



Ohio Revised Code

Section 928.07 Authority of director to enter property; application for warrant; emergency conditions; injunction.

Effective: July 30, 2019

Legislation: Senate Bill 57 - 133rd General Assembly

(A) The director of agriculture may enter at reasonable times upon any public or private property at which hemp is being cultivated or processed for the purpose of determining compliance with this chapter and rules adopted under it. The director may apply for and any judge of an appropriate court of record may issue a search warrant, necessary to achieve the purposes of this chapter within the court's territorial jurisdiction.

(B) (1) If the director determines that emergency conditions exist requiring immediate action necessary to protect public health or safety or the environment, the director may issue an order stating the existence of such conditions and requiring specific actions be taken to mitigate those conditions without providing prior notice or an adjudication hearing in accordance with Chapter 119. of the Revised Code.

(2) Any person to whom such an order is issued shall immediately comply with that order, and may apply to the director for an adjudication hearing. Upon receiving an application for an adjudication hearing, the director shall hold the hearing as soon as practicable and not later than thirty days after receipt of the application. On the basis of the hearing, the director shall continue the order in effect, revoke it, or modify it.

(C) In addition to any other available remedies, the director of agriculture, the attorney general, or a county prosecutor may apply to a court of common pleas in the county where any provision of section 928.04 of the Revised Code or an order issued under division (B) of this section is being violated for an injunction restraining any person from continuing the violation.
