

**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**

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**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 46  
state, any other state, or the United States that is 47  
substantially equivalent to any of the offenses listed in 48  
division (A) (1) (a) of this section; 49

(c) If the request is made pursuant to section 3319.39 of 50  
the Revised Code for an applicant who is a teacher, any offense 51  
specified in section 3319.31 of the Revised Code. 52

(2) On receipt of a request pursuant to section 3712.09 or 53  
3721.121 of the Revised Code, a completed form prescribed 54  
pursuant to division (C) (1) of this section, and a set of 55  
fingerprint impressions obtained in the manner described in 56  
division (C) (2) of this section, the superintendent of the 57  
bureau of criminal identification and investigation shall 58  
conduct a criminal records check with respect to any person who 59  
has applied for employment in a position for which a criminal 60  
records check is required by those sections. The superintendent 61  
shall conduct the criminal records check in the manner described 62  
in division (B) of this section to determine whether any 63  
information exists that indicates that the person who is the 64  
subject of the request previously has been convicted of or 65  
pleaded guilty to any of the following: 66

(a) A violation of section 2903.01, 2903.02, 2903.03, 67  
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 68  
2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 69  
2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 70  
2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 71  
2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 72  
2913.21, 2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 73  
2921.36, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 74  
2925.13, 2925.22, 2925.23, or 3716.11 of the Revised Code; 75

(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

of this chapter or rules adopted under it; 789

(3) Products produced in violation of this chapter or 790  
rules adopted under it. 791

(R) Requirements and procedures governing the production, 792  
storage, and disposal of hemp byproducts. 793

For the purposes of this chapter and notwithstanding any 794  
provision of law to the contrary, "hemp product" includes a 795  
byproduct, produced as a result of processing hemp, that 796  
contains a delta-9 tetrahydrocannabinol concentration of more 797  
than three-tenths per cent, provided that the byproduct is 798  
produced, stored, and disposed of in accordance with rules 799  
adopted under division (R) of this section. 800

(S) Procedures for sharing information regarding hemp 801  
cultivation license holders with the secretary of the USDA; 802

(T) A setback distance requirement that specifies the 803  
distance that a hemp cultivation license holder shall locate 804  
hemp plants from a location where medical marijuana is being 805  
cultivated. The requirement does not apply to a hemp cultivation 806  
license holder with regard to a medical marijuana cultivator 807  
that locates medical marijuana within the established setback 808  
distance requirement after the hemp cultivation license holder 809  
begins operation. 810

(U) Annual reporting requirements and procedures for hemp 811  
cultivation license holders and hemp processing license holders; 812

(V) Recordkeeping and documentation maintenance 813  
requirements and procedures for hemp cultivation license holders 814  
and hemp processing license holders; 815

(W) Fees for the laboratory testing of plants and 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. (A) 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. (A) 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  
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;

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

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

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

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

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) Etixeridine;	1159
(29) Furethidine;	1160
(30) Hydroxypethidine;	1161
(31) Ketobemidone;	1162
(32) Levomoramide;	1163
(33) Levophenacylmorphane;	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 methysulfonate;	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	1251
names: 4-bromo-2,5-dimethoxy-alpha-methylphenethylamine; 4-bromo-	1252
2,5-DMA);	1253
(3) 4-bromo-2,5-dimethoxyphenethylamine (some trade or	1254
other names: 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane;	1255
alpha-desmethyl DOB; 2C-B, Nexus);	1256
(4) 2,5-dimethoxyamphetamine (some trade or other names:	1257
2,5-dimethoxy-alpha-methylphenethylamine; 2,5-DMA);	1258
(5) 2,5-dimethoxy-4-ethylamphetamine (some trade or other	1259
names: DOET);	1260
(6) 4-methoxyamphetamine (some trade or other names: 4-	1261
methoxy-alpha-methylphenethylamine; paramethoxyamphetamine;	1262
PMA);	1263
(7) 5-methoxy-3,4-methylenedioxy-amphetamine;	1264
(8) 4-methyl-2,5-dimethoxy-amphetamine (some trade or	1265
other names: 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine;	1266
"DOM" and "STP");	1267
(9) 3,4-methylenedioxy amphetamine (MDA);	1268
(10) 3,4-methylenedioxymethamphetamine (MDMA);	1269
(11) 3,4-methylenedioxy-N-ethylamphetamine (also known as	1270
N-ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl	1271
MDA, MDE, MDEA);	1272
(12) N-hydroxy-3,4-methylenedioxyamphetamine (also known	1273
as N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine and	1274
N-hydroxy MDA);	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.)), excluding tetrahydrocannabinols found in "hemp" and "hemp products" as those terms are defined in section 928.01 of the Revised Code;

(28) Ethylamine analog of phencyclidine (some trade or other names: N-ethyl-1-phenylcyclohexylamine; (1-phenylcyclohexyl)ethylamine; N-(1-phenylcyclohexyl)ethylamine; cyclohexamine; PCE);

(29) Pyrrolidine analog of phencyclidine (some trade or other names: 1-(1-phenylcyclohexyl)pyrrolidine; PCPy; PHP);

(30) Thiophene analog of phencyclidine (some trade or other names: 1-[1-(2-thienyl)-cyclohexyl]-piperidine; 2-thienyl analog of phencyclidine; TPCP; TCP);

(31) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine;

(32) Hashish;

(33) Salvia divinorum;

(34) Salvinorin A;

(35) (1-pentylindol-3-yl)-(2,2,3,3-

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  
naphthylmethylindeindene 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  
existence of these salts, isomers, and salts of isomers is  
possible within the specific chemical designation:

(1) Mecloqualone;

(2) Methaqualone.

(E) Stimulants

Unless specifically excepted 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:

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

(2) Fenethylamine;

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

(4) N-ethylamphetamine;

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

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

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

(a) By substitution in the ring system to any extent with 1499  
alkyl, alkylenedioxy, alkoxy, haloalkyl, hydroxyl, or halide 1500  
substituents, whether or not further substituted in the ring 1501  
system by one or more other univalent substituents; 1502

(b) By substitution at the 3-position with an acyclic 1503  
alkyl substituent; 1504

(c) By substitution at the 2-amino nitrogen atom with 1505  
alkyl, dialkyl, benzyl, or methoxybenzyl groups; 1506

(d) By inclusion of the 2-amino nitrogen atom in a cyclic 1507  
structure. 1508

Examples of substituted cathinones include, but are not 1509  
limited to, methylone (3,4-methylenedioxymethcathinone), MDPV 1510  
(3,4-methylenedioxypyrovalerone), mephedrone (4- 1511  
methylethcathinone), 4-methoxymethcathinone, 4- 1512  
fluoromethcathinone, 3-fluoromethcathinone, Pentadrone (2- 1513  
(methylamino)-1-phenyl-1-pentanone), pentylone (1-(1,3- 1514  
benzodioxol-5-yl)-2-(methylamino)-1-pentanone), 2-(1- 1515  
pyrrolidinyl)-1-(4-methylphenyl)-1-propanone, alpha-PVP (1- 1516  
phenyl-2-(1-pyrrolidinyl)-1-pentanone), cathinone (2-amino-1- 1517  
phenyl-1-propanone), and methcathinone (2-(methylamino)- 1518  
propylphenone). 1519

## SCHEDULE II 1520

(A) Narcotics-opium and opium derivatives 1521

Unless specifically excepted under federal drug abuse 1522  
control laws or unless listed in another schedule, any of the 1523  
following substances whether produced directly or indirectly by 1524  
extraction from substances of vegetable origin, independently by 1525  
means of chemical synthesis, or by a combination of extraction 1526  
and chemical synthesis: 1527

(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  
dextrophan 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	1638
and/or all N-N-disubstituted analogs including, but not limited	1639
to, the following:	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) Sulfonmethane;	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-chlortestosterone); 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	1802
isomer of a drug or hormonal substance described or listed in	1803
division (E) (1) of schedule III if the salt, ester, or isomer	1804
promotes muscle growth.	1805
(F) Hallucinogenic substances	1806
(1) Dronabinol (synthetic) in sesame oil and encapsulated	1807
in a soft gelatin capsule in a United States food and drug	1808
administration approved drug product (some other names for	1809
dronabinol: (6aR-trans)-6a,7,8,10a-tetrahydro- 6,6,9-trimethyl-	1810
3-pentyl-6H-dibenzo[b,d]pyran-1-ol, or (-)-delta-9-(trans)-	1811
tetrahydrocannabinol).	1812
SCHEDULE IV	1813

(A) Narcotic drugs	1814
Unless specifically excepted by federal drug abuse control	1815
laws or unless listed in another schedule, any material,	1816
compound, mixture, or preparation that contains any of the	1817
following narcotic drugs, or their salts calculated as the free	1818
anhydrous base or alkaloid, in limited quantities as set forth	1819
below:	1820
(1) Not more than one milligram of difenoxin and not less	1821
than 25 micrograms of atropine sulfate per dosage unit;	1822
(2) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,2-	1823
diphenyl-3-methyl-2- propionoxybutane)[final dosage forms].	1824
(B) Depressants	1825
Unless specifically excepted under federal drug abuse	1826
control laws or unless listed in another schedule, any material,	1827
compound, mixture, or preparation that contains any quantity of	1828
the following substances, including their salts, isomers, and	1829
salts of isomers, whenever the existence of these salts,	1830
isomers, and salts of isomers is possible within the specific	1831
chemical designation:	1832
(1) Alprazolam;	1833
(2) Barbitol;	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) <del>Approved</del> <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	1994
professionals treating an individual with regard to the	1995
individual's drug therapy;	1996
(8) Acting pursuant to a consult agreement with one or	1997
more physicians authorized under Chapter 4731. of the Revised	1998
Code to practice medicine and surgery or osteopathic medicine	1999
and surgery, if an agreement has been established;	2000
(9) Engaging in the administration of immunizations to the	2001
extent authorized by section 4729.41 of the Revised Code;	2002
(10) Engaging in the administration of drugs to the extent	2003
authorized by section 4729.45 of the Revised Code.	2004
(C) "Compounding" means the preparation, mixing,	2005
assembling, packaging, and labeling of one or more drugs in any	2006
of the following circumstances:	2007
(1) Pursuant to a prescription issued by a licensed health	2008
professional authorized to prescribe drugs;	2009
(2) Pursuant to the modification of a prescription made in	2010
accordance with a consult agreement;	2011
(3) As an incident to research, teaching activities, or	2012
chemical analysis;	2013
(4) In anticipation of orders for drugs pursuant to	2014
prescriptions, based on routine, regularly observed dispensing	2015
patterns;	2016
(5) Pursuant to a request made by a licensed health	2017
professional authorized to prescribe drugs for a drug that is to	2018
be used by the professional for the purpose of direct	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, the cultivation of hemp by a person issued a hemp 2295  
cultivation license under section 928.02 of the Revised Code, 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 2482  
state, any other state, or the United States that is 2483  
substantially equivalent to any of the offenses listed in 2484  
division (A) (1) (a) of this section; 2485

(c) If the request is made pursuant to section 3319.39 of 2486  
the Revised Code for an applicant who is a teacher, any offense 2487  
specified in section 3319.31 of the Revised Code. 2488

(2) On receipt of a request pursuant to section 3712.09 or 2489  
3721.121 of the Revised Code, a completed form prescribed 2490  
pursuant to division (C) (1) of this section, and a set of 2491  
fingerprint impressions obtained in the manner described in 2492  
division (C) (2) of this section, the superintendent of the 2493  
bureau of criminal identification and investigation shall 2494  
conduct a criminal records check with respect to any person who 2495  
has applied for employment in a position for which a criminal 2496  
records check is required by those sections. The superintendent 2497  
shall conduct the criminal records check in the manner described 2498  
in division (B) of this section to determine whether any 2499  
information exists that indicates that the person who is the 2500  
subject of the request previously has been convicted of or 2501  
pleaded guilty to any of the following: 2502

(a) A violation of section 2903.01, 2903.02, 2903.03, 2503  
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 2504  
2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 2505  
2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 2506  
2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 2507  
2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 2508  
2913.21, 2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 2509  
2921.36, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 2510  
2925.13, 2925.22, 2925.23, or 3716.11 of the Revised Code; 2511

(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 3027  
20, 2019, is hereby repealed. 3028

**Section 5.** That the versions of sections 3719.01, 3719.41, 3029  
and 4729.01 of the Revised Code that are scheduled to take 3030  
effect on March 22, 2020, be amended to read as follows: 3031

**Sec. 3719.01.** As used in this chapter: 3032

(A) "Administer" means the direct application of a drug, 3033  
whether by injection, inhalation, ingestion, or any other means 3034  
to a person or an animal. 3035

(B) "Drug enforcement administration" means the drug 3036  
enforcement administration of the United States department of 3037  
justice or its successor agency. 3038

(C) "Controlled substance" means a drug, compound, 3039  
mixture, preparation, or substance included in schedule I, II, 3040  
III, IV, or V. 3041

(D) "Dangerous drug" has the same meaning as in section 3042  
4729.01 of the Revised Code. 3043

(E) "Dispense" means to sell, leave with, give away, 3044  
dispose of, or deliver. 3045

(F) "Distribute" means to deal in, ship, transport, or 3046  
deliver but does not include administering or dispensing a drug. 3047

(G) "Drug" has the same meaning as in section 4729.01 of 3048  
the Revised Code. 3049

(H) "Drug abuse offense" and "felony drug abuse offense" 3050  
have the same meanings as in section 2925.01 of the Revised 3051  
Code. 3052

(I) "Federal drug abuse control laws" means the 3053

"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  
isonipecaïne, 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) "Isonipeccaine" 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

(D) As used in this section, "hemp" and "hemp product" 3228  
have the same meanings as in section 928.01 of the Revised Code. 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 3256  
professionals treating an individual with regard to the 3257  
individual's drug therapy; 3258

(8) Acting pursuant to a consult agreement with one or 3259  
more physicians authorized under Chapter 4731. of the Revised 3260  
Code to practice medicine and surgery or osteopathic medicine 3261  
and surgery, if an agreement has been established; 3262

(9) Engaging in the administration of immunizations to the 3263  
extent authorized by section 4729.41 of the Revised Code; 3264

(10) Engaging in the administration of drugs to the extent 3265  
authorized by section 4729.45 of the Revised Code. 3266

(C) "Compounding" means the preparation, mixing, 3267  
assembling, packaging, and labeling of one or more drugs in any 3268  
of the following circumstances: 3269

(1) Pursuant to a prescription issued by a licensed health 3270  
professional authorized to prescribe drugs; 3271

(2) Pursuant to the modification of a prescription made in 3272  
accordance with a consult agreement; 3273

(3) As an incident to research, teaching activities, or 3274  
chemical analysis; 3275

(4) In anticipation of orders for drugs pursuant to 3276  
prescriptions, based on routine, regularly observed dispensing 3277  
patterns; 3278

(5) Pursuant to a request made by a licensed health 3279  
professional authorized to prescribe drugs for a drug that is to 3280  
be used by the professional for the purpose of direct 3281  
administration to patients in the course of the professional's 3282  
practice, if all of the following apply: 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 3314  
Stat. 1040 (1938), 21 U.S.C.A. 301, as amended, the drug is 3315  
required to bear a label containing the legend "Caution: Federal 3316  
law prohibits dispensing without prescription" or "Caution: 3317  
Federal law restricts this drug to use by or on the order of a 3318  
licensed veterinarian" or any similar restrictive statement, or 3319  
the drug may be dispensed only upon a prescription; 3320
- (b) Under Chapter 3715. or 3719. of the Revised Code, the 3321  
drug may be dispensed only upon a prescription. 3322
- (2) Any drug that contains a schedule V controlled 3323  
substance and that is exempt from Chapter 3719. of the Revised 3324  
Code or to which that chapter does not apply; 3325
- (3) Any drug intended for administration by injection into 3326  
the human body other than through a natural orifice of the human 3327  
body; 3328
- (4) Any drug that is a biological product, as defined in 3329  
section 3715.01 of the Revised Code. 3330
- (G) "Federal drug abuse control laws" has the same meaning 3331  
as in section 3719.01 of the Revised Code. 3332
- (H) "Prescription" means all of the following: 3333
- (1) A written, electronic, or oral order for drugs or 3334  
combinations or mixtures of drugs to be used by a particular 3335  
individual or for treating a particular animal, issued by a 3336  
licensed health professional authorized to prescribe drugs; 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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