

Will Ohio's marijuana law change soon? House lawmakers pitch new plan

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Ohio lawmakers are one step closer to changing the recreational marijuana law approved by voters in 2023.

A House committee unveiled changes May 28 to [Senate Bill 56](#), an overhaul of the adult-use cannabis program that would impose new rules and change how the state spends marijuana revenue. Lawmakers worked behind the scenes for weeks to hash out a modified proposal, and more changes could be on the horizon.

"Our organization has worked diligently to ensure that policymakers hear from the industry before making any changes to the current statute," said David Bowling, executive director of the Ohio Cannabis Coalition. "While there's still more to assess, the proposal is an important step forward."

Here's where the bill stands now.

House scraps jail time for smoking marijuana as a passenger

The Senate created new penalties for people who smoke or vape marijuana while riding in a vehicle, including a mandatory three-day jail sentence for first-time offenders. House lawmakers got rid of that.

It would still be illegal to drive under the influence of marijuana. The bill also requires anyone driving with marijuana to store it in the trunk or keep products in their original packaging.

Advocates for criminal justice reform said the bill is an improvement but doesn't do enough to right the wrongs of cannabis prohibition. Lawmakers plan to eliminate a social equity program – which [never got off the ground](#) – that aimed to diversify the industry and study the impact of marijuana enforcement.

"We remain committed to our position that, in addition to legalizing cannabis, we must also repair the harms of past criminalization," said Patrick Higgins, senior policy counsel for the American Civil Liberties Union of Ohio.

How much marijuana can you grow at home in Ohio?

The latest version of the bill maintains current rules for home grow: Adults 21 and older can grow six plants individually or up to 12 in a household with multiple adults.

But the legislation also adds some new restrictions. It bans growing at homes that serve as child care facilities or transitional housing. People who want to gift home-grown marijuana to another adult could only do so at their primary residence.

Hemp regulation added to mix

Lawmakers combined changes to the marijuana law with their efforts to [crack down on delta-8 THC](#) and other hemp-derived cannabis.

The bill now requires intoxicating hemp products to be sold at marijuana dispensaries with a tax rate of 10%. That includes anything inhaled or ingested with over 2 milligrams of delta-9 THC per package or 0.5 milligrams of other THC.

Retailers and breweries could sell beverages with no more than 0.42 milligrams of THC per ounce, which amounts to about 5 milligrams per 12-ounce can. There would be a \$3.50-per-gallon excise tax on drinks.

New plan for spending marijuana tax money

The bill keeps the current tax rate of 10% on adult-use marijuana products, even though Gov. Mike DeWine and Senate Republicans [pushed for an increase](#). But it changes where that money goes.

Lawmakers eliminated funds for substance abuse prevention and the social equity program. Instead, most of the money would go to the state's general bank account.

The proposal does allocate 25% of the revenue to cities with dispensaries for seven years. That's an upgrade from DeWine's plan to scrap the fund altogether, but still less than current law, which gives municipalities 36% in perpetuity.

Many local leaders are frustrated that money promised in the voter-backed statute could decrease or go away entirely.

"We have a number of municipalities who went out on a political limb, often with great discussion, to create an environment for an emerging industry that's somewhat controversial to emerge," Rep. Jamie Callender, R-Concord, said.

How else could Ohio's marijuana law change?

The new version of Senate Bill 56 also:

- Limits the number of active dispensaries statewide to 400.
- Only allows people to smoke or vape at private residences and outdoor concert venues, provided the venue allows it.
- Bans advertisements and packaging that feature cartoons or other content geared toward children.
- Caps THC content at 35% for flower and 70% for extracts, although the Division of Cannabis Control could change or eliminate those limits.
- Requires the division to establish standards for delivery and online ordering at dispensaries.
- Allows Ohioans to apply for expungement for low-level marijuana possession convictions.

The House will hold at least one more committee hearing on the bill before it's up for a full vote. It would then need to go back to the Senate.