

Recreational marijuana is now legal in Ohio. Here's what you need to know

Lawmakers and Gov. DeWine likely to make changes to the voter-approved law in the coming weeks

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Recreational marijuana is legal in Ohio as of today, but when and where you can buy it remains up in the air.

Voters approved an initiated statute last month, known as Issue 2, that allows adults 21 and older to use and grow cannabis. The measure's passage made Ohio the 24th state to legalize adult-use marijuana.

The new law takes effect today, but because it is an initiated statute, Ohio lawmakers have spent the last week debating changes to the law approved by voters, so some of these rules may not be final.

Late Wednesday, the Ohio Senate voted to allow existing medical marijuana dispensaries to sell recreational marijuana and lower the number of plants allowed per household. Gov. Mike DeWine asked lawmakers to act quickly on the legislation to regulate the new program. However, the House did not take a vote on the issue.

For now, here's where things stand with the new law:

How much marijuana can I have in Ohio?

Ohioans 21 and older are allowed to possess up to 2.5 ounces of cannabis and 15 grams of extracts or edibles.

Can I buy marijuana in Ohio now?

Not quite.

Unless lawmakers and DeWine approve medical dispensaries to sell recreational marijuana, legal sales likely won't start until late next summer or fall. That's because the Division of Cannabis Control has to set rules on licensing, product standards, packaging and more.

It will also take time for businesses to get up and running. License applications for marijuana growers, processors and dispensaries must be available within the next six months. The state has nine months to issue the first round of licenses, which will go to existing medical marijuana businesses and eligible operators under the social equity program.

Can I grow marijuana in Ohio?

Yes, under the law as passed by voters in November. Adults can grow six plants individually and no more than 12 in a household with multiple adults in a secure, enclosed space. Individual growers can gift up to six plants to another adult, as long as no money changes hands and the exchange isn't advertised.

Landlords can prohibit tenants from growing marijuana, but only if the ban is outlined in a lease agreement.

Seeds to grow cannabis plants won't be available in Ohio right away. They're available to buy online and in states with established markets, such as Michigan.

However, DeWine and some lawmakers want to limit growing marijuana at home, so the rules around this could change.

Can I smoke marijuana in public in Ohio?

No. Smoking marijuana would fall under the state's smoking ban. That law prohibits people from smoking plant material in enclosed areas open to the public, with exceptions for outdoor patios, smoke shops and hotel rooms designated for smoking.

Public use beyond that is less clear. Using marijuana in "public areas" could land someone with a minor misdemeanor. But it also says property owners and "any public place" could decide for themselves whether to accommodate marijuana use.

The state Legislature will likely tweak the language to clarify when public consumption is and is not permitted.

Can I drive while high in Ohio?

No. The law bars people from driving a car, bike, boat or airplane while under the influence of marijuana. Passengers are prohibited from smoking or vaping in the vehicle. The state's current OVI penalties apply to anyone who violates those rules.

Can Ohio municipalities ban recreational marijuana?

Local governments aren't allowed to ban marijuana use or home growing, and they can't impose additional taxes on marijuana businesses. Rep. Gary Click, R-Vickery, introduced legislation to change that, but it's unclear whether the bill has support from House leaders.

Cities can prohibit adult-use dispensaries, which the state already allows for medical stores. Under the new law, an existing medical dispensary that's blocked from selling recreational products can petition to put the issue before voters in the next general election. If voters OK it, officials must allow the sale of adult-use cannabis.

Municipalities can't keep existing medical cultivators or processors from producing adult-use cannabis because of the "significant capital investment" in those facilities.

Does the law expunge marijuana convictions?

No. While other states automatically expunged certain arrests or convictions as part of their adult-use marijuana programs, Ohio's new law does not include that.

Instead, it establishes the social equity program to help business owners who are disproportionately affected by the enforcement of marijuana laws. This includes people who are disadvantaged based on their race, gender, ethnicity or economic status. People with marijuana arrests or convictions on their record – or with a parent, child or spouse who has one – can also qualify.

A bill passed by the Ohio Senate Wednesday night would expunge convictions for possessing 2.5 ounces of marijuana or less. Individuals would need to file an application with a court. That bill has not been approved by the House.

Expect new marijuana law to continue to change

Since Issue 2 was an initiated statute – not a constitutional amendment – the Legislature is free to adjust it.

Lawmakers have discussed increasing the tax rate and changing where marijuana tax revenue goes. They are debating safer packaging, limiting advertising and reducing THC levels. They may also clarify language around licensing to ensure medical marijuana operators are grandfathered into the program.

Expect further debate in the Legislature and changes to the new marijuana law in the months to come.

Reporter Jessie Balmert contributed to this article.