



Ohio Administrative Code Rule 901:14-1-02 Cultivation License.

Effective: January 31, 2020

- (A) No person may cultivate hemp without a hemp cultivation license issued by the department.
- (B) Hemp cultivation licenses are valid for three years provided that the licensee is compliant with Chapter 928. of the Revised Code and this chapter.
- (C) Hemp cultivation licenses shall be renewed every three years by complying with the rules of this paragraph, including obtaining the required background check(s) as outlined in rule 901:14-1-05 of the Administrative Code.
- (D) The application window shall be November first to March thirty-first.
- (1) An applicant may seek a variance from the application window by completing a variance request form which can be found on the department's website.
- (2) The denial of a variance request does not constitute grounds for a Chapter 119. administrative hearing.
- (E) The department may only issue a hemp cultivation license if the applicant has:
- (1) Submitted a complete application as outlined in rule 901:14-1-03 of the Administrative Code;
- (2) Submitted both the application fee and the annual license fee as outlined in rule 901:14-1-04 of the Administrative Code; and
- (3) Completed the required background check(s) as outlined in rule 901:14-1-05 of the Administrative Code and the applicant and no key participant of the business entity has, within the last ten years, plead guilty to or been convicted of a disqualify offense.



(F) Prior to April first during years two and three of the license period, licensees shall complete the annual license update form as described in rule 901:14-1-03 of the Administrative Code and remit the annual license fee to the department.

(G) Any licensee or key participant in the business entity who, during the time of licensure, pleads guilty to or is convicted of a disqualifying offense shall have their license revoked or suspended by the department if the licensee or key participant is not removed from the entity within thirty days from the date of plea or conviction.

(H) A cultivation license is valid only for the individual or business entity, and the key participant in the business entity, for which it is issued. A cultivation license may only be modified or assigned if approved by the department and:

(1) The licensee notifies the department in writing of the proposed modification or key participant change;

(2) The licensee ensures that the background checks as outlined in rule 901:14-1-05 of the Administrative Code have been completed and received by the department; and

(3) The licensee can demonstrate that the licensee will remain in compliance with the rules of this chapter.

(I) The following are not required to obtain a cultivation license under this chapter:

(1) A university who has been specifically authorized by the director to cultivate hemp for research purposes.

(2) Any person who is an immediate family member of a licensed cultivator or a subordinate employee of the licensed cultivator so long as these individuals are acting under the instructions and control of the licensed cultivator in the designated growing location. Any actions taken by these individuals shall be the responsibility of the licensed cultivator.