-2- 1465
methyl-3-(4-methoxybenzoyl)indole (Pravadoline or WIN 48, 098). 1466

(D) Depressants 1467

Any material, compound, mixture, or preparation that 1468
contains any quantity of the following substances having a 1469
depressant effect on the central nervous system, including their 1470
salts, isomers, and salts of isomers, unless specifically 1471

excepted under federal drug abuse control laws, whenever the 1472
existence of these salts, isomers, and salts of isomers is 1473
possible within the specific chemical designation: 1474

(1) Mecloqualone; 1475

(2) Methaqualone. 1476

(E) Stimulants 1477

Unless specifically excepted or unless listed in another 1478
schedule, any material, compound, mixture, or preparation that 1479
contains any quantity of the following substances having a 1480
stimulant effect on the central nervous system, including their 1481
salts, isomers, and salts of isomers: 1482

(1) Aminorex (some other names: aminoxaphen; 2-amino-5- 1483
phenyl-2-oxazoline; or 4,5-dihydro-5-phenyl-2-oxazolamine); 1484

(2) Fenethylamine; 1485

(3) (+/-)cis-4-methylaminorex ((+/-)cis-4,5-dihydro-4- 1486
methyl-5-phenyl-2-oxazolamine); 1487

(4) N-ethylamphetamine; 1488

(5) N,N-dimethylamphetamine (also known as N,N-alpha- 1489
trimethyl-benzeneethanamine; N,N-alpha-trimethylphenethylamine); 1490

(6) N-methyl-1-(thiophen-2-yl) propan-2-amine 1491
(Methiopropamine); 1492

(7) Substituted cathinones - any compound except bupropion 1493
or compounds listed under a different schedule, structurally 1494
derived from 2-aminopropan-1-one by substitution at the 1- 1495
position with either phenyl, naphthyl, or thiophene ring 1496
systems, whether or not the compound is further modified in any 1497
of the following ways: 1498

(a) By substitution in the ring system to any extent with alkyl, alkylenedioxy, alkoxy, haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring system by one or more other univalent substituents;

(b) By substitution at the 3-position with an acyclic alkyl substituent;

(c) By substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or methoxybenzyl groups;

(d) By inclusion of the 2-amino nitrogen atom in a cyclic structure.

Examples of substituted cathinones include, but are not limited to, methylone (3,4-methylenedioxy-methcathinone), MDPV (3,4-methylenedioxy-pyrovalerone), mephedrone (4-methylmethcathinone), 4-methoxymethcathinone, 4-fluoromethcathinone, 3-fluoromethcathinone, Pentadrone (2-(methylamino)-1-phenyl-1-pentanone), pentylone (1-(1,3-benzodioxol-5-yl)-2-(methylamino)-1-pentanone), 2-(1-pyrrolidinyl)-1-(4-methylphenyl)-1-propanone, alpha-PVP (1-phenyl-2-(1-pyrrolidinyl)-1-pentanone), cathinone (2-amino-1-phenyl-1-propanone), and methcathinone (2-(methylamino)-propiofenone).

SCHEDULE II

(A) Narcotics-opium and opium derivatives

Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin, independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) Opium and opiate, and any salt, compound, derivative,	1528
or preparation of opium or opiate, excluding apomorphine,	1529
thebaine-derived butorphanol, dextrorphan, nalbuphine,	1530
nalmefene, naloxone, and naltrexone, and their respective salts,	1531
but including the following:	1532
(a) Raw opium;	1533
(b) Opium extracts;	1534
(c) Opium fluid extracts;	1535
(d) Powdered opium;	1536
(e) Granulated opium;	1537
(f) Tincture of opium;	1538
(g) Codeine;	1539
(h) Ethylmorphine;	1540
(i) Etorphine hydrochloride;	1541
(j) Hydrocodone;	1542
(k) Hydromorphone;	1543
(l) Metopon;	1544
(m) Morphine;	1545
(n) Oxycodone;	1546
(o) Oxymorphone;	1547
(p) Thebaine.	1548
(2) Any salt, compound, derivative, or preparation thereof	1549
that is chemically equivalent to or identical with any of the	1550
substances referred to in division (A) (1) of this schedule,	1551

except that these substances shall not include the isoquinoline	1552
alkaloids of opium;	1553
(3) Opium poppy and poppy straw;	1554
(4) Coca leaves and any salt, compound, derivative, or	1555
preparation of coca leaves (including cocaine and ecgonine,	1556
their salts, isomers, and derivatives, and salts of those	1557
isomers and derivatives), and any salt, compound, derivative, or	1558
preparation thereof that is chemically equivalent to or	1559
identical with any of these substances, except that the	1560
substances shall not include decocainized coca leaves or	1561
extraction of coca leaves, which extractions do not contain	1562
cocaine or ecgonine;	1563
(5) Concentrate of poppy straw (the crude extract of poppy	1564
straw in either liquid, solid, or powder form that contains the	1565
phenanthrene alkaloids of the opium poppy).	1566
(B) Narcotics-opiates	1567
Unless specifically excepted under federal drug abuse	1568
control laws or unless listed in another schedule, any of the	1569
following opiates, including their isomers, esters, ethers,	1570
salts, and salts of isomers, esters, and ethers, whenever the	1571
existence of these isomers, esters, ethers, and salts is	1572
possible within the specific chemical designation, but excluding	1573
dextrorphan and levopropoxyphene:	1574
(1) Alfentanil;	1575
(2) Alphaprodine;	1576
(3) Anileridine;	1577
(4) Bezitramide;	1578

(5) Bulk dextropropoxyphene (non-dosage forms);	1579
(6) Carfentanil;	1580
(7) Dihydrocodeine;	1581
(8) Diphenoxylate;	1582
(9) Fentanyl;	1583
(10) Isomethadone;	1584
(11) Levo-alpha-acetylmethadol (some other names: levo-alpha-acetylmethadol; levomethadyl acetate; LAAM);	1585 1586
(12) Levomethorphan;	1587
(13) Levorphanol;	1588
(14) Metazocine;	1589
(15) Methadone;	1590
(16) Methadone-intermediate, 4-cyano-2-dimethylamino-4,4-diphenyl butane;	1591 1592
(17) Moramide-intermediate, 2-methyl-3-morpholino-1,1-diphenylpropane-carboxylic acid;	1593 1594
(18) Pethidine (meperidine);	1595
(19) Pethidine-intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;	1596 1597
(20) Pethidine-intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;	1598 1599
(21) Pethidine-intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;	1600 1601
(22) Phenazocine;	1602

(23) Piminodine;	1603
(24) Racemethorphan;	1604
(25) Racemorphan;	1605
(26) Remifentanil;	1606
(27) Sufentanil.	1607
(C) Stimulants	1608
Unless specifically excepted under federal drug abuse	1609
control laws or unless listed in another schedule, any material,	1610
compound, mixture, or preparation that contains any quantity of	1611
the following substances having a stimulant effect on the	1612
central nervous system:	1613
(1) Amphetamine, its salts, its optical isomers, and salts	1614
of its optical isomers;	1615
(2) Methamphetamine, its salts, its isomers, and salts of	1616
its isomers;	1617
(3) Methylphenidate;	1618
(4) Phenmetrazine and its salts;	1619
(5) Lisdexamfetamine, its salts, isomers, and salts of its	1620
isomers.	1621
(D) Depressants	1622
Unless specifically excepted under federal drug abuse	1623
control laws or unless listed in another schedule, any material,	1624
compound, mixture, or preparation that contains any quantity of	1625
the following substances having a depressant effect on the	1626
central nervous system, including their salts, isomers, and	1627
salts of isomers, whenever the existence of these salts,	1628

isomers, and salts of isomers is possible within the specific	1629
chemical designation:	1630
(1) Amobarbital;	1631
(2) Gamma-hydroxy-butyrate;	1632
(3) Glutethimide;	1633
(4) Pentobarbital;	1634
(5) Phencyclidine (some trade or other names: 1-(1- phenylcyclohexyl)piperidine; PCP);	1635 1636
(6) Secobarbital;	1637
(7) 1-aminophenylcyclohexane and all N-mono-substituted and/or all N-N-disubstituted analogs including, but not limited to, the following:	1638 1639 1640
(a) 1-phenylcyclohexylamine;	1641
(b) (1-phenylcyclohexyl) methylamine;	1642
(c) (1-phenylcyclohexyl) dimethylamine;	1643
(d) (1-phenylcyclohexyl) methylethylamine;	1644
(e) (1-phenylcyclohexyl) isopropylamine;	1645
(f) 1-(1-phenylcyclohexyl) morpholine.	1646
(E) Hallucinogenic substances	1647
(1) Nabilone (another name for nabilone: (+)-trans-3-(1,1- dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1- hydroxy-6,6- dimethyl-9H-dibenzo[b,d]pyran-9-one).	1648 1649 1650
(F) Immediate precursors	1651
Unless specifically excepted under federal drug abuse	1652

control laws or unless listed in another schedule, any material, 1653
compound, mixture, or preparation that contains any quantity of 1654
the following substances: 1655

(1) Immediate precursor to amphetamine and 1656
methamphetamine: 1657

(a) Phenylacetone (some trade or other names: phenyl-2- 1658
propanone; P2P; benzyl methyl ketone; methyl benzyl ketone); 1659

(2) Immediate precursors to phencyclidine (PCP): 1660

(a) 1-phenylcyclohexylamine; 1661

(b) 1-piperidinocyclohexanecarbonitrile (PCC). 1662

SCHEDULE III 1663

(A) Stimulants 1664

Unless specifically excepted under federal drug abuse 1665
control laws or unless listed in another schedule, any material, 1666
compound, mixture, or preparation that contains any quantity of 1667
the following substances having a stimulant effect on the 1668
central nervous system, including their salts, their optical 1669
isomers, position isomers, or geometric isomers, and salts of 1670
these isomers, whenever the existence of these salts, isomers, 1671
and salts of isomers is possible within the specific chemical 1672
designation: 1673

(1) All stimulant compounds, mixtures, and preparations 1674
included in schedule III pursuant to the federal drug abuse 1675
control laws and regulations adopted under those laws; 1676

(2) Benzphetamine; 1677

(3) Chlorphentermine; 1678

(4) Clortermine; 1679

(5) Phendimetrazine.	1680
(B) Depressants	1681
Unless specifically excepted under federal drug abuse	1682
control laws or unless listed in another schedule, any material,	1683
compound, mixture, or preparation that contains any quantity of	1684
the following substances having a depressant effect on the	1685
central nervous system:	1686
(1) Any compound, mixture, or preparation containing	1687
amobarbital, secobarbital, pentobarbital, or any salt of any of	1688
these drugs, and one or more other active medicinal ingredients	1689
that are not listed in any schedule;	1690
(2) Any suppository dosage form containing amobarbital,	1691
secobarbital, pentobarbital, or any salt of any of these drugs	1692
and approved by the food and drug administration for marketing	1693
only as a suppository;	1694
(3) Any substance that contains any quantity of a	1695
derivative of barbituric acid or any salt of a derivative of	1696
barbituric acid;	1697
(4) Chlorhexadol;	1698
(5) Ketamine, its salts, isomers, and salts of isomers	1699
(some other names for ketamine: (+/-)-2-(2-chlorophenyl)-2-	1700
(methylamino)-cyclohexanone);	1701
(6) Lysergic acid;	1702
(7) Lysergic acid amide;	1703
(8) Methyprylon;	1704
(9) Sulfondiethylmethane;	1705
(10) Sulfonethylmethane;	1706

(11) Sulfonylmethane;	1707
(12) Tiletamine, zolazepam, or any salt of tiletamine or zolazepam (some trade or other names for a tiletamine-zolazepam combination product: Telazol); (some trade or other names for tiletamine: 2-(ethylamino)-2-(2-thienyl)-cyclohexanone); (some trade or other names for zolazepam: 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo-[3, 4-e][1,4]-diazepin-7(1H)-one; flupyrzapon).	1708 1709 1710 1711 1712 1713 1714
(C) Narcotic antidotes	1715
(1) Nalorphine.	1716
(D) Narcotics-narcotic preparations	1717
Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:	1718 1719 1720 1721 1722 1723
(1) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;	1724 1725 1726
(2) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;	1727 1728 1729 1730
(3) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium;	1731 1732 1733 1734

(4) Not more than 300 milligrams of dihydrocodeinone per 1735
100 milliliters or not more than 15 milligrams per dosage unit, 1736
with one or more active, nonnarcotic ingredients in recognized 1737
therapeutic amounts; 1738

(5) Not more than 1.8 grams of dihydrocodeine per 100 1739
milliliters or not more than 90 milligrams per dosage unit, with 1740
one or more active, nonnarcotic ingredients in recognized 1741
therapeutic amounts; 1742

(6) Not more than 300 milligrams of ethylmorphine per 100 1743
milliliters or not more than 15 milligrams per dosage unit, with 1744
one or more active, nonnarcotic ingredients in recognized 1745
therapeutic amounts; 1746

(7) Not more than 500 milligrams of opium per 100 1747
milliliters or per 100 grams or not more than 25 milligrams per 1748
dosage unit, with one or more active, nonnarcotic ingredients in 1749
recognized therapeutic amounts; 1750

(8) Not more than 50 milligrams of morphine per 100 1751
milliliters or per 100 grams, with one or more active, 1752
nonnarcotic ingredients in recognized therapeutic amounts. 1753

(E) Anabolic steroids 1754

Unless specifically excepted under federal drug abuse 1755
control laws or unless listed in another schedule, any material, 1756
compound, mixture, or preparation that contains any quantity of 1757
the following substances, including their salts, esters, 1758
isomers, and salts of esters and isomers, whenever the existence 1759
of these salts, esters, and isomers is possible within the 1760
specific chemical designation: 1761

(1) Anabolic steroids. Except as otherwise provided in 1762
division (E) (1) of schedule III, "anabolic steroids" means any 1763

drug or hormonal substance that is chemically and 1764
pharmacologically related to testosterone (other than estrogens, 1765
progestins, and corticosteroids) and that promotes muscle 1766
growth. "Anabolic steroids" does not include an anabolic steroid 1767
that is expressly intended for administration through implants 1768
to cattle or other nonhuman species and that has been approved 1769
by the United States secretary of health and human services for 1770
that administration, unless a person prescribes, dispenses, or 1771
distributes this type of anabolic steroid for human use. 1772
"Anabolic steroid" includes, but is not limited to, the 1773
following: 1774

- (a) Boldenone; 1775
- (b) Chlorotestosterone (4-chlorotestosterone); 1776
- (c) Clostebol; 1777
- (d) Dehydrochlormethyltestosterone; 1778
- (e) Dihydrotestosterone (4-dihydrotestosterone); 1779
- (f) Drostanolone; 1780
- (g) Ethylestrenol; 1781
- (h) Fluoxymesterone; 1782
- (i) Formebolone (formebolone); 1783
- (j) Mesterolone; 1784
- (k) Methandienone; 1785
- (l) Methandranone; 1786
- (m) Methandriol; 1787
- (n) Methandrostenolone; 1788

(o) Methenolone;	1789
(p) Methyltestosterone;	1790
(q) Mibolerone;	1791
(r) Nandrolone;	1792
(s) Norethandrolone;	1793
(t) Oxandrolone;	1794
(u) Oxymesterone;	1795
(v) Oxymetholone;	1796
(w) Stanolone;	1797
(x) Stanozolol;	1798
(y) Testolactone;	1799
(z) Testosterone;	1800
(aa) Trenbolone;	1801
(bb) Any salt, ester, isomer, or salt of an ester or isomer of a drug or hormonal substance described or listed in division (E) (1) of schedule III if the salt, ester, or isomer promotes muscle growth.	1802 1803 1804 1805
(F) Hallucinogenic substances	1806
(1) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a United States food and drug administration approved drug product (some other names for dronabinol: (6aR-trans)-6a,7,8,10a-tetrahydro- 6,6,9-trimethyl- 3-pentyl-6H-dibenzo[b,d]pyran-1-ol, or (-)-delta-9-(trans)- tetrahydrocannabinol).	1807 1808 1809 1810 1811 1812
SCHEDULE IV	1813

(A) Narcotic drugs	1814
Unless specifically excepted by federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:	1815 1816 1817 1818 1819 1820
(1) Not more than one milligram of difenoxin and not less than 25 micrograms of atropine sulfata per dosage unit;	1821 1822
(2) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,2-diphenyl-3-methyl-2-propionoxybutane)[final dosage forms].	1823 1824
(B) Depressants	1825
Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances, including their salts, isomers, and salts of isomers, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:	1826 1827 1828 1829 1830 1831 1832
(1) Alprazolam;	1833
(2) Barbital;	1834
(3) Bromazepam;	1835
(4) Camazepam;	1836
(5) Chloral betaine;	1837
(6) Chloral hydrate;	1838
(7) Chlordiazepoxide;	1839

(8) Clobazam;	1840
(9) Clonazepam;	1841
(10) Clorazepate;	1842
(11) Clotiazepam;	1843
(12) Cloxazolam;	1844
(13) Delorazepam;	1845
(14) Diazepam;	1846
(15) Estazolam;	1847
(16) Ethchlorvynol;	1848
(17) Ethinamate;	1849
(18) Ethyl loflazepate;	1850
(19) Fludiazepam;	1851
(20) Flunitrazepam;	1852
(21) Flurazepam;	1853
(22) Halazepam;	1854
(23) Haloxazolam;	1855
(24) Ketazolam;	1856
(25) Loprazolam;	1857
(26) Lorazepam;	1858
(27) Lormetazepam;	1859
(28) Mebutamate;	1860
(29) Medazepam;	1861

(30) Meprobamate;	1862
(31) Methohexital;	1863
(32) Methylphenobarbital (mephobarbital);	1864
(33) Midazolam;	1865
(34) Nimetazepam;	1866
(35) Nitrazepam;	1867
(36) Nordiazepam;	1868
(37) Oxazepam;	1869
(38) Oxazolam;	1870
(39) Paraldehyde;	1871
(40) Petrichloral;	1872
(41) Phenobarbital;	1873
(42) Pinazepam;	1874
(43) Prazepam;	1875
(44) Quazepam;	1876
(45) Temazepam;	1877
(46) Tetrazepam;	1878
(47) Triazolam;	1879
(48) Zaleplon;	1880
(49) Zolpidem.	1881
(C) Fenfluramine	1882
Any material, compound, mixture, or preparation that	1883
contains any quantity of the following substances, including	1884

their salts, their optical isomers, position isomers, or 1885
geometric isomers, and salts of these isomers, whenever the 1886
existence of these salts, isomers, and salts of isomers is 1887
possible within the specific chemical designation: 1888

(1) Fenfluramine. 1889

(D) Stimulants 1890

Unless specifically excepted under federal drug abuse 1891
control laws or unless listed in another schedule, any material, 1892
compound, mixture, or preparation that contains any quantity of 1893
the following substances having a stimulant effect on the 1894
central nervous system, including their salts, their optical 1895
isomers, position isomers, or geometric isomers, and salts of 1896
these isomers, whenever the existence of these salts, isomers, 1897
and salts of isomers is possible within the specific chemical 1898
designation: 1899

(1) Cathine ((+)-norpseudoephedrine); 1900

(2) Diethylpropion; 1901

(3) Fencamfamin; 1902

(4) Fenproporex; 1903

(5) Mazindol; 1904

(6) Mefenorex; 1905

(7) Modafinil; 1906

(8) Pemoline (including organometallic complexes and 1907
chelates thereof); 1908

(9) Phentermine; 1909

(10) Pipradrol; 1910

(11) Sibutramine;	1911
(12) SPA [(-)-1-dimethylamino-1,2-diphenylethane].	1912
(E) Other substances	1913
Unless specifically excepted under federal drug abuse	1914
control laws or unless listed in another schedule, any material,	1915
compound, mixture, or preparation that contains any quantity of	1916
the following substances, including their salts:	1917
(1) Pentazocine;	1918
(2) Butorphanol (including its optical isomers).	1919
SCHEDULE V	1920
(A) Narcotic drugs	1921
Unless specifically excepted under federal drug abuse	1922
control laws or unless listed in another schedule, any material,	1923
compound, mixture, or preparation that contains any of the	1924
following narcotic drugs, and their salts, as set forth below:	1925
(1) Buprenorphine.	1926
(B) Narcotics-narcotic preparations	1927
Narcotic drugs containing non-narcotic active medicinal	1928
ingredients. Any compound, mixture, or preparation that contains	1929
any of the following narcotic drugs, or their salts calculated	1930
as the free anhydrous base or alkaloid, in limited quantities as	1931
set forth below, and that includes one or more nonnarcotic	1932
active medicinal ingredients in sufficient proportion to confer	1933
upon the compound, mixture, or preparation valuable medicinal	1934
qualities other than those possessed by narcotic drugs alone:	1935
(1) Not more than 200 milligrams of codeine per 100	1936
milliliters or per 100 grams;	1937

(2) Not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 grams;	1938 1939
(3) Not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams;	1940 1941
(4) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit;	1942 1943
(5) Not more than 100 milligrams of opium per 100 milliliters or per 100 grams;	1944 1945
(6) Not more than 0.5 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.	1946 1947
(C) Stimulants	1948
Unless specifically exempted or excluded under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances having a stimulant effect on the central nervous system, including their salts, isomers, and salts of isomers:	1949 1950 1951 1952 1953 1954
(1) Ephedrine, except as provided in division (K) of section 3719.44 of the Revised Code;	1955 1956
(2) Pyrovalerone.	1957
(D) Approved <u>United States food and drug administration</u> <u>approved</u> cannabidiol drugs	1958 1959
Unless specifically exempted or excluded under federal drug abuse control laws or unless listed in another schedule, any drug product in finished dosage formulation that has been approved by the United States food and drug administration that contains cannabidiol (2-[1R-3-methyl-6R-(1-methylethenyl)-2-	1960 1961 1962 1963 1964

cyclohexen-1-yl]-5-pentyl-1,3-benzenediol) derived from cannabis 1965
and not more than 0.1 per cent (w/w) residual 1966
tetrahydrocannabinols. 1967

Sec. 4729.01. As used in this chapter: 1968

(A) "Pharmacy," except when used in a context that refers 1969
to the practice of pharmacy, means any area, room, rooms, place 1970
of business, department, or portion of any of the foregoing 1971
where the practice of pharmacy is conducted. 1972

(B) "Practice of pharmacy" means providing pharmacist care 1973
requiring specialized knowledge, judgment, and skill derived 1974
from the principles of biological, chemical, behavioral, social, 1975
pharmaceutical, and clinical sciences. As used in this division, 1976
"pharmacist care" includes the following: 1977

(1) Interpreting prescriptions; 1978

(2) Dispensing drugs and drug therapy related devices; 1979

(3) Compounding drugs; 1980

(4) Counseling individuals with regard to their drug 1981
therapy, recommending drug therapy related devices, and 1982
assisting in the selection of drugs and appliances for treatment 1983
of common diseases and injuries and providing instruction in the 1984
proper use of the drugs and appliances; 1985

(5) Performing drug regimen reviews with individuals by 1986
discussing all of the drugs that the individual is taking and 1987
explaining the interactions of the drugs; 1988

(6) Performing drug utilization reviews with licensed 1989
health professionals authorized to prescribe drugs when the 1990
pharmacist determines that an individual with a prescription has 1991
a drug regimen that warrants additional discussion with the 1992

prescriber;	1993
(7) Advising an individual and the health care professionals treating an individual with regard to the individual's drug therapy;	1994 1995 1996
(8) Acting pursuant to a consult agreement with one or more physicians authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery, if an agreement has been established;	1997 1998 1999 2000
(9) Engaging in the administration of immunizations to the extent authorized by section 4729.41 of the Revised Code;	2001 2002
(10) Engaging in the administration of drugs to the extent authorized by section 4729.45 of the Revised Code.	2003 2004
(C) "Compounding" means the preparation, mixing, assembling, packaging, and labeling of one or more drugs in any of the following circumstances:	2005 2006 2007
(1) Pursuant to a prescription issued by a licensed health professional authorized to prescribe drugs;	2008 2009
(2) Pursuant to the modification of a prescription made in accordance with a consult agreement;	2010 2011
(3) As an incident to research, teaching activities, or chemical analysis;	2012 2013
(4) In anticipation of orders for drugs pursuant to prescriptions, based on routine, regularly observed dispensing patterns;	2014 2015 2016
(5) Pursuant to a request made by a licensed health professional authorized to prescribe drugs for a drug that is to be used by the professional for the purpose of direct	2017 2018 2019

administration to patients in the course of the professional's 2020
practice, if all of the following apply: 2021

(a) At the time the request is made, the drug is not 2022
commercially available regardless of the reason that the drug is 2023
not available, including the absence of a manufacturer for the 2024
drug or the lack of a readily available supply of the drug from 2025
a manufacturer. 2026

(b) A limited quantity of the drug is compounded and 2027
provided to the professional. 2028

(c) The drug is compounded and provided to the 2029
professional as an occasional exception to the normal practice 2030
of dispensing drugs pursuant to patient-specific prescriptions. 2031

(D) "Consult agreement" means an agreement that has been 2032
entered into under section 4729.39 of the Revised Code. 2033

(E) "Drug" means: 2034

(1) Any article recognized in the United States 2035
pharmacopoeia and national formulary, or any supplement to them, 2036
intended for use in the diagnosis, cure, mitigation, treatment, 2037
or prevention of disease in humans or animals; 2038

(2) Any other article intended for use in the diagnosis, 2039
cure, mitigation, treatment, or prevention of disease in humans 2040
or animals; 2041

(3) Any article, other than food, intended to affect the 2042
structure or any function of the body of humans or animals; 2043

(4) Any article intended for use as a component of any 2044
article specified in division (E) (1), (2), or (3) of this 2045
section; but does not include devices or their components, 2046
parts, or accessories. 2047

"Drug" does not include "hemp" or a "hemp product" as 2048
those terms are defined in section 928.01 of the Revised Code. 2049

(F) "Dangerous drug" means any of the following: 2050

(1) Any drug to which either of the following applies: 2051

(a) Under the "Federal Food, Drug, and Cosmetic Act," 52 2052
Stat. 1040 (1938), 21 U.S.C.A. 301, as amended, the drug is 2053
required to bear a label containing the legend "Caution: Federal 2054
law prohibits dispensing without prescription" or "Caution: 2055
Federal law restricts this drug to use by or on the order of a 2056
licensed veterinarian" or any similar restrictive statement, or 2057
the drug may be dispensed only upon a prescription; 2058

(b) Under Chapter 3715. or 3719. of the Revised Code, the 2059
drug may be dispensed only upon a prescription. 2060

(2) Any drug that contains a schedule V controlled 2061
substance and that is exempt from Chapter 3719. of the Revised 2062
Code or to which that chapter does not apply; 2063

(3) Any drug intended for administration by injection into 2064
the human body other than through a natural orifice of the human 2065
body; 2066

(4) Any drug that is a biological product, as defined in 2067
section 3715.01 of the Revised Code. 2068

(G) "Federal drug abuse control laws" has the same meaning 2069
as in section 3719.01 of the Revised Code. 2070

(H) "Prescription" means all of the following: 2071

(1) A written, electronic, or oral order for drugs or 2072
combinations or mixtures of drugs to be used by a particular 2073
individual or for treating a particular animal, issued by a 2074

licensed health professional authorized to prescribe drugs; 2075

(2) For purposes of sections 2925.61, 4723.488, 4730.431, 2076
and 4731.94 of the Revised Code, a written, electronic, or oral 2077
order for naloxone issued to and in the name of a family member, 2078
friend, or other individual in a position to assist an 2079
individual who there is reason to believe is at risk of 2080
experiencing an opioid-related overdose. 2081

(3) For purposes of section 4729.44 of the Revised Code, a 2082
written, electronic, or oral order for naloxone issued to and in 2083
the name of either of the following: 2084

(a) An individual who there is reason to believe is at 2085
risk of experiencing an opioid-related overdose; 2086

(b) A family member, friend, or other individual in a 2087
position to assist an individual who there is reason to believe 2088
is at risk of experiencing an opioid-related overdose. 2089

(4) For purposes of sections 4723.4810, 4729.282, 2090
4730.432, and 4731.93 of the Revised Code, a written, 2091
electronic, or oral order for a drug to treat chlamydia, 2092
gonorrhea, or trichomoniasis issued to and in the name of a 2093
patient who is not the intended user of the drug but is the 2094
sexual partner of the intended user; 2095

(5) For purposes of sections 3313.7110, 3313.7111, 2096
3314.143, 3326.28, 3328.29, 4723.483, 4729.88, 4730.433, 2097
4731.96, and 5101.76 of the Revised Code, a written, electronic, 2098
or oral order for an epinephrine autoinjector issued to and in 2099
the name of a school, school district, or camp; 2100

(6) For purposes of Chapter 3728. and sections 4723.483, 2101
4729.88, 4730.433, and 4731.96 of the Revised Code, a written, 2102
electronic, or oral order for an epinephrine autoinjector issued 2103

to and in the name of a qualified entity, as defined in section 2104
3728.01 of the Revised Code. 2105

(I) "Licensed health professional authorized to prescribe 2106
drugs" or "prescriber" means an individual who is authorized by 2107
law to prescribe drugs or dangerous drugs or drug therapy 2108
related devices in the course of the individual's professional 2109
practice, including only the following: 2110

(1) A dentist licensed under Chapter 4715. of the Revised 2111
Code; 2112

(2) A clinical nurse specialist, certified nurse-midwife, 2113
or certified nurse practitioner who holds a current, valid 2114
license to practice nursing as an advanced practice registered 2115
nurse issued under Chapter 4723. of the Revised Code; 2116

(3) An optometrist licensed under Chapter 4725. of the 2117
Revised Code to practice optometry under a therapeutic 2118
pharmaceutical agents certificate; 2119

(4) A physician authorized under Chapter 4731. of the 2120
Revised Code to practice medicine and surgery, osteopathic 2121
medicine and surgery, or podiatric medicine and surgery; 2122

(5) A physician assistant who holds a license to practice 2123
as a physician assistant issued under Chapter 4730. of the 2124
Revised Code, holds a valid prescriber number issued by the 2125
state medical board, and has been granted physician-delegated 2126
prescriptive authority; 2127

(6) A veterinarian licensed under Chapter 4741. of the 2128
Revised Code. 2129

(J) "Sale" or "sell" includes any transaction made by any 2130
person, whether as principal proprietor, agent, or employee, to 2131

do or offer to do any of the following: deliver, distribute, 2132
broker, exchange, gift or otherwise give away, or transfer, 2133
whether the transfer is by passage of title, physical movement, 2134
or both. 2135

(K) "Wholesale sale" and "sale at wholesale" mean any sale 2136
in which the purpose of the purchaser is to resell the article 2137
purchased or received by the purchaser. 2138

(L) "Retail sale" and "sale at retail" mean any sale other 2139
than a wholesale sale or sale at wholesale. 2140

(M) "Retail seller" means any person that sells any 2141
dangerous drug to consumers without assuming control over and 2142
responsibility for its administration. Mere advice or 2143
instructions regarding administration do not constitute control 2144
or establish responsibility. 2145

(N) "Price information" means the price charged for a 2146
prescription for a particular drug product and, in an easily 2147
understandable manner, all of the following: 2148

(1) The proprietary name of the drug product; 2149

(2) The established (generic) name of the drug product; 2150

(3) The strength of the drug product if the product 2151
contains a single active ingredient or if the drug product 2152
contains more than one active ingredient and a relevant strength 2153
can be associated with the product without indicating each 2154
active ingredient. The established name and quantity of each 2155
active ingredient are required if such a relevant strength 2156
cannot be so associated with a drug product containing more than 2157
one ingredient. 2158

(4) The dosage form; 2159

(5) The price charged for a specific quantity of the drug 2160
product. The stated price shall include all charges to the 2161
consumer, including, but not limited to, the cost of the drug 2162
product, professional fees, handling fees, if any, and a 2163
statement identifying professional services routinely furnished 2164
by the pharmacy. Any mailing fees and delivery fees may be 2165
stated separately without repetition. The information shall not 2166
be false or misleading. 2167

(O) "Wholesale distributor of dangerous drugs" or 2168
"wholesale distributor" means a person engaged in the sale of 2169
dangerous drugs at wholesale and includes any agent or employee 2170
of such a person authorized by the person to engage in the sale 2171
of dangerous drugs at wholesale. 2172

(P) "Manufacturer of dangerous drugs" or "manufacturer" 2173
means a person, other than a pharmacist or prescriber, who 2174
manufactures dangerous drugs and who is engaged in the sale of 2175
those dangerous drugs. 2176

(Q) "Terminal distributor of dangerous drugs" or "terminal 2177
distributor" means a person who is engaged in the sale of 2178
dangerous drugs at retail, or any person, other than a 2179
manufacturer, repackager, outsourcing facility, third-party 2180
logistics provider, wholesale distributor, or pharmacist, who 2181
has possession, custody, or control of dangerous drugs for any 2182
purpose other than for that person's own use and consumption. 2183
"Terminal distributor" includes pharmacies, hospitals, nursing 2184
homes, and laboratories and all other persons who procure 2185
dangerous drugs for sale or other distribution by or under the 2186
supervision of a pharmacist or licensed health professional 2187
authorized to prescribe drugs. 2188

(R) "Promote to the public" means disseminating a 2189

representation to the public in any manner or by any means, 2190
other than by labeling, for the purpose of inducing, or that is 2191
likely to induce, directly or indirectly, the purchase of a 2192
dangerous drug at retail. 2193

(S) "Person" includes any individual, partnership, 2194
association, limited liability company, or corporation, the 2195
state, any political subdivision of the state, and any district, 2196
department, or agency of the state or its political 2197
subdivisions. 2198

(T) "Animal shelter" means a facility operated by a humane 2199
society or any society organized under Chapter 1717. of the 2200
Revised Code or a dog pound operated pursuant to Chapter 955. of 2201
the Revised Code. 2202

(U) "Food" has the same meaning as in section 3715.01 of 2203
the Revised Code. 2204

(V) "Pain management clinic" has the same meaning as in 2205
section 4731.054 of the Revised Code. 2206

(W) "Investigational drug or product" means a drug or 2207
product that has successfully completed phase one of the United 2208
States food and drug administration clinical trials and remains 2209
under clinical trial, but has not been approved for general use 2210
by the United States food and drug administration. 2211
"Investigational drug or product" does not include controlled 2212
substances in schedule I, as established pursuant to section 2213
3719.41 of the Revised Code, and as amended. 2214

(X) "Product," when used in reference to an 2215
investigational drug or product, means a biological product, 2216
other than a drug, that is made from a natural human, animal, or 2217
microorganism source and is intended to treat a disease or 2218

medical condition. 2219

(Y) "Third-party logistics provider" means a person that 2220
provides or coordinates warehousing or other logistics services 2221
pertaining to dangerous drugs including distribution, on behalf 2222
of a manufacturer, wholesale distributor, or terminal 2223
distributor of dangerous drugs, but does not take ownership of 2224
the drugs or have responsibility to direct the sale or 2225
disposition of the drugs. 2226

(Z) "Repackager of dangerous drugs" or "repackager" means 2227
a person that repacks and relabels dangerous drugs for sale or 2228
distribution. 2229

(AA) "Outsourcing facility" means a facility that is 2230
engaged in the compounding and sale of sterile drugs and is 2231
registered as an outsourcing facility with the United States 2232
food and drug administration. 2233

Sec. 4776.01. As used in this chapter: 2234

(A) "License" means an authorization evidenced by a 2235
license, certificate, registration, permit, card, or other 2236
authority that is issued or conferred by a licensing agency to a 2237
licensee or to an applicant for an initial license by which the 2238
licensee or initial license applicant has or claims the 2239
privilege to engage in a profession, occupation, or occupational 2240
activity, or, except in the case of the state dental board, to 2241
have control of and operate certain specific equipment, 2242
machinery, or premises, over which the licensing agency has 2243
jurisdiction. 2244

(B) Except as provided in section 4776.20 of the Revised 2245
Code, "licensee" means the person to whom the license is issued 2246
by a licensing agency. "Licensee" includes a person who, for 2247

purposes of section 3796.13 of the Revised Code, has complied 2248
with sections 4776.01 to 4776.04 of the Revised Code and has 2249
been determined by the department of commerce or state board of 2250
pharmacy, as the applicable licensing agency, to meet the 2251
requirements for employment. 2252

(C) Except as provided in section 4776.20 of the Revised 2253
Code, "licensing agency" means any of the following: 2254

(1) The board authorized by Chapters 4701., 4717., 4725., 2255
4729., 4730., 4731., 4732., 4734., 4740., 4741., 4747., 4753., 2256
4755., 4757., 4759., 4760., 4761., 4762., 4774., 4778., 4779., 2257
and 4783. of the Revised Code to issue a license to engage in a 2258
specific profession, occupation, or occupational activity, or to 2259
have charge of and operate certain specific equipment, 2260
machinery, or premises. 2261

(2) The state dental board, relative to its authority to 2262
issue a license pursuant to section 4715.12, 4715.16, 4715.21, 2263
or 4715.27 of the Revised Code; 2264

(3) The department of commerce or state board of pharmacy, 2265
relative to its authority under Chapter 3796. of the Revised 2266
Code and any rules adopted under that chapter with respect to a 2267
person who is subject to section 3796.13 of the Revised Code; 2268

(4) The director of agriculture, relative to the 2269
director's authority to issue licenses under Chapter 928. of the 2270
Revised Code. 2271

(D) "Applicant for an initial license" includes persons 2272
seeking a license for the first time and persons seeking a 2273
license by reciprocity, endorsement, or similar manner of a 2274
license issued in another state. "Applicant for an initial 2275
license" also includes a person who, for purposes of section 2276

3796.13 of the Revised Code, is required to comply with sections	2277
4776.01 to 4776.04 of the Revised Code.	2278
(E) "Applicant for a restored license" includes persons	2279
seeking restoration of a license under section 4730.14,	2280
4731.281, 4760.06, or 4762.06 of the Revised Code.	2281
(F) "Criminal records check" has the same meaning as in	2282
section 109.572 of the Revised Code.	2283
Sec. 5713.30. As used in sections 5713.31 to 5713.37 and	2284
5715.01 of the Revised Code:	2285
(A) "Land devoted exclusively to agricultural use" means:	2286
(1) Tracts, lots, or parcels of land totaling not less	2287
than ten acres to which, during the three calendar years prior	2288
to the year in which application is filed under section 5713.31	2289
of the Revised Code, and through the last day of May of such	2290
year, one or more of the following apply:	2291
(a) The tracts, lots, or parcels of land were devoted	2292
exclusively to commercial animal or poultry husbandry,	2293
aquaculture, algaculture meaning the farming of algae,	2294
apiculture, <u>the cultivation of hemp by a person issued a hemp</u>	2295
<u>cultivation license under section 928.02 of the Revised Code,</u>	2296
the production for a commercial purpose of timber, field crops,	2297
tobacco, fruits, vegetables, nursery stock, ornamental trees,	2298
sod, or flowers, or the growth of timber for a noncommercial	2299
purpose, if the land on which the timber is grown is contiguous	2300
to or part of a parcel of land under common ownership that is	2301
otherwise devoted exclusively to agricultural use.	2302
(b) The tracts, lots, or parcels of land were devoted	2303
exclusively to biodiesel production, biomass energy production,	2304
electric or heat energy production, or biologically derived	2305

methane gas production if the land on which the production 2306
facility is located is contiguous to or part of a parcel of land 2307
under common ownership that is otherwise devoted exclusively to 2308
agricultural use, provided that at least fifty per cent of the 2309
feedstock used in the production was derived from parcels of 2310
land under common ownership or leasehold. 2311

(c) The tracts, lots, or parcels of land were devoted to 2312
and qualified for payments or other compensation under a land 2313
retirement or conservation program under an agreement with an 2314
agency of the federal government. 2315

(2) Tracts, lots, or parcels of land totaling less than 2316
ten acres that, during the three calendar years prior to the 2317
year in which application is filed under section 5713.31 of the 2318
Revised Code and through the last day of May of such year, were 2319
devoted exclusively to commercial animal or poultry husbandry, 2320
aquaculture, algaculture meaning the farming of algae, 2321
apiculture, the cultivation of hemp by a person issued a hemp 2322
cultivation license under section 928.02 of the Revised Code, 2323
the production for a commercial purpose of field crops, tobacco, 2324
fruits, vegetables, timber, nursery stock, ornamental trees, 2325
sod, or flowers where such activities produced an average yearly 2326
gross income of at least twenty-five hundred dollars during such 2327
three-year period or where there is evidence of an anticipated 2328
gross income of such amount from such activities during the tax 2329
year in which application is made, or were devoted to and 2330
qualified for payments or other compensation under a land 2331
retirement or conservation program under an agreement with an 2332
agency of the federal government; 2333

(3) A tract, lot, or parcel of land taxed under sections 2334
5713.22 to 5713.26 of the Revised Code is not land devoted 2335

exclusively to agricultural use. 2336

(4) Tracts, lots, or parcels of land, or portions thereof 2337
that, during the previous three consecutive calendar years have 2338
been designated as land devoted exclusively to agricultural use, 2339
but such land has been lying idle or fallow for up to one year 2340
and no action has occurred to such land that is either 2341
inconsistent with the return of it to agricultural production or 2342
converts the land devoted exclusively to agricultural use as 2343
defined in this section. Such land shall remain designated as 2344
land devoted exclusively to agricultural use provided that 2345
beyond one year, but less than three years, the landowner proves 2346
good cause as determined by the board of revision. 2347

(5) Tracts, lots, or parcels of land, or portions thereof 2348
that, during the previous three consecutive calendar years have 2349
been designated as land devoted exclusively to agricultural use, 2350
but such land has been lying idle or fallow because of dredged 2351
material being stored or deposited on such land pursuant to a 2352
contract between the land's owner and the department of natural 2353
resources or the United States army corps of engineers and no 2354
action has occurred to the land that is either inconsistent with 2355
the return of it to agricultural production or converts the land 2356
devoted exclusively to agricultural use. Such land shall remain 2357
designated as land devoted exclusively to agricultural use until 2358
the last year in which dredged material is stored or deposited 2359
on the land pursuant to such a contract, but not to exceed five 2360
years. 2361

"Land devoted exclusively to agricultural use" includes 2362
tracts, lots, or parcels of land or portions thereof that are 2363
used for conservation practices, provided that the tracts, lots, 2364
or parcels of land or portions thereof comprise twenty-five per 2365

cent or less of the total of the tracts, lots, or parcels of 2366
land that satisfy the criteria established in division (A) (1), 2367
(2), (4), or (5) of this section together with the tracts, lots, 2368
or parcels of land or portions thereof that are used for 2369
conservation practices. 2370

Notwithstanding any other provision of law to the 2371
contrary, the existence of agritourism on a tract, lot, or 2372
parcel of land that otherwise meets the definition of "land 2373
devoted exclusively to agricultural use" as defined in this 2374
division does not disqualify that tract, lot, or parcel from 2375
valuation under sections 5713.30 to 5713.37 and 5715.01 of the 2376
Revised Code. 2377

A tract, lot, parcel, or portion thereof on which medical 2378
marijuana, as defined by section 3796.01 of the Revised Code, is 2379
cultivated or processed is not land devoted exclusively to 2380
agricultural use. 2381

(B) "Conversion of land devoted exclusively to 2382
agricultural use" means any of the following: 2383

(1) The failure of the owner of land devoted exclusively 2384
to agricultural use during the next preceding calendar year to 2385
file a renewal application under section 5713.31 of the Revised 2386
Code without good cause as determined by the board of revision; 2387

(2) The failure of the new owner of such land to file an 2388
initial application under that section without good cause as 2389
determined by the board of revision; 2390

(3) The failure of such land or portion thereof to qualify 2391
as land devoted exclusively to agricultural use for the current 2392
calendar year as requested by an application filed under such 2393
section; 2394

(4) The failure of the owner of the land described in 2395
division (A) (4) or (5) of this section to act on such land in a 2396
manner that is consistent with the return of the land to 2397
agricultural production after three years. 2398

The construction or installation of an energy facility, as 2399
defined in section 5727.01 of the Revised Code, on a portion of 2400
a tract, lot, or parcel of land devoted exclusively to 2401
agricultural use shall not cause the remaining portion of the 2402
tract, lot, or parcel to be regarded as a conversion of land 2403
devoted exclusively to agricultural use if the remaining portion 2404
of the tract, lot, or parcel continues to be devoted exclusively 2405
to agricultural use. 2406

(C) "Tax savings" means the difference between the dollar 2407
amount of real property taxes levied in any year on land valued 2408
and assessed in accordance with its current agricultural use 2409
value and the dollar amount of real property taxes that would 2410
have been levied upon such land if it had been valued and 2411
assessed for such year in accordance with Section 2 of Article 2412
XII, Ohio Constitution. 2413

(D) "Owner" includes, but is not limited to, any person 2414
owning a fee simple, fee tail, or life estate or a buyer on a 2415
land installment contract. 2416

(E) "Conservation practices" are practices used to abate 2417
soil erosion as required in the management of the farming 2418
operation, and include, but are not limited to, the 2419
installation, construction, development, planting, or use of 2420
grass waterways, terraces, diversions, filter strips, field 2421
borders, windbreaks, riparian buffers, wetlands, ponds, and 2422
cover crops for that purpose. 2423

(F) "Wetlands" has the same meaning as in section 6111.02 2424
of the Revised Code. 2425

(G) "Biodiesel" means a mono-alkyl ester combustible 2426
liquid fuel that is derived from vegetable oils or animal fats 2427
or any combination of those reagents and that meets the American 2428
society for testing and materials specification D6751-03a for 2429
biodiesel fuel (B100) blend stock distillate fuels. 2430

(H) "Biologically derived methane gas" means gas from the 2431
anaerobic digestion of organic materials, including animal waste 2432
and agricultural crops and residues. 2433

(I) "Biomass energy" means energy that is produced from 2434
organic material derived from plants or animals and available on 2435
a renewable basis, including, but not limited to, agricultural 2436
crops, tree crops, crop by-products, and residues. 2437

(J) "Electric or heat energy" means electric or heat 2438
energy generated from manure, cornstalks, soybean waste, or 2439
other agricultural feedstocks. 2440

(K) "Dredged material" means material that is excavated or 2441
dredged from waters of this state. "Dredged material" does not 2442
include material resulting from normal farming, silviculture, 2443
and ranching activities, such as plowing, cultivating, seeding, 2444
and harvesting, for production of food, fiber, and forest 2445
products. 2446

~~(K)~~(L) "Agritourism" has the same meaning as in section 2447
901.80 of the Revised Code. 2448

Section 2. That existing sections 109.572, 924.01, 2449
3719.01, 3719.41, 4729.01, 4776.01, and 5713.30 of the Revised 2450
Code are hereby repealed. 2451

Section 3. That the version of section 109.572 of the Revised Code that is scheduled to take effect on September 20, 2019, be amended to read as follows:

Sec. 109.572. (A) (1) Upon receipt of a request pursuant to section 121.08, 3301.32, 3301.541, or 3319.39 of the Revised Code, a completed form prescribed pursuant to division (C) (1) of this section, and a set of fingerprint impressions obtained in the manner described in division (C) (2) of this section, the superintendent of the bureau of criminal identification and investigation shall conduct a criminal records check in the manner described in division (B) of this section to determine whether any information exists that indicates that the person who is the subject of the request previously has been convicted of or pleaded guilty to any of the following:

(a) A violation of section 2903.01, 2903.02, 2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 2919.22, 2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, or 3716.11 of the Revised Code, felonious sexual penetration in violation of former section 2907.12 of the Revised Code, a violation of section 2905.04 of the Revised Code as it existed prior to July 1, 1996, a violation of section 2919.23 of the Revised Code that would have been a violation of section 2905.04 of the Revised Code as it existed prior to July 1, 1996, had the violation been committed prior to that date, or a violation of section 2925.11 of the Revised Code that is not a minor drug possession offense;

(b) A violation of an existing or former law of this state, any other state, or the United States that is substantially equivalent to any of the offenses listed in division (A) (1) (a) of this section;

(c) If the request is made pursuant to section 3319.39 of the Revised Code for an applicant who is a teacher, any offense specified in section 3319.31 of the Revised Code.

(2) On receipt of a request pursuant to section 3712.09 or 3721.121 of the Revised Code, a completed form prescribed pursuant to division (C) (1) of this section, and a set of fingerprint impressions obtained in the manner described in division (C) (2) of this section, the superintendent of the bureau of criminal identification and investigation shall conduct a criminal records check with respect to any person who has applied for employment in a position for which a criminal records check is required by those sections. The superintendent shall conduct the criminal records check in the manner described in division (B) of this section to determine whether any information exists that indicates that the person who is the subject of the request previously has been convicted of or pleaded guilty to any of the following:

(a) A violation of section 2903.01, 2903.02, 2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 2913.21, 2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 2921.36, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 2925.13, 2925.22, 2925.23, or 3716.11 of the Revised Code;

(b) An existing or former law of this state, any other 2512
state, or the United States that is substantially equivalent to 2513
any of the offenses listed in division (A) (2) (a) of this 2514
section. 2515

(3) On receipt of a request pursuant to section 173.27, 2516
173.38, 173.381, 3701.881, 5164.34, 5164.341, 5164.342, 2517
5123.081, or 5123.169 of the Revised Code, a completed form 2518
prescribed pursuant to division (C) (1) of this section, and a 2519
set of fingerprint impressions obtained in the manner described 2520
in division (C) (2) of this section, the superintendent of the 2521
bureau of criminal identification and investigation shall 2522
conduct a criminal records check of the person for whom the 2523
request is made. The superintendent shall conduct the criminal 2524
records check in the manner described in division (B) of this 2525
section to determine whether any information exists that 2526
indicates that the person who is the subject of the request 2527
previously has been convicted of, has pleaded guilty to, or 2528
(except in the case of a request pursuant to section 5164.34, 2529
5164.341, or 5164.342 of the Revised Code) has been found 2530
eligible for intervention in lieu of conviction for any of the 2531
following, regardless of the date of the conviction, the date of 2532
entry of the guilty plea, or (except in the case of a request 2533
pursuant to section 5164.34, 5164.341, or 5164.342 of the 2534
Revised Code) the date the person was found eligible for 2535
intervention in lieu of conviction: 2536

(a) A violation of section 959.13, 959.131, 2903.01, 2537
2903.02, 2903.03, 2903.04, 2903.041, 2903.11, 2903.12, 2903.13, 2538
2903.15, 2903.16, 2903.21, 2903.211, 2903.22, 2903.34, 2903.341, 2539
2905.01, 2905.02, 2905.05, 2905.11, 2905.12, 2905.32, 2905.33, 2540
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 2541
2907.09, 2907.21, 2907.22, 2907.23, 2907.24, 2907.25, 2907.31, 2542

2907.32, 2907.321, 2907.322, 2907.323, 2907.33, 2909.02,	2543
2909.03, 2909.04, 2909.22, 2909.23, 2909.24, 2911.01, 2911.02,	2544
2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.05,	2545
2913.11, 2913.21, 2913.31, 2913.32, 2913.40, 2913.41, 2913.42,	2546
2913.43, 2913.44, 2913.441, 2913.45, 2913.46, 2913.47, 2913.48,	2547
2913.49, 2913.51, 2917.01, 2917.02, 2917.03, 2917.31, 2919.12,	2548
2919.121, 2919.123, 2919.22, 2919.23, 2919.24, 2919.25, 2921.03,	2549
2921.11, 2921.12, 2921.13, 2921.21, 2921.24, 2921.32, 2921.321,	2550
2921.34, 2921.35, 2921.36, 2921.51, 2923.12, 2923.122, 2923.123,	2551
2923.13, 2923.161, 2923.162, 2923.21, 2923.32, 2923.42, 2925.02,	2552
2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.09, 2925.11,	2553
2925.13, 2925.14, 2925.141, 2925.22, 2925.23, 2925.24, 2925.36,	2554
2925.55, 2925.56, 2927.12, or 3716.11 of the Revised Code;	2555
(b) Felonious sexual penetration in violation of former	2556
section 2907.12 of the Revised Code;	2557
(c) A violation of section 2905.04 of the Revised Code as	2558
it existed prior to July 1, 1996;	2559
(d) A violation of section 2923.01, 2923.02, or 2923.03 of	2560
the Revised Code when the underlying offense that is the object	2561
of the conspiracy, attempt, or complicity is one of the offenses	2562
listed in divisions (A) (3) (a) to (c) of this section;	2563
(e) A violation of an existing or former municipal	2564
ordinance or law of this state, any other state, or the United	2565
States that is substantially equivalent to any of the offenses	2566
listed in divisions (A) (3) (a) to (d) of this section.	2567
(4) On receipt of a request pursuant to section 2151.86 of	2568
the Revised Code, a completed form prescribed pursuant to	2569
division (C) (1) of this section, and a set of fingerprint	2570
impressions obtained in the manner described in division (C) (2)	2571

of this section, the superintendent of the bureau of criminal 2572
identification and investigation shall conduct a criminal 2573
records check in the manner described in division (B) of this 2574
section to determine whether any information exists that 2575
indicates that the person who is the subject of the request 2576
previously has been convicted of or pleaded guilty to any of the 2577
following: 2578

(a) A violation of section 959.13, 2903.01, 2903.02, 2579
2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.15, 2903.16, 2580
2903.21, 2903.211, 2903.22, 2903.34, 2905.01, 2905.02, 2905.05, 2581
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 2582
2907.09, 2907.21, 2907.22, 2907.23, 2907.25, 2907.31, 2907.32, 2583
2907.321, 2907.322, 2907.323, 2909.02, 2909.03, 2909.22, 2584
2909.23, 2909.24, 2911.01, 2911.02, 2911.11, 2911.12, 2913.49, 2585
2917.01, 2917.02, 2919.12, 2919.22, 2919.24, 2919.25, 2923.12, 2586
2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, 2587
2927.12, or 3716.11 of the Revised Code, a violation of section 2588
2905.04 of the Revised Code as it existed prior to July 1, 1996, 2589
a violation of section 2919.23 of the Revised Code that would 2590
have been a violation of section 2905.04 of the Revised Code as 2591
it existed prior to July 1, 1996, had the violation been 2592
committed prior to that date, a violation of section 2925.11 of 2593
the Revised Code that is not a minor drug possession offense, 2594
two or more OVI or OVUAC violations committed within the three 2595
years immediately preceding the submission of the application or 2596
petition that is the basis of the request, or felonious sexual 2597
penetration in violation of former section 2907.12 of the 2598
Revised Code; 2599

(b) A violation of an existing or former law of this 2600
state, any other state, or the United States that is 2601
substantially equivalent to any of the offenses listed in 2602

division (A) (4) (a) of this section. 2603

(5) Upon receipt of a request pursuant to section 5104.013 2604
of the Revised Code, a completed form prescribed pursuant to 2605
division (C) (1) of this section, and a set of fingerprint 2606
impressions obtained in the manner described in division (C) (2) 2607
of this section, the superintendent of the bureau of criminal 2608
identification and investigation shall conduct a criminal 2609
records check in the manner described in division (B) of this 2610
section to determine whether any information exists that 2611
indicates that the person who is the subject of the request has 2612
been convicted of or pleaded guilty to any of the following: 2613

(a) A violation of section 2151.421, 2903.01, 2903.02, 2614
2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2615
2903.22, 2903.34, 2905.01, 2905.02, 2905.05, 2905.11, 2905.32, 2616
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 2617
2907.09, 2907.19, 2907.21, 2907.22, 2907.23, 2907.24, 2907.25, 2618
2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2909.02, 2619
2909.03, 2909.04, 2909.05, 2911.01, 2911.02, 2911.11, 2911.12, 2620
2913.02, 2913.03, 2913.04, 2913.041, 2913.05, 2913.06, 2913.11, 2621
2913.21, 2913.31, 2913.32, 2913.33, 2913.34, 2913.40, 2913.41, 2622
2913.42, 2913.43, 2913.44, 2913.441, 2913.45, 2913.46, 2913.47, 2623
2913.48, 2913.49, 2917.01, 2917.02, 2917.03, 2917.31, 2919.12, 2624
2919.22, 2919.224, 2919.225, 2919.24, 2919.25, 2921.03, 2921.11, 2625
2921.13, 2921.14, 2921.34, 2921.35, 2923.01, 2923.12, 2923.13, 2626
2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, or 2627
3716.11 of the Revised Code, felonious sexual penetration in 2628
violation of former section 2907.12 of the Revised Code, a 2629
violation of section 2905.04 of the Revised Code as it existed 2630
prior to July 1, 1996, a violation of section 2919.23 of the 2631
Revised Code that would have been a violation of section 2905.04 2632
of the Revised Code as it existed prior to July 1, 1996, had the 2633

violation been committed prior to that date, a violation of 2634
section 2925.11 of the Revised Code that is not a minor drug 2635
possession offense, a violation of section 2923.02 or 2923.03 of 2636
the Revised Code that relates to a crime specified in this 2637
division, or a second violation of section 4511.19 of the 2638
Revised Code within five years of the date of application for 2639
licensure or certification. 2640

(b) A violation of an existing or former law of this 2641
state, any other state, or the United States that is 2642
substantially equivalent to any of the offenses or violations 2643
described in division (A) (5) (a) of this section. 2644

(6) Upon receipt of a request pursuant to section 5153.111 2645
of the Revised Code, a completed form prescribed pursuant to 2646
division (C) (1) of this section, and a set of fingerprint 2647
impressions obtained in the manner described in division (C) (2) 2648
of this section, the superintendent of the bureau of criminal 2649
identification and investigation shall conduct a criminal 2650
records check in the manner described in division (B) of this 2651
section to determine whether any information exists that 2652
indicates that the person who is the subject of the request 2653
previously has been convicted of or pleaded guilty to any of the 2654
following: 2655

(a) A violation of section 2903.01, 2903.02, 2903.03, 2656
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 2657
2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 2658
2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 2659
2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2660
2909.02, 2909.03, 2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 2661
2919.22, 2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 2662
2925.03, 2925.04, 2925.05, 2925.06, or 3716.11 of the Revised 2663

Code, felonious sexual penetration in violation of former 2664
section 2907.12 of the Revised Code, a violation of section 2665
2905.04 of the Revised Code as it existed prior to July 1, 1996, 2666
a violation of section 2919.23 of the Revised Code that would 2667
have been a violation of section 2905.04 of the Revised Code as 2668
it existed prior to July 1, 1996, had the violation been 2669
committed prior to that date, or a violation of section 2925.11 2670
of the Revised Code that is not a minor drug possession offense; 2671

(b) A violation of an existing or former law of this 2672
state, any other state, or the United States that is 2673
substantially equivalent to any of the offenses listed in 2674
division (A) (6) (a) of this section. 2675

(7) On receipt of a request for a criminal records check 2676
from an individual pursuant to section 4749.03 or 4749.06 of the 2677
Revised Code, accompanied by a completed copy of the form 2678
prescribed in division (C) (1) of this section and a set of 2679
fingerprint impressions obtained in a manner described in 2680
division (C) (2) of this section, the superintendent of the 2681
bureau of criminal identification and investigation shall 2682
conduct a criminal records check in the manner described in 2683
division (B) of this section to determine whether any 2684
information exists indicating that the person who is the subject 2685
of the request has been convicted of or pleaded guilty to a 2686
felony in this state or in any other state. If the individual 2687
indicates that a firearm will be carried in the course of 2688
business, the superintendent shall require information from the 2689
federal bureau of investigation as described in division (B) (2) 2690
of this section. Subject to division (F) of this section, the 2691
superintendent shall report the findings of the criminal records 2692
check and any information the federal bureau of investigation 2693
provides to the director of public safety. 2694

(8) On receipt of a request pursuant to section 1321.37, 2695
1321.53, or 4763.05 of the Revised Code, a completed form 2696
prescribed pursuant to division (C)(1) of this section, and a 2697
set of fingerprint impressions obtained in the manner described 2698
in division (C)(2) of this section, the superintendent of the 2699
bureau of criminal identification and investigation shall 2700
conduct a criminal records check with respect to any person who 2701
has applied for a license, permit, or certification from the 2702
department of commerce or a division in the department. The 2703
superintendent shall conduct the criminal records check in the 2704
manner described in division (B) of this section to determine 2705
whether any information exists that indicates that the person 2706
who is the subject of the request previously has been convicted 2707
of or pleaded guilty to any of the following: a violation of 2708
section 2913.02, 2913.11, 2913.31, 2913.51, or 2925.03 of the 2709
Revised Code; any other criminal offense involving theft, 2710
receiving stolen property, embezzlement, forgery, fraud, passing 2711
bad checks, money laundering, or drug trafficking, or any 2712
criminal offense involving money or securities, as set forth in 2713
Chapters 2909., 2911., 2913., 2915., 2921., 2923., and 2925. of 2714
the Revised Code; or any existing or former law of this state, 2715
any other state, or the United States that is substantially 2716
equivalent to those offenses. 2717

(9) On receipt of a request for a criminal records check 2718
from the treasurer of state under section 113.041 of the Revised 2719
Code or from an individual under section 928.03, 4701.08, 2720
4715.101, 4717.061, 4725.121, 4725.501, 4729.071, 4729.53, 2721
4729.90, 4729.92, 4730.101, 4730.14, 4730.28, 4731.081, 4731.15, 2722
4731.171, 4731.222, 4731.281, 4731.296, 4731.531, 4732.091, 2723
4734.202, 4740.061, 4741.10, 4747.051, 4753.061, 4755.70, 2724
4757.101, 4759.061, 4760.032, 4760.06, 4761.051, 4762.031, 2725

4762.06, 4774.031, 4774.06, 4776.021, 4778.04, 4778.07, 2726
4779.091, or 4783.04 of the Revised Code, accompanied by a 2727
completed form prescribed under division (C)(1) of this section 2728
and a set of fingerprint impressions obtained in the manner 2729
described in division (C)(2) of this section, the superintendent 2730
of the bureau of criminal identification and investigation shall 2731
conduct a criminal records check in the manner described in 2732
division (B) of this section to determine whether any 2733
information exists that indicates that the person who is the 2734
subject of the request has been convicted of or pleaded guilty 2735
to any criminal offense in this state or any other state. 2736
Subject to division (F) of this section, the superintendent 2737
shall send the results of a check requested under section 2738
113.041 of the Revised Code to the treasurer of state and shall 2739
send the results of a check requested under any of the other 2740
listed sections to the licensing board specified by the 2741
individual in the request. 2742

(10) On receipt of a request pursuant to section 124.74, 2743
1121.23, 1315.141, 1733.47, or 1761.26 of the Revised Code, a 2744
completed form prescribed pursuant to division (C)(1) of this 2745
section, and a set of fingerprint impressions obtained in the 2746
manner described in division (C)(2) of this section, the 2747
superintendent of the bureau of criminal identification and 2748
investigation shall conduct a criminal records check in the 2749
manner described in division (B) of this section to determine 2750
whether any information exists that indicates that the person 2751
who is the subject of the request previously has been convicted 2752
of or pleaded guilty to any criminal offense under any existing 2753
or former law of this state, any other state, or the United 2754
States. 2755

(11) On receipt of a request for a criminal records check 2756

from an appointing or licensing authority under section 3772.07 2757
of the Revised Code, a completed form prescribed under division 2758
(C) (1) of this section, and a set of fingerprint impressions 2759
obtained in the manner prescribed in division (C) (2) of this 2760
section, the superintendent of the bureau of criminal 2761
identification and investigation shall conduct a criminal 2762
records check in the manner described in division (B) of this 2763
section to determine whether any information exists that 2764
indicates that the person who is the subject of the request 2765
previously has been convicted of or pleaded guilty or no contest 2766
to any offense under any existing or former law of this state, 2767
any other state, or the United States that is a disqualifying 2768
offense as defined in section 3772.07 of the Revised Code or 2769
substantially equivalent to such an offense. 2770

(12) On receipt of a request pursuant to section 2151.33 2771
or 2151.412 of the Revised Code, a completed form prescribed 2772
pursuant to division (C) (1) of this section, and a set of 2773
fingerprint impressions obtained in the manner described in 2774
division (C) (2) of this section, the superintendent of the 2775
bureau of criminal identification and investigation shall 2776
conduct a criminal records check with respect to any person for 2777
whom a criminal records check is required under that section. 2778
The superintendent shall conduct the criminal records check in 2779
the manner described in division (B) of this section to 2780
determine whether any information exists that indicates that the 2781
person who is the subject of the request previously has been 2782
convicted of or pleaded guilty to any of the following: 2783

(a) A violation of section 2903.01, 2903.02, 2903.03, 2784
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 2785
2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 2786
2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 2787

2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 2788
2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 2789
2913.21, 2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 2790
2921.36, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 2791
2925.13, 2925.22, 2925.23, or 3716.11 of the Revised Code; 2792

(b) An existing or former law of this state, any other 2793
state, or the United States that is substantially equivalent to 2794
any of the offenses listed in division (A) (12) (a) of this 2795
section. 2796

(13) On receipt of a request pursuant to section 3796.12 2797
of the Revised Code, a completed form prescribed pursuant to 2798
division (C) (1) of this section, and a set of fingerprint 2799
impressions obtained in a manner described in division (C) (2) of 2800
this section, the superintendent of the bureau of criminal 2801
identification and investigation shall conduct a criminal 2802
records check in the manner described in division (B) of this 2803
section to determine whether any information exists that 2804
indicates that the person who is the subject of the request 2805
previously has been convicted of or pleaded guilty to the 2806
following: 2807

(a) A disqualifying offense as specified in rules adopted 2808
under division (B) (2) (b) of section 3796.03 of the Revised Code 2809
if the person who is the subject of the request is an 2810
administrator or other person responsible for the daily 2811
operation of, or an owner or prospective owner, officer or 2812
prospective officer, or board member or prospective board member 2813
of, an entity seeking a license from the department of commerce 2814
under Chapter 3796. of the Revised Code; 2815

(b) A disqualifying offense as specified in rules adopted 2816
under division (B) (2) (b) of section 3796.04 of the Revised Code 2817

if the person who is the subject of the request is an 2818
administrator or other person responsible for the daily 2819
operation of, or an owner or prospective owner, officer or 2820
prospective officer, or board member or prospective board member 2821
of, an entity seeking a license from the state board of pharmacy 2822
under Chapter 3796. of the Revised Code. 2823

(14) On receipt of a request required by section 3796.13 2824
of the Revised Code, a completed form prescribed pursuant to 2825
division (C)(1) of this section, and a set of fingerprint 2826
impressions obtained in a manner described in division (C)(2) of 2827
this section, the superintendent of the bureau of criminal 2828
identification and investigation shall conduct a criminal 2829
records check in the manner described in division (B) of this 2830
section to determine whether any information exists that 2831
indicates that the person who is the subject of the request 2832
previously has been convicted of or pleaded guilty to the 2833
following: 2834

(a) A disqualifying offense as specified in rules adopted 2835
under division (B)(8)(a) of section 3796.03 of the Revised Code 2836
if the person who is the subject of the request is seeking 2837
employment with an entity licensed by the department of commerce 2838
under Chapter 3796. of the Revised Code; 2839

(b) A disqualifying offense as specified in rules adopted 2840
under division (B)(14)(a) of section 3796.04 of the Revised Code 2841
if the person who is the subject of the request is seeking 2842
employment with an entity licensed by the state board of 2843
pharmacy under Chapter 3796. of the Revised Code. 2844

(15) On receipt of a request pursuant to section 4768.06 2845
of the Revised Code, a completed form prescribed under division 2846
(C)(1) of this section, and a set of fingerprint impressions 2847

obtained in the manner described in division (C) (2) of this 2848
section, the superintendent of the bureau of criminal 2849
identification and investigation shall conduct a criminal 2850
records check in the manner described in division (B) of this 2851
section to determine whether any information exists indicating 2852
that the person who is the subject of the request has been 2853
convicted of or pleaded guilty to a felony in this state or in 2854
any other state. 2855

(16) On receipt of a request pursuant to division (B) of 2856
section 4764.07 of the Revised Code, a completed form prescribed 2857
under division (C) (1) of this section, and a set of fingerprint 2858
impressions obtained in the manner described in division (C) (2) 2859
of this section, the superintendent of the bureau of criminal 2860
identification and investigation shall conduct a criminal 2861
records check in the manner described in division (B) of this 2862
section to determine whether any information exists indicating 2863
that the person who is the subject of the request has been 2864
convicted of or pleaded guilty to any crime of moral turpitude, 2865
a felony, or an equivalent offense in any other state or the 2866
United States. 2867

(17) On receipt of a request for a criminal records check 2868
under section 147.022 of the Revised Code, a completed form 2869
prescribed under division (C) (1) of this section, and a set of 2870
fingerprint impressions obtained in the manner prescribed in 2871
division (C) (2) of this section, the superintendent of the 2872
bureau of criminal identification and investigation shall 2873
conduct a criminal records check in the manner described in 2874
division (B) of this section to determine whether any 2875
information exists that indicates that the person who is the 2876
subject of the request previously has been convicted of or 2877
pleaded guilty or no contest to any disqualifying offense, as 2878

defined in section 147.011 of the Revised Code, or to any 2879
offense under any existing or former law of this state, any 2880
other state, or the United States that is substantially 2881
equivalent to such a disqualifying offense. 2882

(B) Subject to division (F) of this section, the 2883
superintendent shall conduct any criminal records check to be 2884
conducted under this section as follows: 2885

(1) The superintendent shall review or cause to be 2886
reviewed any relevant information gathered and compiled by the 2887
bureau under division (A) of section 109.57 of the Revised Code 2888
that relates to the person who is the subject of the criminal 2889
records check, including, if the criminal records check was 2890
requested under section 113.041, 121.08, 124.74, 173.27, 173.38, 2891
173.381, 928.03, 1121.23, 1315.141, 1321.37, 1321.53, 1733.47, 2892
1761.26, 2151.86, 3301.32, 3301.541, 3319.39, 3701.881, 3712.09, 2893
3721.121, 3772.07, 3796.12, 3796.13, 4729.071, 4729.53, 4729.90, 2894
4729.92, 4749.03, 4749.06, 4763.05, 4764.07, 4768.06, 5104.013, 2895
5164.34, 5164.341, 5164.342, 5123.081, 5123.169, or 5153.111 of 2896
the Revised Code, any relevant information contained in records 2897
that have been sealed under section 2953.32 of the Revised Code; 2898

(2) If the request received by the superintendent asks for 2899
information from the federal bureau of investigation, the 2900
superintendent shall request from the federal bureau of 2901
investigation any information it has with respect to the person 2902
who is the subject of the criminal records check, including 2903
fingerprint-based checks of national crime information databases 2904
as described in 42 U.S.C. 671 if the request is made pursuant to 2905
section 2151.86 or 5104.013 of the Revised Code or if any other 2906
Revised Code section requires fingerprint-based checks of that 2907
nature, and shall review or cause to be reviewed any information 2908

the superintendent receives from that bureau. If a request under 2909
section 3319.39 of the Revised Code asks only for information 2910
from the federal bureau of investigation, the superintendent 2911
shall not conduct the review prescribed by division (B) (1) of 2912
this section. 2913

(3) The superintendent or the superintendent's designee 2914
may request criminal history records from other states or the 2915
federal government pursuant to the national crime prevention and 2916
privacy compact set forth in section 109.571 of the Revised 2917
Code. 2918

(4) The superintendent shall include in the results of the 2919
criminal records check a list or description of the offenses 2920
listed or described in division (A) (1), (2), (3), (4), (5), (6), 2921
(7), (8), (9), (10), (11), (12), (13), (14), (15), (16), or (17) 2922
of this section, whichever division requires the superintendent 2923
to conduct the criminal records check. The superintendent shall 2924
exclude from the results any information the dissemination of 2925
which is prohibited by federal law. 2926

(5) The superintendent shall send the results of the 2927
criminal records check to the person to whom it is to be sent 2928
not later than the following number of days after the date the 2929
superintendent receives the request for the criminal records 2930
check, the completed form prescribed under division (C) (1) of 2931
this section, and the set of fingerprint impressions obtained in 2932
the manner described in division (C) (2) of this section: 2933

(a) If the superintendent is required by division (A) of 2934
this section (other than division (A) (3) of this section) to 2935
conduct the criminal records check, thirty; 2936

(b) If the superintendent is required by division (A) (3) 2937

of this section to conduct the criminal records check, sixty. 2938

(C) (1) The superintendent shall prescribe a form to obtain 2939
the information necessary to conduct a criminal records check 2940
from any person for whom a criminal records check is to be 2941
conducted under this section. The form that the superintendent 2942
prescribes pursuant to this division may be in a tangible 2943
format, in an electronic format, or in both tangible and 2944
electronic formats. 2945

(2) The superintendent shall prescribe standard impression 2946
sheets to obtain the fingerprint impressions of any person for 2947
whom a criminal records check is to be conducted under this 2948
section. Any person for whom a records check is to be conducted 2949
under this section shall obtain the fingerprint impressions at a 2950
county sheriff's office, municipal police department, or any 2951
other entity with the ability to make fingerprint impressions on 2952
the standard impression sheets prescribed by the superintendent. 2953
The office, department, or entity may charge the person a 2954
reasonable fee for making the impressions. The standard 2955
impression sheets the superintendent prescribes pursuant to this 2956
division may be in a tangible format, in an electronic format, 2957
or in both tangible and electronic formats. 2958

(3) Subject to division (D) of this section, the 2959
superintendent shall prescribe and charge a reasonable fee for 2960
providing a criminal records check under this section. The 2961
person requesting the criminal records check shall pay the fee 2962
prescribed pursuant to this division. In the case of a request 2963
under section 1121.23, 1155.03, 1163.05, 1315.141, 1733.47, 2964
1761.26, 2151.33, 2151.412, or 5164.34 of the Revised Code, the 2965
fee shall be paid in the manner specified in that section. 2966

(4) The superintendent of the bureau of criminal 2967

identification and investigation may prescribe methods of 2968
forwarding fingerprint impressions and information necessary to 2969
conduct a criminal records check, which methods shall include, 2970
but not be limited to, an electronic method. 2971

(D) The results of a criminal records check conducted 2972
under this section, other than a criminal records check 2973
specified in division (A) (7) of this section, are valid for the 2974
person who is the subject of the criminal records check for a 2975
period of one year from the date upon which the superintendent 2976
completes the criminal records check. If during that period the 2977
superintendent receives another request for a criminal records 2978
check to be conducted under this section for that person, the 2979
superintendent shall provide the results from the previous 2980
criminal records check of the person at a lower fee than the fee 2981
prescribed for the initial criminal records check. 2982

(E) When the superintendent receives a request for 2983
information from a registered private provider, the 2984
superintendent shall proceed as if the request was received from 2985
a school district board of education under section 3319.39 of 2986
the Revised Code. The superintendent shall apply division (A) (1) 2987
(c) of this section to any such request for an applicant who is 2988
a teacher. 2989

(F) (1) Subject to division (F) (2) of this section, all 2990
information regarding the results of a criminal records check 2991
conducted under this section that the superintendent reports or 2992
sends under division (A) (7) or (9) of this section to the 2993
director of public safety, the treasurer of state, or the 2994
person, board, or entity that made the request for the criminal 2995
records check shall relate to the conviction of the subject 2996
person, or the subject person's plea of guilty to, a criminal 2997

offense. 2998

(2) Division (F) (1) of this section does not limit, 2999
restrict, or preclude the superintendent's release of 3000
information that relates to the arrest of a person who is 3001
eighteen years of age or older, to an adjudication of a child as 3002
a delinquent child, or to a criminal conviction of a person 3003
under eighteen years of age in circumstances in which a release 3004
of that nature is authorized under division (E) (2), (3), or (4) 3005
of section 109.57 of the Revised Code pursuant to a rule adopted 3006
under division (E) (1) of that section. 3007

(G) As used in this section: 3008

(1) "Criminal records check" means any criminal records 3009
check conducted by the superintendent of the bureau of criminal 3010
identification and investigation in accordance with division (B) 3011
of this section. 3012

(2) "Minor drug possession offense" has the same meaning 3013
as in section 2925.01 of the Revised Code. 3014

(3) "OVI or OVUAC violation" means a violation of section 3015
4511.19 of the Revised Code or a violation of an existing or 3016
former law of this state, any other state, or the United States 3017
that is substantially equivalent to section 4511.19 of the 3018
Revised Code. 3019

(4) "Registered private provider" means a nonpublic school 3020
or entity registered with the superintendent of public 3021
instruction under section 3310.41 of the Revised Code to 3022
participate in the autism scholarship program or section 3310.58 3023
of the Revised Code to participate in the Jon Peterson special 3024
needs scholarship program. 3025

Section 4. That the existing version of section 109.572 of 3026

the Revised Code that is scheduled to take effect on September 20, 2019, is hereby repealed.

Section 5. That the versions of sections 3719.01, 3719.41, and 4729.01 of the Revised Code that are scheduled to take effect on March 22, 2020, be amended to read as follows:

Sec. 3719.01. As used in this chapter:

(A) "Administer" means the direct application of a drug, whether by injection, inhalation, ingestion, or any other means to a person or an animal.

(B) "Drug enforcement administration" means the drug enforcement administration of the United States department of justice or its successor agency.

(C) "Controlled substance" means a drug, compound, mixture, preparation, or substance included in schedule I, II, III, IV, or V.

(D) "Dangerous drug" has the same meaning as in section 4729.01 of the Revised Code.

(E) "Dispense" means to sell, leave with, give away, dispose of, or deliver.

(F) "Distribute" means to deal in, ship, transport, or deliver but does not include administering or dispensing a drug.

(G) "Drug" has the same meaning as in section 4729.01 of the Revised Code.

(H) "Drug abuse offense" and "felony drug abuse offense" have the same meanings as in section 2925.01 of the Revised Code.

(I) "Federal drug abuse control laws" means the

"Comprehensive Drug Abuse Prevention and Control Act of 1970," 3054
84 Stat. 1242, 21 U.S.C. 801, as amended. 3055

(J) "Hospital" means a facility registered as a hospital 3056
with the department of health under section 3701.07 of the 3057
Revised Code. 3058

(K) "Hypodermic" means a hypodermic syringe or needle, or 3059
other instrument or device for the injection of medication. 3060

(L) "Manufacturer" means a person who manufactures a 3061
controlled substance, as "manufacture" is defined in section 3062
3715.01 of the Revised Code, and includes a "manufacturer of 3063
dangerous drugs" as defined in section 4729.01 of the Revised 3064
Code. 3065

(M) "Marihuana" means all parts of a plant of the genus 3066
cannabis, whether growing or not; the seeds of a plant of that 3067
type; the resin extracted from a part of a plant of that type; 3068
and every compound, manufacture, salt, derivative, mixture, or 3069
preparation of a plant of that type or of its seeds or resin. 3070
"Marihuana" does not include the mature stalks of the plant, 3071
fiber produced from the stalks, oils or cake made from the seeds 3072
of the plant, or any other compound, manufacture, salt, 3073
derivative, mixture, or preparation of the mature stalks, except 3074
the resin extracted from the mature stalks, fiber, oil or cake, 3075
or the sterilized seed of the plant that is incapable of 3076
germination. "Marihuana" does not include "hemp" or a "hemp 3077
product" as those terms are defined in section 928.01 of the 3078
Revised Code. 3079

(N) "Narcotic drugs" means coca leaves, opium, 3080
isonipecaine, amidone, isoamidone, ketobemidone, as defined in 3081
this division, and every substance not chemically distinguished 3082

from them and every drug, other than cannabis, that may be 3083
included in the meaning of "narcotic drug" under the federal 3084
drug abuse control laws. As used in this division: 3085

(1) "Coca leaves" includes cocaine and any compound, 3086
manufacture, salt, derivative, mixture, or preparation of coca 3087
leaves, except derivatives of coca leaves, that does not contain 3088
cocaine, ecgonine, or substances from which cocaine or ecgonine 3089
may be synthesized or made. 3090

(2) "Isonipecaine" means any substance identified 3091
chemically as 1-methyl-4-phenyl-piperidine-4-carboxylic acid 3092
ethyl ester, or any salt thereof, by whatever trade name 3093
designated. 3094

(3) "Amidone" means any substance identified chemically as 3095
4-4-diphenyl-6-dimethylamino-heptanone-3, or any salt thereof, 3096
by whatever trade name designated. 3097

(4) "Isoamidone" means any substance identified chemically 3098
as 4-4-diphenyl-5-methyl-6-dimethylaminohexanone-3, or any salt 3099
thereof, by whatever trade name designated. 3100

(5) "Ketobemidone" means any substance identified 3101
chemically as 4-(3-hydroxyphenyl)-1-methyl-4-piperidyl ethyl 3102
ketone hydrochloride, or any salt thereof, by whatever trade 3103
name designated. 3104

(6) "Cocaine" has the same meaning as in section 2925.01 3105
of the Revised Code. 3106

(0) "Official written order" means an order written on a 3107
form provided for that purpose by the director of the United 3108
States drug enforcement administration, under any laws of the 3109
United States making provision for the order, if the order forms 3110
are authorized and required by federal law. 3111

(P) "Person" means any individual, corporation, 3112
government, governmental subdivision or agency, business trust, 3113
estate, trust, partnership, association, or other legal entity. 3114

(Q) "Pharmacist" means a person licensed under Chapter 3115
4729. of the Revised Code to engage in the practice of pharmacy. 3116

(R) "Pharmacy" has the same meaning as in section 4729.01 3117
of the Revised Code. 3118

(S) "Poison" means any drug, chemical, or preparation 3119
likely to be deleterious or destructive to adult human life in 3120
quantities of four grams or less. 3121

(T) "Licensed health professional authorized to prescribe 3122
drugs," "prescriber," and "prescription" have the same meanings 3123
as in section 4729.01 of the Revised Code. 3124

(U) "Sale" includes delivery, barter, exchange, transfer, 3125
or gift, or offer thereof, and each transaction of those natures 3126
made by any person, whether as principal, proprietor, agent, 3127
servant, or employee. 3128

(V) "Schedule I," "schedule II," "schedule III," "schedule 3129
IV," and "schedule V" mean controlled substance schedules I, II, 3130
III, IV, and V, respectively, as established by rule adopted 3131
under section 3719.41 of the Revised Code, as amended pursuant 3132
to section 3719.43 or 3719.44 of the Revised Code, or as 3133
established by emergency rule adopted under section 3719.45 of 3134
the Revised Code. 3135

(W) "Wholesaler" means a person who, on official written 3136
orders other than prescriptions, supplies controlled substances 3137
that the person has not manufactured, produced, or prepared 3138
personally and includes a "wholesale distributor of dangerous 3139
drugs" as defined in section 4729.01 of the Revised Code. 3140

(X) "Animal shelter" means a facility operated by a humane society or any society organized under Chapter 1717. of the Revised Code or a dog pound operated pursuant to Chapter 955. of the Revised Code.

(Y) "Terminal distributor of dangerous drugs" has the same meaning as in section 4729.01 of the Revised Code.

(Z) (1) "Controlled substance analog" means, except as provided in division (Z) (2) of this section, a substance to which both of the following apply:

(a) The chemical structure of the substance is substantially similar to the structure of a controlled substance in schedule I or II.

(b) One of the following applies regarding the substance:

(i) The substance has a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance in schedule I or II.

(ii) With respect to a particular person, that person represents or intends the substance to have a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance in schedule I or II.

(2) "Controlled substance analog" does not include any of the following:

(a) A controlled substance;

(b) Any substance for which there is an approved new drug

application; 3169

(c) With respect to a particular person, any substance if 3170
an exemption is in effect for investigational use for that 3171
person pursuant to federal law to the extent that conduct with 3172
respect to that substance is pursuant to that exemption; 3173

(d) Any substance to the extent it is not intended for 3174
human consumption before the exemption described in division (Z) 3175
(2)(b) of this section takes effect with respect to that 3176
substance. 3177

(AA) "Benzodiazepine" means a controlled substance that 3178
has United States food and drug administration approved labeling 3179
indicating that it is a benzodiazepine, benzodiazepine 3180
derivative, triazolobenzodiazepine, or triazolobenzodiazepine 3181
derivative, including the following drugs and their varying salt 3182
forms or chemical congeners: alprazolam, chlordiazepoxide 3183
hydrochloride, clobazam, clonazepam, clorazepate, diazepam, 3184
estazolam, flurazepam hydrochloride, lorazepam, midazolam, 3185
oxazepam, quazepam, temazepam, and triazolam. 3186

(BB) "Opioid analgesic" means a controlled substance that 3187
has analgesic pharmacologic activity at the opioid receptors of 3188
the central nervous system, including the following drugs and 3189
their varying salt forms or chemical congeners: buprenorphine, 3190
butorphanol, codeine (including acetaminophen and other 3191
combination products), dihydrocodeine, fentanyl, hydrocodone 3192
(including acetaminophen combination products), hydromorphone, 3193
meperidine, methadone, morphine sulfate, oxycodone (including 3194
acetaminophen, aspirin, and other combination products), 3195
oxymorphone, tapentadol, and tramadol. 3196

(CC) "Outsourcing facility," "repackager of dangerous 3197

drugs," and "third-party logistics provider" have the same 3198
meanings as in section 4729.01 of the Revised Code. 3199

Sec. 3719.41. (A) For purposes of administration, 3200
enforcement, and regulation of the manufacture, distribution, 3201
dispensing, and possession of controlled substances, the state 3202
board of pharmacy shall adopt rules in accordance with Chapter 3203
119. of the Revised Code establishing schedule I, schedule II, 3204
schedule III, schedule IV, and schedule V incorporating the five 3205
schedules of controlled substances under the federal drug abuse 3206
control laws. 3207

The board may include in the schedules any compound, 3208
mixture, preparation, or substance that was included in the 3209
schedules immediately prior to ~~the effective date of this~~ 3210
~~amendment~~ March 22, 2020, as long as the inclusion does not have 3211
the effect of providing less stringent control of the compound, 3212
mixture, preparation, or substance than is provided under the 3213
federal drug abuse control laws or regulations adopted under 3214
those laws. 3215

(B) Except as provided in section 3719.45 of the Revised 3216
Code, the board periodically shall update the schedules by rule 3217
adopted in accordance with Chapter 119. of the Revised Code to 3218
correspond to any change in the federal drug abuse control laws 3219
or regulations adopted under those laws, any addition, transfer, 3220
or removal by congress or the attorney general of the United 3221
States as described in section 3719.43 of the Revised Code, and 3222
any addition, transfer, or removal by the board by rule adopted 3223
under section 3719.44 of the Revised Code. 3224

(C) Notwithstanding divisions (A) and (B) of this section, 3225
the board shall not adopt rules including hemp or a hemp product 3226
in a schedule as a controlled substance. 3227

<u>(D) As used in this section, "hemp" and "hemp product"</u>	3228
<u>have the same meanings as in section 928.01 of the Revised Code.</u>	3229
Sec. 4729.01. As used in this chapter:	3230
(A) "Pharmacy," except when used in a context that refers	3231
to the practice of pharmacy, means any area, room, rooms, place	3232
of business, department, or portion of any of the foregoing	3233
where the practice of pharmacy is conducted.	3234
(B) "Practice of pharmacy" means providing pharmacist care	3235
requiring specialized knowledge, judgment, and skill derived	3236
from the principles of biological, chemical, behavioral, social,	3237
pharmaceutical, and clinical sciences. As used in this division,	3238
"pharmacist care" includes the following:	3239
(1) Interpreting prescriptions;	3240
(2) Dispensing drugs and drug therapy related devices;	3241
(3) Compounding drugs;	3242
(4) Counseling individuals with regard to their drug	3243
therapy, recommending drug therapy related devices, and	3244
assisting in the selection of drugs and appliances for treatment	3245
of common diseases and injuries and providing instruction in the	3246
proper use of the drugs and appliances;	3247
(5) Performing drug regimen reviews with individuals by	3248
discussing all of the drugs that the individual is taking and	3249
explaining the interactions of the drugs;	3250
(6) Performing drug utilization reviews with licensed	3251
health professionals authorized to prescribe drugs when the	3252
pharmacist determines that an individual with a prescription has	3253
a drug regimen that warrants additional discussion with the	3254
prescriber;	3255

(7) Advising an individual and the health care professionals treating an individual with regard to the individual's drug therapy;	3256 3257 3258
(8) Acting pursuant to a consult agreement with one or more physicians authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery, if an agreement has been established;	3259 3260 3261 3262
(9) Engaging in the administration of immunizations to the extent authorized by section 4729.41 of the Revised Code;	3263 3264
(10) Engaging in the administration of drugs to the extent authorized by section 4729.45 of the Revised Code.	3265 3266
(C) "Compounding" means the preparation, mixing, assembling, packaging, and labeling of one or more drugs in any of the following circumstances:	3267 3268 3269
(1) Pursuant to a prescription issued by a licensed health professional authorized to prescribe drugs;	3270 3271
(2) Pursuant to the modification of a prescription made in accordance with a consult agreement;	3272 3273
(3) As an incident to research, teaching activities, or chemical analysis;	3274 3275
(4) In anticipation of orders for drugs pursuant to prescriptions, based on routine, regularly observed dispensing patterns;	3276 3277 3278
(5) Pursuant to a request made by a licensed health professional authorized to prescribe drugs for a drug that is to be used by the professional for the purpose of direct administration to patients in the course of the professional's practice, if all of the following apply:	3279 3280 3281 3282 3283

(a) At the time the request is made, the drug is not 3284
commercially available regardless of the reason that the drug is 3285
not available, including the absence of a manufacturer for the 3286
drug or the lack of a readily available supply of the drug from 3287
a manufacturer. 3288

(b) A limited quantity of the drug is compounded and 3289
provided to the professional. 3290

(c) The drug is compounded and provided to the 3291
professional as an occasional exception to the normal practice 3292
of dispensing drugs pursuant to patient-specific prescriptions. 3293

(D) "Consult agreement" means an agreement that has been 3294
entered into under section 4729.39 of the Revised Code. 3295

(E) "Drug" means: 3296

(1) Any article recognized in the United States 3297
pharmacopoeia and national formulary, or any supplement to them, 3298
intended for use in the diagnosis, cure, mitigation, treatment, 3299
or prevention of disease in humans or animals; 3300

(2) Any other article intended for use in the diagnosis, 3301
cure, mitigation, treatment, or prevention of disease in humans 3302
or animals; 3303

(3) Any article, other than food, intended to affect the 3304
structure or any function of the body of humans or animals; 3305

(4) Any article intended for use as a component of any 3306
article specified in division (E) (1), (2), or (3) of this 3307
section; but does not include devices or their components, 3308
parts, or accessories. 3309

"Drug" does not include "hemp" or a "hemp product" as 3310
those terms are defined in section 928.01 of the Revised Code. 3311

(F) "Dangerous drug" means any of the following:	3312
(1) Any drug to which either of the following applies:	3313
(a) Under the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, as amended, the drug is required to bear a label containing the legend "Caution: Federal law prohibits dispensing without prescription" or "Caution: Federal law restricts this drug to use by or on the order of a licensed veterinarian" or any similar restrictive statement, or the drug may be dispensed only upon a prescription;	3314 3315 3316 3317 3318 3319 3320
(b) Under Chapter 3715. or 3719. of the Revised Code, the drug may be dispensed only upon a prescription.	3321 3322
(2) Any drug that contains a schedule V controlled substance and that is exempt from Chapter 3719. of the Revised Code or to which that chapter does not apply;	3323 3324 3325
(3) Any drug intended for administration by injection into the human body other than through a natural orifice of the human body;	3326 3327 3328
(4) Any drug that is a biological product, as defined in section 3715.01 of the Revised Code.	3329 3330
(G) "Federal drug abuse control laws" has the same meaning as in section 3719.01 of the Revised Code.	3331 3332
(H) "Prescription" means all of the following:	3333
(1) A written, electronic, or oral order for drugs or combinations or mixtures of drugs to be used by a particular individual or for treating a particular animal, issued by a licensed health professional authorized to prescribe drugs;	3334 3335 3336 3337
(2) For purposes of sections 2925.61, 4723.488, 4730.431,	3338

and 4731.94 of the Revised Code, a written, electronic, or oral 3339
order for naloxone issued to and in the name of a family member, 3340
friend, or other individual in a position to assist an 3341
individual who there is reason to believe is at risk of 3342
experiencing an opioid-related overdose. 3343

(3) For purposes of section 4729.44 of the Revised Code, a 3344
written, electronic, or oral order for naloxone issued to and in 3345
the name of either of the following: 3346

(a) An individual who there is reason to believe is at 3347
risk of experiencing an opioid-related overdose; 3348

(b) A family member, friend, or other individual in a 3349
position to assist an individual who there is reason to believe 3350
is at risk of experiencing an opioid-related overdose. 3351

(4) For purposes of sections 4723.4810, 4729.282, 3352
4730.432, and 4731.93 of the Revised Code, a written, 3353
electronic, or oral order for a drug to treat chlamydia, 3354
gonorrhea, or trichomoniasis issued to and in the name of a 3355
patient who is not the intended user of the drug but is the 3356
sexual partner of the intended user; 3357

(5) For purposes of sections 3313.7110, 3313.7111, 3358
3314.143, 3326.28, 3328.29, 4723.483, 4729.88, 4730.433, 3359
4731.96, and 5101.76 of the Revised Code, a written, electronic, 3360
or oral order for an epinephrine autoinjector issued to and in 3361
the name of a school, school district, or camp; 3362

(6) For purposes of Chapter 3728. and sections 4723.483, 3363
4729.88, 4730.433, and 4731.96 of the Revised Code, a written, 3364
electronic, or oral order for an epinephrine autoinjector issued 3365
to and in the name of a qualified entity, as defined in section 3366
3728.01 of the Revised Code. 3367

(I) "Licensed health professional authorized to prescribe drugs" or "prescriber" means an individual who is authorized by law to prescribe drugs or dangerous drugs or drug therapy related devices in the course of the individual's professional practice, including only the following:

(1) A dentist licensed under Chapter 4715. of the Revised Code;

(2) A clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner who holds a current, valid license to practice nursing as an advanced practice registered nurse issued under Chapter 4723. of the Revised Code;

(3) An optometrist licensed under Chapter 4725. of the Revised Code to practice optometry under a therapeutic pharmaceutical agents certificate;

(4) A physician authorized under Chapter 4731. of the Revised Code to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery;

(5) A physician assistant who holds a license to practice as a physician assistant issued under Chapter 4730. of the Revised Code, holds a valid prescriber number issued by the state medical board, and has been granted physician-delegated prescriptive authority;

(6) A veterinarian licensed under Chapter 4741. of the Revised Code.

(J) "Sale" or "sell" includes any transaction made by any person, whether as principal proprietor, agent, or employee, to do or offer to do any of the following: deliver, distribute, broker, exchange, gift or otherwise give away, or transfer, whether the transfer is by passage of title, physical movement,

or both. 3397

(K) "Wholesale sale" and "sale at wholesale" mean any sale 3398
in which the purpose of the purchaser is to resell the article 3399
purchased or received by the purchaser. 3400

(L) "Retail sale" and "sale at retail" mean any sale other 3401
than a wholesale sale or sale at wholesale. 3402

(M) "Retail seller" means any person that sells any 3403
dangerous drug to consumers without assuming control over and 3404
responsibility for its administration. Mere advice or 3405
instructions regarding administration do not constitute control 3406
or establish responsibility. 3407

(N) "Price information" means the price charged for a 3408
prescription for a particular drug product and, in an easily 3409
understandable manner, all of the following: 3410

(1) The proprietary name of the drug product; 3411

(2) The established (generic) name of the drug product; 3412

(3) The strength of the drug product if the product 3413
contains a single active ingredient or if the drug product 3414
contains more than one active ingredient and a relevant strength 3415
can be associated with the product without indicating each 3416
active ingredient. The established name and quantity of each 3417
active ingredient are required if such a relevant strength 3418
cannot be so associated with a drug product containing more than 3419
one ingredient. 3420

(4) The dosage form; 3421

(5) The price charged for a specific quantity of the drug 3422
product. The stated price shall include all charges to the 3423
consumer, including, but not limited to, the cost of the drug 3424

product, professional fees, handling fees, if any, and a 3425
statement identifying professional services routinely furnished 3426
by the pharmacy. Any mailing fees and delivery fees may be 3427
stated separately without repetition. The information shall not 3428
be false or misleading. 3429

(O) "Wholesale distributor of dangerous drugs" or 3430
"wholesale distributor" means a person engaged in the sale of 3431
dangerous drugs at wholesale and includes any agent or employee 3432
of such a person authorized by the person to engage in the sale 3433
of dangerous drugs at wholesale. 3434

(P) "Manufacturer of dangerous drugs" or "manufacturer" 3435
means a person, other than a pharmacist or prescriber, who 3436
manufactures dangerous drugs and who is engaged in the sale of 3437
those dangerous drugs. 3438

(Q) "Terminal distributor of dangerous drugs" or "terminal 3439
distributor" means a person who is engaged in the sale of 3440
dangerous drugs at retail, or any person, other than a 3441
manufacturer, repackager, outsourcing facility, third-party 3442
logistics provider, wholesale distributor, or pharmacist, who 3443
has possession, custody, or control of dangerous drugs for any 3444
purpose other than for that person's own use and consumption. 3445
"Terminal distributor" includes pharmacies, hospitals, nursing 3446
homes, and laboratories and all other persons who procure 3447
dangerous drugs for sale or other distribution by or under the 3448
supervision of a pharmacist, licensed health professional 3449
authorized to prescribe drugs, or other person authorized by the 3450
state board of pharmacy. 3451

(R) "Promote to the public" means disseminating a 3452
representation to the public in any manner or by any means, 3453
other than by labeling, for the purpose of inducing, or that is 3454

likely to induce, directly or indirectly, the purchase of a 3455
dangerous drug at retail. 3456

(S) "Person" includes any individual, partnership, 3457
association, limited liability company, or corporation, the 3458
state, any political subdivision of the state, and any district, 3459
department, or agency of the state or its political 3460
subdivisions. 3461

(T) "Animal shelter" means a facility operated by a humane 3462
society or any society organized under Chapter 1717. of the 3463
Revised Code or a dog pound operated pursuant to Chapter 955. of 3464
the Revised Code. 3465

(U) "Food" has the same meaning as in section 3715.01 of 3466
the Revised Code. 3467

(V) "Pain management clinic" has the same meaning as in 3468
section 4731.054 of the Revised Code. 3469

(W) "Investigational drug or product" means a drug or 3470
product that has successfully completed phase one of the United 3471
States food and drug administration clinical trials and remains 3472
under clinical trial, but has not been approved for general use 3473
by the United States food and drug administration. 3474
"Investigational drug or product" does not include controlled 3475
substances in schedule I, as defined in section 3719.01 of the 3476
Revised Code. 3477

(X) "Product," when used in reference to an 3478
investigational drug or product, means a biological product, 3479
other than a drug, that is made from a natural human, animal, or 3480
microorganism source and is intended to treat a disease or 3481
medical condition. 3482

(Y) "Third-party logistics provider" means a person that 3483

provides or coordinates warehousing or other logistics services 3484
pertaining to dangerous drugs including distribution, on behalf 3485
of a manufacturer, wholesale distributor, or terminal 3486
distributor of dangerous drugs, but does not take ownership of 3487
the drugs or have responsibility to direct the sale or 3488
disposition of the drugs. 3489

(Z) "Repackager of dangerous drugs" or "repackager" means 3490
a person that repacks and relabels dangerous drugs for sale or 3491
distribution. 3492

(AA) "Outsourcing facility" means a facility that is 3493
engaged in the compounding and sale of sterile drugs and is 3494
registered as an outsourcing facility with the United States 3495
food and drug administration. 3496

(BB) "Laboratory" means a laboratory licensed under this 3497
chapter as a terminal distributor of dangerous drugs and 3498
entrusted to have custody of any of the following drugs and to 3499
use the drugs for scientific and clinical purposes and for 3500
purposes of instruction: dangerous drugs that are not controlled 3501
substances, as defined in section 3719.01 of the Revised Code; 3502
dangerous drugs that are controlled substances, as defined in 3503
that section; and controlled substances in schedule I, as 3504
defined in that section. 3505

Section 6. That the existing versions of sections 3719.01, 3506
3719.41, and 4729.01 of the Revised Code that are scheduled to 3507
take effect on March 22, 2020, are hereby repealed. 3508

Section 7. Not later than one hundred eighty days after 3509
the effective date of this section, the Director of Agriculture, 3510
in consultation with the Governor and Attorney General, shall 3511
submit a plan for the regulation of hemp cultivation to the 3512

Secretary of the United States Department of Agriculture for 3513
approval in accordance with the Agriculture Improvement Act of 3514
2018, Pub. L. No. 115-334. 3515

Section 8. (A) Any person that had hemp or a hemp product 3516
seized prior to the effective date of this section may request 3517
the law enforcement agency responsible for the seizure to 3518
release the hemp or hemp product if the hemp or hemp product has 3519
not been disposed of in accordance with Chapter 2981. of the 3520
Revised Code prior to the effective date of this section, 3521
provided that either of the following apply: 3522

(1) The person requesting its release demonstrates that 3523
the seized hemp or hemp product was cultivated or processed 3524
outside Ohio in accordance with federal law; or 3525

(2) The person pays for testing to demonstrate that the 3526
hemp or hemp product has not more than three-tenths per cent on 3527
a dry weight basis of delta-9 tetrahydrocannabinol 3528
concentration, as defined in section 928.01 of the Revised Code. 3529

(B) The state is not liable for damages to any person for 3530
the seizure or disposition of hemp or a hemp product that 3531
occurred prior to the effective date of this section. 3532

(C) As used in this section: 3533

(1) "Hemp," "hemp product," "cultivate," and "process" 3534
have the same meanings as in section 928.01 of the Revised Code. 3535

(2) "Law enforcement agency" has the same meaning as in 3536
section 2981.01 of the Revised Code. 3537

Section 9. Section 109.572 of the Revised Code is 3538
presented in this act as a composite of the section as amended 3539
by Am. Sub. H.B. 49, Sub. H.B. 199, Sub. H.B. 213, Am. Sub. S.B. 3540

51, Sub. S.B. 229, and Am. Sub. S.B. 255, all of the 132nd 3541
General Assembly. The General Assembly, applying the principle 3542
stated in division (B) of section 1.52 of the Revised Code that 3543
amendments are to be harmonized if reasonably capable of 3544
simultaneous operation, finds that the composite is the 3545
resulting version of the section in effect prior to the 3546
effective date of the section as presented in this act. 3547

Section 4729.01 of the Revised Code is presented in this 3548
act as a composite of the section as amended by both Sub. S.B. 3549
119 and Sub. S.B. 229 of the 132nd General Assembly. The General 3550
Assembly, applying the principle stated in division (B) of 3551
section 1.52 of the Revised Code that amendments are to be 3552
harmonized if reasonably capable of simultaneous operation, 3553
finds that the composite is the resulting version of the section 3554
in effect prior to the effective date of the section as 3555
presented in this act. 3556

Section 5713.30 of the Revised Code is presented in this 3557
act as a composite of the section as amended by both Sub. S.B. 3558
75 and Sub. S.B. 523 of the 131st General Assembly. The General 3559
Assembly, applying the principle stated in division (B) of 3560
section 1.52 of the Revised Code that amendments are to be 3561
harmonized if reasonably capable of simultaneous operation, 3562
finds that the composite is the resulting version of the section 3563
in effect prior to the effective date of the section as 3564
presented in this act. 3565

Section 10. This act is hereby declared to be an emergency 3566
measure necessary for the immediate preservation of the public 3567
peace, health, and safety. The reason for such necessity is that 3568
changes to Ohio law are necessary to advance and promote hemp 3569
and hemp products and to achieve consistency and conformity with 3570

federal law regarding hemp. Therefore, this act shall go into
immediate effect.

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