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OHIO LEGISLATIVE SERVICE COMMISSION

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H.B. 642
135th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Rep. Carruthers

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SUMMARY

- Requires the Director of Agriculture to study and adopt recommendations regarding adult-use hemp products, including recommendations concerning the following:
 - A definition of adult-use hemp products that captures all possible forms of hemp and hemp products that can be used for intoxicating purposes;
 - Locations where adult-use hemp products may be sold; and
 - Minimum age requirements for persons permitted to purchase adult-use hemp products.

DETAILED ANALYSIS

The bill requires the Director of Agriculture, in consultation with the Department of Public Safety, to conduct a study regarding the sale and use of hemp products that could be used for intoxicating purposes. Within 30 days of the bill's effective date, the Director must issue a report to the General Assembly and include in the report recommendations concerning the following:

1. A definition of adult-use hemp products that captures all possible forms of hemp and hemp products that can be used for intoxicating purposes. The definition may include restrictions on the amount of tetrahydrocannabinol (THC) permitted in adult-use hemp products. The recommended restrictions must be based on serving size and THC content per package of hemp product.
2. Locations where adult-use hemp products may be sold, including any restrictions or requirements on how or where the adult-use hemp products may be stored at the time of retail sale;
3. Minimum age requirements for persons permitted to purchase adult-use hemp products;
4. Penalties for selling adult-use hemp to an underage person;

5. Testing standards and requirements for adult-use hemp products;
6. Advertising restrictions and labeling requirements for adult-use hemp products;
7. Enforcement mechanisms, such as providing the Ohio Investigative Unit in the Department of Public Safety with inspection authority; and
8. Any other recommendations that the Director, in consultation with the Department of Public Safety, determines will aid the General Assembly in ensuring that adult-use hemp products are safe and not available to children and other underage persons.

Upon making recommendations, the Director may adopt rules in accordance with the Administrative Procedures Act implementing the recommendations. If rules are adopted, the rules are effective for one year after the issuance of the recommendations. Thereafter, the rules are not operative.

The bill exempts rules adopted by the Director of Agriculture governing implementing the recommendations from continuing law requirements concerning reductions in regulatory restrictions. Currently, the Director must take actions to reduce regulatory restrictions, including, by June 30, 2025, reducing the amount of regulatory restrictions contained in an inventory created in 2019 in accordance with a statutory schedule. A “regulatory restriction” is any part of an administrative rule that requires or prohibits an action.¹

HISTORY

Action	Date
Introduced	07-18-24

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¹ Section 1.