

## TITLE

An Act to Control and Regulate Adult Use Cannabis

## SUMMARY

The Act would enact Chapter 3780 (“Chapter”) of the Ohio Revised Code regarding adult use cannabis control to authorize and regulate the cultivation, processing, sale, purchase, possession, home grow, and use of adult use cannabis by adults at least twenty-one years of age (“adult use consumers”). Adult use cannabis, cannabis and marijuana are all defined under the Act to mean marihuana has defined in section 3719.01 of the Ohio Revised Code.

Among other things, the Act would:

1. Define the following terms in the definition section of the Act: “adult use cannabis,” “adult use cannabis operator,” “adult use consumer,” “adult use cultivator,” “adult use dispensary,” “adult use extract,” “adult use processor,” “adult use testing laboratory,” “advertising,” “applicant,” “cannabis,” “certificate of operation,” “confidential information,” “cultivate,” “cultivation area,” “cultivation facility,” “dispensary,” “disqualifying offense,” “director,” “extract,” “level I adult use cultivator,” “level II adult use cultivator,” “level III adult use cultivator,” “level I cultivator,” “level II cultivator,” “license,” “license applicant,” “license holder,” “licensee,” “manufacture,” “marijuana,” “medical provisional license,” “minor cannabinoid,” “mother plant,” “paraphernalia,” “person,” “primary residence,” “processor,” “prohibited facility,” “provisional license,” “tetrahydrocannabinol,” and “THC.” Proposed Section 3780.01.
2. Permit controlled and regulated sales and use of adult use cannabis for adult use consumers for the following public purposes: reduce illegal marijuana sales and provide for safer and regulated cannabis product; limit transportation of out-of-state cannabis in the state; and provide funding and social equity opportunities in the state as outlined below. Proposed Section 3780.02.
3. Establish the Division of Cannabis Control (“Division”) within the Department of Commerce, which shall have the authority to license, regulate, investigate, and penalize adult use cannabis operators, adult use testing laboratories, and individuals required to be licensed. The Act further requires the Division to adopt rules on the following twenty-two topics:
  - Preventing practices detrimental to the public interest and identifying ways to educate the public about the Act;
  - Establishing application, licensure and renewal standards and procedures for license applicants or license holders related to adult use cannabis operators, adult use testing laboratories, and individuals required to be licensed;
  - Establishing reasonable application, licensure and renewal fees amounts to ensure license applicants and license holders pay for the actual costs for administration and licensure for the Division;
  - Establishing standards for provisional licenses for an individual who is required to be licensed and who has exigent circumstances;
  - Specifying the process and reasons for which a license holder may be fined, suspended either with or without a prior hearing, revoked, or not renewed or issued;

- The process and requirements for Division approval of any requested change in ownership or transfer of control of an adult use cannabis operator or adult use testing laboratory;
- Establishing process and standards for expanding the size of the cultivation area for a cultivation facility;
- Establishing standards and procedures for the testing of adult use cannabis by an adult use testing laboratory licensed under this Chapter;
- Establishing the minimum amount of insurance or surety bond that must be maintained by an adult use cannabis operator and adult use testing laboratory;
- Requiring the Division to adopt reasonable standards for any adult use cannabis samples, and advertising as prescribed in section 3780.21 of the Act;
- Requiring that the records of an adult use cannabis operator or adult use testing laboratory be maintained in the manner up to two years as prescribed by the Division and which shall be made available for inspection upon demand by the Division;
- Prescribing technical standards and requirements consistent with industry standards that must be met for security and surveillance equipment necessary for the provision of security and surveillance of adult use cannabis operators and adult use testing laboratories;
- Prescribing requirements for a license holder's provision of security services for an adult use cannabis operator and adult use testing laboratories which shall include the license holder's option to use armed or unarmed services including through agents of the license holder;
- Prescribing standards according to which license holders shall keep accounts and standards according to which adult use cannabis operators and adult use testing laboratories shall be audited, and establishing guidance for assisting the department of taxation in levying and collecting the adult use tax;
- Determining penalties for violation of Division rules or of the Act, and a process for imposing such penalties;
- Establishing training requirements for employees and agents of adult use cannabis operators and adult use laboratories;
- Prescribing standards and procedures to allow for adult use cannabis delivery to adult use consumers, and online and mobile ordering procedures, which may only be conducted by an adult use dispensary or their agent;
- Prescribing cannabis inventory requirements to be maintained in an electronic database consistent with section 3780.05 of the Revised Code;
- Prescribing standards and procedures for product packaging and labeling of adult use cannabis products;
- Prescribing standards and procedures in coordination with the department of development to administer and enforce the cannabis social equity and jobs program as prescribed under 3780.19 of the Revised Code;
- Establishing a tetrahydrocannabinol content limit for adult use cannabis, which for plant material the content limit shall be no less than thirty-five per cent and for extracts the content limit shall be no less than ninety per cent, but that such content limits may be increased or eliminated by the Division; and
- Prescribing duty to update requirements for license holders.

Grants the Division the authority to adopt other rules necessary for the administration, implementation, and enforcement of the Act. The rules adopted shall be harmonized with the rules adopted under the medical marijuana control program to avoid duplication and excess fees. If there is a conflict with this Act and related rules, and the medical marijuana control program and related rules, then this Act and related rules shall govern. Requires that all rules adopted under the Act shall be adopted in accordance with Chapter 119 of the Revised Code. Proposed Section 3780.03.

4. Authorize the forms of adult use cannabis that may be sold under the Act, and allows any person to petition the Division to request that an additional form or method of adult use cannabis be approved or denied within sixty days pursuant to rules that may be adopted by the Division. Proposed Section 3780.04.
5. Require the Division to establish and maintain an electronic database to monitor all adult use cannabis from its seed or clone source through its cultivation, processing, testing, and dispensing, which shall include all adult use cannabis operations. The Act prohibits the Division from making public any information reported to or collected

by the Division under this section that identifies or would tend to identify any adult use consumer. Proposed Section 3780.05.

6. Require the Ohio Department of Taxation to provide to the Division certain tax information regarding applicants for licensure which the Division shall maintain as confidential. Proposed Section 3780.06.
7. Provide facility requirements for adult use cannabis operators and adult use testing laboratories. Prohibits adult use cannabis operators and adult use testing laboratories from being within five hundred feet of a prohibited facility which is defined in the Act. The Act clarifies that this prohibition does not apply to: current facilities if there is a medical marijuana business operational at that location with a certificate of operation; or to research entities identified in the Act or by the Division. Allows medical marijuana cultivators with a certificate of operation to expand their current facilities to 100,000 square feet of cultivation area for a level I cultivator and 15,000 square feet of cultivation area for a level II cultivator once an adult use cultivator license is issued, and provides a process for further cultivation area expansion if approved by the Division. Allows level I or level II adult use cultivator to relocate all or a part of their cultivation area to more than one facility as long as the relocation complies with the Act and is approved by the Division. Authorizes a level III adult use cultivator to have up to 5,000 square feet in cultivation area and any additional expansion must be approved by the Division. Proposed Section 3780.07.
8. Require a criminal records check (as that term is defined in section 109.572 of the Revised Code), and prescribes the procedure for completing such criminal records check related to an adult use cannabis operator or an adult use testing laboratory for the following: an administrator or person responsible for the operation, owners, officers, board members, and employees or agents required to be licensed by the Division. Proposed Section 3780.08.
9. Require that an adult use cannabis operator and an adult use testing laboratory licensed under the Act to conduct business under their license at the same location where the adult use cannabis operator or adult use testing laboratory, or their owners, also have been issued a medical marijuana certificate of operation. This requirement does not apply if all or a portion of an adult use cannabis operator or adult use testing laboratory facility is relocated as authorized under the Act. All other applicants must conduct business at a facility consistent with the Act. Proposed Section 3780.09.
10. Prohibit operating as an adult use cannabis operator or adult use testing laboratory without a license. Requires within nine months of the effective date of the Act that the following licenses be issued by the Division if the application is in compliance with the Act, and if an applicant, or their same owners, have a certificate of operation, or a medical provisional license that converts to a certificate of operation within 2 years, under the medical marijuana control program, as of the effective date of the Act:
  - A dispensary shall be issued an adult use dispensary license for the current location of the dispensary;
  - A level I cultivator shall be issued three adult use dispensary licenses at locations designated in a license application, and one level I adult use cultivator license for the current location of the level I cultivation facility;
  - A level II cultivator shall be issued one adult use dispensary license at a location designated in the license application, and one level II adult use cultivator license for the current location of the level II cultivation facility;
  - A dispensary shall be issued one adult use dispensary license at a different location as designated in the license application if the dispensary does not have any common ownership or control with any level I adult use cultivator, level II adult use cultivator, or adult use processor license applicant or licensee;
  - A processor shall be issued under this Chapter one adult use processor license for the current location of the processor; and
  - A testing laboratory shall be issued under this Chapter one adult use testing laboratory license for the current location of the testing laboratory.

The Act requires the Division to issue forty level III adult use cultivator licenses and fifty adult use dispensary licenses with a preference to applicants who are participants under the cannabis social equity and jobs program. Authorizes the Division to issue additional adult use cannabis licenses twenty-four months after the first adult use operator license is issued after the Division considers elements outlined in the Act, and after a report and recommendations is sent to the Director of the Department of Commerce for consideration. The Act places a cap on the number of adult use cannabis operator licenses any person can hold at one time which may be set by rule. The Division may issue additional adult use testing laboratory licenses at any time. Proposed Section 3780.10.

11. Allow authorized applicants to file an application for licensure under the Act and requires that applicants comply with Division rules and requirement related to the application. Requires initial applications to be available within six months of the effective date of the Act. Requires the Division to issue a license if an applicant meets specific requirements under the Act. Provide authority to the Division to set license expiration schedules and states that a license shall be renewed unless good cause is shown. Proposed Section 3780.11.
12. Authorize a level I or level II cultivator licensed under the Act to: cultivate adult use cannabis; distribute, transfer, and sell adult use cannabis to other adult use cannabis operators; and acquire seeds, clones, plants, and other genetic material. The adult use cultivators would not be permitted to cultivate any adult use cannabis for personal, family, or household use under the license. Proposed Section 3780.12.
13. Authorize a level III adult use cultivator licensed under the Act to: cultivate adult use cannabis; distribute, transfer, and sell adult use cannabis to other adult use cannabis operators; and acquire seeds, clones, plants, and other genetic material. A level III adult use cultivator would not be permitted to cultivate any adult use cannabis for personal, family, or household use under the license. Proposed Section 3780.13.
14. Authorize an adult use processor licensed under the Act to: obtain cannabis from adult use cannabis operators; process adult use cannabis obtained from adult use cannabis operators into a form authorized under the Act; and distribute, transfer, and sell processed adult use cannabis to adult use cannabis operators. Proposed Section 3780.14.
15. Authorize an adult use dispensary license issued under the Act to: obtain adult use cannabis from adult use processors, adult use cultivators, level III adult use cultivators, and other adult use dispensaries; distribute, transfer, or sell adult use cannabis to adult use cannabis operators; provide delivery of adult use cannabis and cannabis paraphernalia to patrons as established in rules adopted under the Act; and dispense or sell adult use cannabis subject to limitations and requirements set forth in the Act. These requirements include, only dispensing or selling adult use cannabis to adult use consumers who present a current, valid identification card demonstrating proof that the adult use consumer is twenty-one years of age or older, acceptable form of prepackaged and labeled cannabis received from an adult use cannabis operator, only dispensing or selling adult use cannabis in amounts that do not exceed the possession limits established by the Act, training for employees, and providing addiction services information. Proposed Section 3780.15.
16. Authorize an adult use testing laboratory licensed under to the Act to obtain adult use cannabis from an adult use cannabis operator for testing purposes only and to conduct cannabis testing and research and operations as required by Division rule. Proposed Section 3780.16.
17. Authorize the division to issue a license to an individual applicant, who is at least twenty-one years of age, after the Division has determined that the applicant is eligible for a license under rules adopted by the Division and after the applicant has paid any applicable fees. A license issued under this section is portable and may be used at any adult use cannabis operator or adult use testing laboratory as long as such licensee is registered with the Division for each location where the licensee works or is employed. Proposed Section 3780.17.
18. Establish the cannabis social equity and jobs program in the interest of remedying the harms resulting from the disproportionate enforcement of marijuana-related laws and to provide financial assistance and license application

support to individuals most directly and adversely impacted by the enforcement of marijuana-related laws who are interested in starting or working in cannabis business entities. Sets forth the following additional purposes of the cannabis social equity and jobs program:

- Reducing barriers to ownership and opportunities within the adult use cannabis industry for individuals and communities most adversely impacted by the enforcement of marijuana-related laws;
- Establishing an adult use cannabis industry that is equitable and accessible to those most adversely impacted by the enforcement of marijuana-related laws in this State; and
- Acknowledging that: individuals who have been arrested or incarcerated due to drug laws suffer long-lasting negative consequences; family members and communities of those who have been arrested or incarcerated due to drug laws suffer from emotional, psychological, and financial harms as a result of such arrests or incarcerations; certain communities have disproportionately suffered the harms of enforcement of marijuana-related laws and those communities face greater difficulties accessing traditional banking systems and capital for establishing businesses; individuals who have resided in areas of high poverty suffer negative consequences, including barriers to entry in employment, business ownership, housing, health, and long-term financial well-being; and promotion of business ownership and employment by individuals who have resided in areas of high poverty and high enforcement of marijuana-related laws furthers an equitable cannabis industry.

The Ohio Department of Development is required to: establish the program which includes certifying program applicants based on social and economic disadvantage; develop a process for evaluating and adjusting program goals; educate potential participants about the program; implement a compliance system for the program; provide financial and technical assistance to persons certified under the program; encourage employment practices for adult use cannabis operators to hire and educate specified groups; study and fund judicial and criminal justice reform; study and propose policy reform related to impacts of enforcement of marijuana laws and to track and prevent underage usage of marijuana; fund specified investment in impacted communities related to the program; and use funding for the program only for the purposes of the program. Provide program applicants protection from the Department of Development releasing certain application information as public records. Requires that any license preference under the Act and as a result of the program be based on substantiated evidence that the preference is needed to address the goals of the program. Create an advisory board for the program to provide recommendations on the program to the Department of Development. Proposed Sections 3780.18 and 3780.19.

19. Require that adult use cannabis operators and adult use testing laboratories adopt operating procedures and comply with operation requirements required by Division rules adopted under the Act. Prohibits adult use operators from selling or dispensing adult use cannabis without payment unless otherwise authorized under the Act. Proposed Section 3780.20.
20. Authorize the Division to adopt rules on regulating advertising of license holders to prevent prohibited advertisements, and to set standards and Division audit authority related to the advertising. Proposed Section 3780.21.
21. Establish that (for the purpose of supporting social equity issues, providing funds to support jobs and economic development, providing funding for host communities who have adult use dispensaries in their jurisdiction to support these communities, funding education and treatment for individuals with cannabis and other addiction issues, and defraying the costs of regulation and administering the tax) there shall be an adult use tax on the sale of adult use cannabis by adult use dispensaries to adult use consumers in accordance with the Act in the amount of ten percent which is in addition to sales tax authorized under Chapter 5739 of the Revised Code. The tax commissioner is authorized to adopt rules to administer the tax. Proposed Section 3780.22.
22. Create (for the purpose of receiving and distributing, and accounting for, revenue received from the adult use sales tax) the following funds in the state treasury: (1) the adult use tax fund; (2) the cannabis social equity and jobs fund; (3) the host community cannabis fund; (4) the substance abuse and addiction fund; and (5) the division of cannabis control and tax commissioner fund. All monies collected from the tax levied under the Act are required

to be deposited into the adult use tax fund which shall be quarterly distributed as follows: thirty-six per cent to the cannabis social equity and jobs fund; thirty-six per cent to the host community cannabis facilities fund; twenty-five per cent to the substance abuse and addiction fund; and three per cent to the division of cannabis control and tax commissioner fund. The director of the Office of Budget and Management shall transfer amounts of the funds as required in the Act. Proposed Section 3780.23.

23. Provide authority to the tax commissioner on the collection, administration, and enforcement of the adult use tax, and gives the tax commissioner authority to prescribe forms and rules to carry out the adult use tax and the funds created to receive the adult use tax. Proposed Section 3780.24.
24. Permit the legislative authority of a municipal corporation to adopt an ordinance, or a board of township trustees to adopt a resolution, by majority vote, to prohibit, or limit the number of adult use cannabis operators permitted under the Act within the municipal corporation or within the unincorporated territory of the township, respectively. However, the Act provides that a municipal corporation or township may not prohibit or limit: existing operational medical marijuana cultivators, processors, or dispensaries; or an adult use cultivator or an adult use processor, or an adult use dispensary who is co-located with adult use cultivator and an adult use processor, who have, or whose owner have, a medical marijuana certificate of operation at the same location as of the effective date of the Act. Medical marijuana dispensaries, or their owners, are authorized to operate an adult use dispensary in a municipal corporation or township once licensed by the Division. However, a municipal corporation or township may vote to prohibit the operation of an adult use dispensary within one-hundred and twenty days of the adult use dispensary license being issued. If a municipal corporation or township votes to prohibit an adult use dispensary, the adult use dispensary must stop operation within sixty days, unless the adult use dispensary files with the board of elections a valid petition on whether the adult use dispensary should remain open and whether the municipal corporation or township should receive funding related to the adult use dispensary. If the petition is valid, the issue is required to be placed on the next general election ballot as prescribed under the Act but no sooner than ninety days from when the petition is filed with the board of election. If the issue is passed, then the adult use dispensary may remain open. If the issue is not passed, then: the medical marijuana dispensary at that location may continue to operate, or may relocate and such relocation request shall be approved if it is filed within ninety days and complies with applicable law; and the adult use dispensary must close within ninety days unless the adult use dispensary applies to relocate within ninety days and then the adult use dispensary shall remain open until the Division approves the relocation. The Act prohibits a municipal corporation and township from: limiting specific research; levying a tax, fee, or charge on adult use operations, their owner, or their property not generally charged on other businesses; prohibiting or limiting cannabis home use authorized under the Act; or prohibiting or restricting an activity authorized by the Act. Proposed Section 3780.25.
25. Authorize the Division to enforce, or cause to be enforced, all sections of the Act and the rules adopted thereunder, and authorize the Division to take action against any licensee or applicant for licensure, including, but not limited to, refusing to issue a license, suspending a license, inspecting the premises of a license holder without prior notice, or imposing on a provisional license holder or license holder a civil penalty. If the Division suspends, revokes, or refuses to renew any license or determines that there is clear and convincing evidence of a danger of immediate and serious harm to any individual, the Division may place under seal all adult use cannabis owned by or in the possession, custody, or control of the affected license holder. Except as provided in the Act, the Division shall not dispose of the adult use cannabis sealed under section 3780.26 of the Act until the license holder exhausts all of the license holder's appeal rights under Chapter 119 of the Revised Code. The court involved in such an appeal may order the Division, during the pendency of the appeal, to sell perishable cannabis sealed under this section of the Act and deposit the proceeds of any such sale with the court.

The Act establishes additional procedures and requirements the Division must follow in exercising its authority, and any such enforcement action must be taken in accordance with Chapter 119 of the Revised Code. The Division is not required to enforce minor violations of the Act if the Division determines that the public interest is served by a notice or warning to an alleged offender. Proposed Section 3780.26.

26. Authorize the Attorney General to bring a civil cause of action, if requested by the Division, to restrain a violation of the Act and require the applicable court to give any such action priority over all other civil cases before the court. Proposed Section 3780.27.
27. Authorize any citizen of the state of Ohio to commence an action to compel the Division to perform actions mandated under the Act if the Division fails to adopt rules necessary to initially implement the Act within nine months of the effective date of the Act or fails to begin accepting license applications within six months of the effective date of the Act. Establish that, if the Division fails to issue an adult use cannabis operator license, or send a notice of denial to an applicant, within three months after receiving a complete adult use cannabis operator application pursuant to the Act, the applicant may: commence an action to compel the Division to perform actions mandated under the Act; and unless the Division can demonstrate in writing that operating presents a danger of immediate and serious harm to others, the applicant may operate under a temporary license if the applicant has a medical marijuana certificate of operation at the location, and complies with the Act and any rules adopted by the Division under the Act. Proposed Section 3780.28.
28. Authorize adult use consumers, subject to enumerated limitations, to: (1) cultivate, grow, and possess not more than six cannabis plants at the individual's primary residence, with a total limitation of not more than twelve cannabis plants per residence where two or more adult use consumers reside at one time; (2) process by manual or mechanical means adult use cannabis cultivated or grown in accordance with section 3780.29 of the Act; (3) transfer up to six cannabis plants to an adult use consumer as long as the transfer is without remuneration and not advertised or promoted to the public; and/or (4) store adult use cannabis that was purchased from an adult use dispensary licensed under the Act or produced in compliance with section 3780.29 of the Act. The Act would also permit a landlord to prohibit home grow activities otherwise authorized under the Act so long as such prohibition is included in the applicable lease agreement. The Act sets forth Division rule making authority to adopt a schedule of civil penalties for violations of this section and a reference to section 3780.99 of the Act for other listed violations in this section. Proposed Section 3780.29.
29. Require the Division to enter into an agreement with the Department of Mental Health and Addiction Services under which the Department shall provide a program for cannabis addiction services to be implemented on behalf of the Division which includes best practices for education and treatment for individuals with addiction issues related to cannabis or other controlled substances including opioids. The Department would also be required to establish, operate, and publicize an in-state, toll-free telephone number Ohio residents may call to obtain basic information about addiction services available to consumer, and options for an addicted consumer to obtain help. Require the Department of Mental Health and Addiction Services to administer the cannabis addiction fund, to use the money in the fund to support addiction services or other services that relate to addiction and substance abuse, and research that relates to addiction and substance abuse, and to prepare an annual report describing the use of the fund for these purposes which shall be submitted to the Director of Commerce and several enumerated elected officials. The Act would require license holders to provide information to patrons regarding addiction issues and available services and resources and training to their employees on the same services and resources. Proposed Section 3780.30.
30. Define certain information collected by the Division as confidential and restrict the Division from disclosing such information unless certain criteria are satisfied. Proposed Section 3780.31.
31. Establish the proper venue for actions challenging the Act will be the Court of Common Pleas of Franklin County, Ohio with limited exceptions, and require that any action asserting that any portion of the Act or any rule adopted thereunder violates any provision of the Ohio Constitution or federal law shall be brought within ninety days after the effective date of the enactment of the Act or within ninety days after the effective date of any rule adopted pursuant to the Act, as applicable. Proposed Section 3780.32.
32. Protect individuals who hold a license, as defined in section 4776.01 of the Revised Code, or other license, certification, or registration issued by any professional board in the state of Ohio, or pursuant to 2923.125 of the Revised Code (concealed handgun license), from disciplinary action solely for engaging in professional or

occupational activities related to adult use cannabis in accordance with the Act, or for engaging in other enumerated activities in compliance with the Act. The Act would create additional protections for individuals who engage in conduct permitted under the Act, including protections relating to: adjudicatory hearings to determine shelter care placement, parental rights and responsibilities, and parenting time orders, unless there is clear and convincing evidence that a child is unsafe; eligibility for any public benefit program administered by the state or any locality; and right to medical care and/or inclusion on a transplant waiting list. Establish that the use, possession, administration, cultivation, processing, testing, dispensing, transporting, sale, delivery, or transferring of adult use cannabis in accordance with the Act shall not be used as the sole or primary reason for taking action under any criminal or civil statute. Establish that an individual's status as an adult use consumer shall not be used as the sole or primary basis for rejecting the individual as a tenant unless the rejection is required by federal law, but a landlord may prohibit the consumption of cannabis by combustion so long as such prohibition is included in the applicable lease agreement. Establish as the public policy of the State of Ohio that contracts related to adult use cannabis operators and adult use cannabis testing laboratories are enforceable. Establish that when an adult use consumer who engages in activities related to adult use cannabis in compliance with this Chapter, such activities alone do not constitute sufficient basis for conducting a field sobriety test on the individual or for suspending the individual's driver's license. The Act further requires that, to conduct any field sobriety test, a law enforcement officer must have an independent, factual basis giving reasonable suspicion that the individual is operating a vehicle under the influence of adult use cannabis or with a prohibited concentration of marijuana in the person's whole blood, blood serum, plasma, breath, or urine. Proposed Section 3780.33.

33. Define the terms "financial institution" and "financial services," and limit criminal liability for financial institutions that provide financial services to any adult use cannabis operator or testing laboratory licensed under the Act if the adult use cannabis operator or testing laboratory licensed operates in compliance with the Act and the applicable tax laws of the State of Ohio. Provide that, notwithstanding any contrary section of the Ohio public records law, that upon the request of a financial institution providing services to an adult use cannabis operator or adult use testing laboratory, the Division shall provide to the financial institution the following six categories of information:
- Whether an individual or entity with whom the financial institution is seeking to do business is an adult use cannabis operator or adult use testing laboratory licensed under the Act;
  - The name of any other business or individual affiliated with the individual or entity;
  - An unredacted copy of the adult use cannabis license application and any supporting documentation that was submitted by the individual or entity;
  - If applicable, information relating to sales and volume of product sold by the individual or entity, except where prohibited by the Act;
  - Whether the individual or entity follows the Act; and
  - Any past or pending violation by the individual or entity of this Chapter, and any penalty imposed on the individual or entity for such a violation. Proposed Section 3780.34.
34. Protect an employer's authority to establish hiring and employment policies and practices related to the Act. Specifically, nothing in the Act does any of the following related to an employer:
- Requires an employer to permit or accommodate an employee's use, possession, or distribution of adult use cannabis;
  - Prohibits an employer from refusing to hire, discharging, disciplining, or otherwise taking an adverse employment action against an individual with respect to hire, tenure, terms, conditions, or privileges of employment because of that individual's use, possession, or distribution of cannabis;
  - Prohibits an employer from establishing and enforcing a drug testing policy, drug-free workplace policy, or zero-tolerance drug policy;
  - Interferes with any federal restrictions on employment, including the regulations adopted by the United States Department of Transportation in Title 49 of the Code of Federal Regulations, as amended;
  - Permits an individual to commence a cause of action against an employer for refusing to hire, discharging, disciplining, discriminating, retaliating, or otherwise taking an adverse employment action against an

individual with respect to hire, tenure, terms, conditions, or privileges of employment related to the individual's use of cannabis; or

- Affects the authority of the administrator of workers' compensation to grant rebates or discounts on premium rates to employers that participate in a drug-free workplace program.

An individual who is discharged from employment because of the individual's use of cannabis shall be considered to have been discharged for just cause for purposes of unemployment benefits eligibility if the individual's use of cannabis was in violation of an employer drug or related cannabis policy. Proposed Section 3780.35.

35. Authorize that adult use consumers may do the following: (1) use adult use cannabis; (2) possess, transfer without remuneration to another adult consumer, or transport adult use cannabis, subject to specified limitations; and (3) purchase adult use cannabis from an adult use dispensary per day an amount of adult use cannabis that does not exceed the possession limits established under the Act. Limit the amount of adult use cannabis that may be possessed by an adult use consumer to two and a half ounces of adult use cannabis in any form except adult use extract and fifteen grams of adult use cannabis in the form of adult use extract. Limit the amount of adult use cannabis that may be transferred by an adult use consumer without remuneration and not advertised or promoted to the public to two and one-half ounces of adult use cannabis in any form except adult use extract and fifteen grams of adult use cannabis in the form of adult use extract. Limit the amount of adult use cannabis that may be transported by an adult use consumer to two and one-half ounces of adult use cannabis in any form except adult use extract and fifteen grams of adult use cannabis in the form of adult use extract. Prohibit any individual from, among other activities: (1) operating a vehicle, motor vehicle, streetcar, trackless trolley, bike, watercraft, or aircraft while using adult use cannabis or while under the influence of adult use cannabis; (2) smoking, vaporizing, or using any other combustible adult use cannabis product while in a vehicle, motor vehicle, streetcar, trackless trolley, bike, watercraft, or aircraft; (3) transferring or selling adult use cannabis, with or without remuneration, to an individual under twenty-one years of age; or (4) allowing an individual under twenty-one years of age to purchase, possess, use, process, transport, or cultivate cannabis except where authorized by Chapter 3796 of the Revised Code. Proposed Section 3780.36.
36. Establish that if any provision of this Act or its application is held invalid, the invalidity does not affect other provisions or applications of this Act that can be given effect without the invalid provision or application, and to this end the provisions of this Chapter are severable. Proposed Section 3780.90.
37. Establish penalties for violations of the Act by adult use consumers, individuals under twenty-one years of age, and others who violate the Act. Proposed Section 3780.99.