

State of Ohio Frequently Asked Questions

1. When will cannabis be available for purchase?

The Division will issue the first dual-use dispensary Certificates of Operation on Tuesday, August 6, 2024, allowing those dispensaries to begin selling non-medical cannabis. Sales of non-medical cannabis may not begin until the licensee holder receives a Certificate of Operation.

A map of all operational dispensaries can be found [here](#).

The initiated statute laid out a process for non-medical cannabis licensure that includes licensing applications and a timeline requiring that initial applications be available by June 7, 2024 and licenses be issued by September 7, 2024.

2. Will there still be a medical program?

Yes. The Medical Marijuana Control Program (MMCP) will continue to be administered by the DCC and MMCP patients and caregivers are encouraged to keep their patient or caregiver card active.

Remaining as a patient within the MMCP:

- Ensures the patient is speaking with a physician about their qualifying condition and maintains access to medical marijuana at current operational medical marijuana dispensaries.
- Provides medical marijuana patients access to discounts that may be offered at a dispensary.
- Exempts medical marijuana sales from the 10% excise tax levied on non-medical sales per the approved statute.

Additionally, employers have discretion to establish their own drug-free workplace policies. Some individual employers have chosen to take the status of an employee as a medical marijuana patient into consideration. Similar considerations have been given for individuals under court supervision who are a medical marijuana patient. For information about your workplace policy, you should speak with your employer. For information about how medical marijuana use may affect your court supervision, you should speak with your attorney or probation officer.

The Division recently eliminated the medical marijuana patient and caregiver registration fee.

3. Can the General Assembly make changes to the statute?

Yes, the state legislature can amend the law at any time.

4. Are there age restrictions for the consumption of non-medical cannabis?

Yes. An individual must be at least 21 years old to purchase, possess, grow, or use non-medical cannabis.

5. Can individuals purchase cannabis in another state and bring it to Ohio?

No. Federal law prohibits traveling across state lines with marijuana.

6. Can consumers grow their own cannabis now?

Yes. Chapter [3780.29](#) of the initiated statute permits adults aged 21 and over to grow their own marijuana at home, subject to limitations prescribed in the statute, such as:

- Ensuring that marijuana is kept in a secured, enclosed area that prevents access by individuals under the age of 21 and which is not visible by normal unaided vision from a public space.
- A maximum of 6 plants per individual, 12 per household if there are two or more adults 21 and over.
- Processing home-grown cannabis by manual or mechanical means is permissible. Individuals are prohibited from processing home-grown cannabis by hydrocarbon-based extraction.
- Transferring up to 6 plants to a non-medical consumer is permissible; however, it is prohibited to receive payment for the plants or to advertise or promote such transfers to the public.

Please note, although Ohioans are now legally able to grow marijuana, under current law there is no legal way to purchase plants or seeds until non-medical dispensaries are permitted to begin selling them.

7. How much cannabis can I possess?

Pursuant to the initiated statute, the amount of cannabis that may be possessed, transferred, or transported by a non-medical consumer is 15 grams of extract and 2.5 ounces of another form.

8. Is non-medical cannabis taxed?

Yes. Non-medical cannabis sales are subject to state and local sales tax. In addition, the initiated statute includes a 10% excise tax on non-medical marijuana purchases. The excise tax revenue will go toward a social equity and jobs program, mental health and addiction services, local governments, and the administrative costs of the Ohio Department of Taxation and the Division of Cannabis Control.

9. What forms of marijuana will be available for purchase at a non-medical cannabis dispensary?

Initially, consumers will be able to purchase cannabis in the forms and methods of administration available under the Medical Marijuana Control Program. This includes the following:

- Oral Administration: Oils, Tinctures, Capsules, Edibles, Sublingual's, Tablets
- Topical Administration: Lotions, Creams, Ointments
- Transdermal Administration: Patches
- Vaporization: Metered Oil or Solid, Plant Material

Please note, although Ohioans are now legally able to grow marijuana, under current law there is no legal way to purchase plants or seeds until non-medical dispensaries are permitted to begin selling them.

Once non-medical rules are in place, the following forms of non-medical cannabis may be sold at dispensaries pursuant to the initiated statute: plant material and seeds, live plants, clones (a non-flowering plant cut from a mother plant), extracts, drops, lozenges, oils, tinctures, edibles, patches, smoking or combustible product, vaporization of product, beverages, pills, capsules, suppositories, oral pouches, oral strips, oral and topical sprays, salves, lotions or similar cosmetic products, and inhalers.

Rules proposed by the Division can be found [here](#).

10. How much cannabis can I buy?

Medical marijuana patients and caregivers may continue to purchase the amounts eligible for 90-day supply pursuant to O.A.C. [3796:7-2-04](#) and [3796:8-2-04](#). More information can be found [here](#).

Non-medical consumers may purchase **no more than ten whole day units** of cannabis combined across all forms pursuant to O.A.C. [3796:8-2-04](#) per day.

For example, a non-medical consumer may purchase 1.0 ounces of plant material for vaporization OR ten units of oil for vaporization containing 590mg of THC each OR ten packages of edibles totaling not more than 1100mg of THC total.

11. Why should I purchase cannabis from a licensed dispensary instead of the unregulated market?

Products that are available for purchase inside licensed dispensaries have been tested to ensure they meet the Division's high standards for safety. When someone purchases an item off the street, there is no telling what could be in that product, including harmful contaminants, which makes it extremely dangerous. As non-medical cannabis becomes available through licensed dispensaries, there is no reason to take that unnecessary risk.

Additionally, there is a clear and present danger on store shelves across the state by way of unregulated, untested, and unsafe products containing Delta-8 THC, and which are easily

obtainable by Ohio's youth. These are not the products sold at dispensaries licensed by the Division of Cannabis Control, which are regulated, tested, and meet the Division's high standards for safety.

12. Am I allowed to use marijuana in public?

No. The initiated statute states that a non-medical cannabis consumer who uses non-medical cannabis in public areas is guilty of a minor misdemeanor. Additionally, Ohio's law prohibiting smoking or vaping in public indoor spaces applies to marijuana as well.

13. Can I drive after using marijuana?

No. Per the initiated statute, an individual is prohibited from operating a vehicle, motor vehicle, streetcar, trackless trolley, bike, watercraft, or aircraft while using cannabis or while under the influence of cannabis.

Additionally, an individual is prohibited from smoking, vaporizing, or using any other combustible cannabis product while in a vehicle, motor vehicle, streetcar, trackless trolley, bike, watercraft, or aircraft.

14. Can my employer fire me for using marijuana?

Yes. The law allows an employer to fire, discipline, refuse to hire, or take other adverse employment action against an individual because of the individual's use, possession, or distribution of cannabis.

An employer may establish and enforce a drug testing policy, drug-free workplace policy, or zero-tolerance drug policy.

An individual who is fired because of the individual's use of cannabis is considered to have been fired for just cause for the purposes of unemployment compensation review, if the individual's use of cannabis was in violation of the employer's drug-free or zero-tolerance policy, or other program or policy regulating the use of cannabis.

Additionally, pursuant to the law as approved by voters, all federal restrictions on employment, including the regulations adopted by the United States Department of Transportation in Title 49 of the Code of Federal Regulations, remain in place.

For information about your workplace policy, you should speak with your employer.

15. Can I purchase a gun if I use marijuana?

The federal Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) has issued a public statement that any person who is an unlawful user of or addicted to any controlled substance is prohibited from shipping, transporting, receiving, or possessing firearms or ammunition under federal law.

The ATF also clarified that an individual who is a current user of marijuana, whether for recreational or medical purposes, is federally defined as an "unlawful user" of a controlled substance under federal law.

If you have questions about your individual situation, you should seek the advice of an attorney.

16. Are we going to start seeing billboards popping up across Ohio and dispensaries on every corner?

No. The medical marijuana rules have prohibited billboards since the inception of the medical program, and those rules have not been changed for the non-medical program. Furthermore, the Division established non-medical rules which prevent new 10(B) dispensaries from being located within one mile from another dispensary.

17. What advertising restrictions are in place?

Current advertising rules can be found in O.A.C. [3796:5-7-01](#) and O.A.C. [3796:6-3-24](#). The Division will propose new rules regarding advertising in the coming weeks. All licensees are required to follow the advertising restrictions laid out in medical marijuana rules cited above until non-medical cannabis rules are adopted.

18. Are there any rules about where dispensaries can be located?

Yes. O.R.C. 3780.07 and 3796.30 prohibit any cannabis facility from being within 500 feet of a school, church, library, playground, or park.

Additionally, O.A.C. 1301:18-2-06 prohibits a proposed dispensary from being within one mile of an existing dispensary or another proposed dispensary.

Finally, a local government ordinance could place restrictions on facility locations.

19. What kind of security is required at dispensaries?

Each dispensary must establish, maintain, and comply with written policies and procedures that ensure adequate security, surveillance, and control of the licensed premises that prevent diversion, theft, or loss. Some of these requirements include full surveillance camera coverage with video storage for a minimum of 45 days, Division access to real-time video, and commercial grade equipment with break-in alarms.

Additionally, rules require dispensaries to put procedures in place which ensure that individuals under 21 years of age do not access a dispensary and are not sold cannabis (unless they are a medical marijuana patient). Rules require dispensaries to verify age by checking identification upon entry to the facility, as well as the point-of-sale prior to completing a transaction.

20. What should I do if I have concerns about any licensees?

If consumers have concerns about anything they see happening at a licensed location, they are urged to contact the Division of Cannabis Control by emailing DCCCompliance@com.ohio.gov.