



Ohio Revised Code Section 3780.07 Facilities.

Effective: December 7, 2023

Legislation: ENACTEDBYINITIATIVEPETITION,NOVEMBER7,2023

Facilities.

(A) Except as provided in divisions (B), (C), and (D) of this section, no adult use cannabis operator or adult use testing laboratory shall be located within five hundred feet of the end boundaries of a parcel of real estate having situated on it a prohibited facility.

If a relocation of an adult use cannabis operator or adult use testing laboratory licensed under this chapter results in the adult use cannabis operator or adult use testing laboratory being located within five hundred feet of the boundaries of a prohibited facility, the division of cannabis control shall deny the relocation and the adult use cannabis operator or adult use testing laboratory may apply with the division of cannabis control to request a relocation to a different location.

(B) Division (A) does not apply to:

(1) Current facilities and properties of adult use cannabis operators if the license holder or applicant, or the owners of the license holder or applicant, also have a certificate of operation and is doing business at that same location; or

(2) Research related to adult use cannabis conducted at a state university, academic medical center, or private or public research and development organization as part of a research protocol approved by an institutional review board or equivalent entity, or any other entity as approved by the division of cannabis control.

(C) Upon a level I cultivator or level II cultivator with a certificate of operation, or the same owners of the level I or level II cultivator, receiving a license from the division of cannabis control as a level I adult use cultivator or level II adult use cultivator, the license holder may expand its cultivation area and facility as authorized in this chapter notwithstanding any limitation resulting from Chapter 3796 of the Revised Code or Chapter 3796 of the Administrative Code.



(D) Upon the division of cannabis control's receipt of a request from an adult use cultivator or level III adult use cultivator for expansion beyond what is authorized in this chapter, the division of cannabis control shall have ninety days to review and approve or deny a request for expansion consistent with division of cannabis control rule.

(E) After the review and approval from the division of cannabis control, an adult use cultivator may relocate all or a portion of the authorized cultivation area to more than one cultivation facility as long as any relocation complies with this chapter, the relocated facility is operated under the same license, and so long as the aggregate square footage for all related cultivation area and facilities does not exceed the square footage limitations under the license as authorized under this chapter. A level I adult use cultivator or level II adult use cultivator who also has, or whose same owner also has, a certification of operation, may only relocate cultivation area that is above the original approved cultivation area under 3796 of the Revised Code and 3796 of the Administrative Code.

(F) A level III adult use cultivator's cultivation area shall not exceed five thousand square feet unless authorized by the division of cannabis control under this chapter.

(G) The division of cannabis control may adopt rules as necessary to implement this section.