

Ohio Republicans want to make major changes to marijuana law approved by voters

Plan would increase recreational marijuana tax, limit home grow

By Haley BeMiller
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Ohio would impose a higher tax on recreational marijuana and limit home grow under a new bill that marks a major departure from the law approved by voters in 2023.

Senate Bill 56, introduced by Sen. Steve Huffman, R-Tipp City, increases the excise tax on adult-use cannabis products from 10% to 15%, with all revenue going into the state general fund. Ohio currently directs marijuana dollars to several different pots, including one to support municipalities with dispensaries.

Senate President Rob McColley, R-Napoleon, said lawmakers will have a larger discussion about how to spend marijuana revenue. But he and Huffman believe the tax rate should be higher, regardless of where the money goes.

"There's an awful lot of societal costs that are going to have to be borne by the legalization of marijuana," McColley told reporters Wednesday.

The proposal also:

- Reduces the maximum number of plants people can grow at home from 12 to six.
- Eliminates the social equity and jobs program, which aims to promote diversity in the marijuana industry and support those who were disenfranchised by prohibition.
- Requires anyone transporting adult-use marijuana and paraphernalia to store it in the trunk of their car.
- Decreases the THC product cap from from 90% to 70%.
- Permits smoking and vaping only in private residences. Current law already prohibits smoking in public areas, similar to the tobacco ban.
- Caps the number of active dispensaries to 350 and requires them to sell both adult-use and medical marijuana.
- Does not require the Division of Cannabis Control to set rules for delivery and online ordering.

"We want to be sure this bill doesn't put businesses across the state at risk and hamper what's been called one of the most successful programs in the nation," said David Bowling, executive director for the Ohio Cannabis Coalition.

"Introducing major changes at this stage could destabilize the market, creating uncertainty for businesses, workers and consumers."

Recreational marijuana sales in Ohio began last summer, months after voters legalized it for adults 21 and older. Total sales were nearing \$300 million as of Saturday, according to data from the Division of Cannabis Control, and the average price of flower sat around \$192 per ounce.

The voter-approved measure was an initiated statute, not a constitutional amendment, which means lawmakers can tweak as much or as little as they want. Potential changes stalled last year because of Republican infighting, but the Legislature's new GOP leaders generally support overhauling the marijuana law.

"Are we telling (voters), 'Screw you, you don't know what you're talking about?'" Sen. Bill DeMora, D-Columbus, said.

A spokesperson for the Division of Cannabis Control declined to comment.

(This story was updated with additional information.)

Statehouse bureau reporter Jessie Balmert contributed.