



Ohio Revised Code

Section 3780.19 Cannabis social equity and jobs program.

Effective: December 7, 2023

Legislation: ENACTEDBYINITIATIVEPETITION,NOVEMBER7,2023

Cannabis social equity and jobs program.

(A) As used in this section, "cannabis social equity and jobs program participant" means a person certified as a participant in the cannabis social equity program by the department of development under this section of the Revised Code.

(B) The department of development shall establish a business assistance program known as the cannabis social equity and jobs program funded by the cannabis social equity and jobs fund, and shall adopt rules in accordance with Chapter 119 of the Revised Code to administer the program including the following:

(1) Establish procedures by which a person may apply for certification under the cannabis social equity and jobs program;

(2) Establish a system of certifying cannabis social equity and job program applicants based on a requirement that the business owner or owners show both social and economic disadvantage based on the following, as determined to be sufficient by the department of development:

(a) Wealth of the business seeking certification as well as the personal wealth of the owner or owners of the business.

(b) Social disadvantage based on any of the following:

(i) The business owner or owners demonstrate membership in a racial minority group or show personal disadvantage due to color, ethnic origin, gender, physical disability, or long-term residence in an area of high unemployment;

(ii) The owner or owners, or their spouse, child, or parent, have been arrested for, convicted of, or



adjudicated delinquent for a marijuana related offense as determined by rule by the department of development prior to the effective date of this section.

(c) Economic disadvantage based on economic and business size thresholds and eligibility criteria designed to stimulate economic development through license awards to businesses located in qualified census tracts.

(3) Establish standards to determine when a cannabis social equity and jobs program participant no longer qualifies for cannabis social equity program certification;

(4) Develop a process for evaluating and adjusting goals established by this section to determine what adjustments are necessary to achieve participation goals established by the department of development;

(5) Implement an outreach program to educate potential participants about the cannabis social equity and jobs program;

(6) Implement a system of self-reporting by cannabis social equity and jobs program participants on compliance, as well as an on-site inspection process to validate the qualifications of a cannabis social equity program;

(7) Establish a process for when there is a transfer of a license from a certified cannabis social equity and jobs program participant to a person or entity that does not qualify as a participant to the cannabis social equity and jobs program, which process shall not undermine the policy goals of the program;

(8) Provide financial assistance, loans, grants, and technical assistance to persons certified by the department under the cannabis social equity and jobs program pursuant to rules adopted under this section. Notwithstanding any other law to the contrary, the cannabis social equity and jobs program fund is not subject to budgetary sweeps, administrative charge-backs, or any other fiscal or budgetary maneuver that would in any way transfer any amounts from the cannabis social equity and jobs program fund into any other fund of the state;



(9) Encourage employment practices, in which an adult use cannabis operator can demonstrate a plan of action to inform, hire, and educate minorities, women, veterans, and persons with disabilities, engage in fair labor practices, and provide worker protections;

(10) Study and fund judicial and criminal justice reform including bail, parole, sentencing reform, expungement and sealing of records, legal aid, and community policing related to marijuana;

(11) Study and propose policy reforms to address the social and economic impacts of the enforcement of marijuana laws and to track and prevent underage use of marijuana;

(12) Fund direct investment in disproportionately impacted communities to enhance education, entrepreneurship, legal aid, youth development, violence prevention, and the arts related to the program; and

(13) Utilize the cannabis social equity and jobs fund exclusively for the purposes of this section and for the implementation of this section.

(C) For certified cannabis social equity and job program participants, the division of cannabis control shall waive at least fifty percent of any license or application fees associated with a license holder's application or license.

(D) Any business or personal financial information, or trade secrets submitted by a cannabis social equity and jobs program applicant to the department of development pursuant to this section are not public records for purposes of section 149.43 of the Revised Code, unless the division of cannabis control or department of development is required to present the financial information or trade secrets at a public hearing or public proceeding regarding the applicant's eligibility to participate in the program in which case the agency shall only disclose any required information.

(E) Any license or other preference to persons certified under the cannabis social equity and jobs program under this section shall be based on substantiated evidence that the preference is needed to address the goals of cannabis social equity and job program under this chapter.

(F) The department of development shall create a cannabis social equity and jobs program advisory



group promulgated through rule in accordance with Chapter 119 of the Revised Code. The advisory group may develop and submit to the department of development on any recommendations related to the cannabis social equity and jobs program under sections 3780.18 and 3780.19 of the Revised Code.