



Ohio Revised Code Section 3796.24 Liability.

Effective: September 8, 2016

Legislation: House Bill 523 - 131st General Assembly

(A) The holder of a license, as defined in section 4776.01 of the Revised Code, is not subject to professional disciplinary action solely for engaging in professional or occupational activities related to medical marijuana.

(B) Unless there is clear and convincing evidence that a child is unsafe, the use, possession, or administration of medical marijuana in accordance with this chapter shall not be the sole or primary basis for any of the following:

- (1) An adjudication under section 2151.28 of the Revised Code determining that a child is an abused, neglected, or dependent child;
- (2) An allocation of parental rights and responsibilities under section 3109.04 of the Revised Code;
- (3) A parenting time order under section 3109.051 or 3109.12 of the Revised Code.

(C) Notwithstanding any conflicting provision of the Revised Code, the use or possession of medical marijuana in accordance with this chapter shall not be used as a reason for disqualifying a patient from medical care or from including a patient on a transplant waiting list.

(D) Notwithstanding any conflicting provision of the Revised Code, the use, possession, administration, cultivation, processing, testing, or dispensing of medical marijuana in accordance with this chapter shall not be used as the sole or primary reason for taking action under any criminal or civil statute in the forfeiture or seizure of any property or asset.

(E) Notwithstanding any conflicting provision of the Revised Code, a person's status as a registered patient or caregiver is not a sufficient basis for conducting a field sobriety test on the person or for suspending the person's driver's license. To conduct any field sobriety test, a law enforcement officer must have an independent, factual basis giving reasonable suspicion that the person is operating a



vehicle under the influence of marijuana or with a prohibited concentration of marijuana in the person's whole blood, blood serum, plasma, breath, or urine.

(F) Notwithstanding any conflicting provision of the Revised Code, a person's status as a registered patient or caregiver shall not be used as the sole or primary basis for rejecting the person as a tenant unless the rejection is required by federal law.

(G) This chapter does not do any of the following:

(1) Require a physician to recommend that a patient use medical marijuana to treat a qualifying medical condition;

(2) Permit the use, possession, or administration of medical marijuana other than as authorized by this chapter;

(3) Permit the use, possession, or administration of medical marijuana on federal land located in this state;

(4) Require any public place to accommodate a registered patient's use of medical marijuana;

(5) Prohibit any public place from accommodating a registered patient's use of medical marijuana;

(6) Restrict research related to marijuana conducted at a state university, academic medical center, or private research and development organization as part of a research protocol approved by an institutional review board or equivalent entity.