



**AGENDA - TROY PLANNING COMMISSION MEETING
WEDNESDAY, NOVEMBER 20, 2024, 3:30 P.M.
CITY HALL, COUNCIL CHAMBERS**

1. Roll Call
2. Review of Recommendation to Troy City Council regarding Amending the Zoning Code to Prohibit Adult Use Cannabis Operators and to provide for Adult Use Testing Laboratory as a permitted use in the M-3 General Industrial District.
3. Adjourn

Note to Commission members: If you will not be attending, please email or call Sue.



MEMO

TO: Troy Planning Commission

FROM: Sue Knight

DATE: November 15, 2024

SUBJECT: SPECIAL MEETING OF THE TROY PLANNING COMMISSION

Council's Community and Economic Development Committee met on November 13 to consider the recommendation provided by the Commission that Council enact legislation amending the Zoning Code to prohibit Adult Use Cannabis Operators from locating in the City of Troy and that the Zoning Code be further amended to provide that Adult Use Testing Laboratory is a permitted use in the M-3, General Industrial District.

For the review of the Commission, attached is information reviewed by the Committee. Specific information attached includes:

- Planning Commission's original recommendation
- A summary of citizen comments from a public hearing on November 4
- The 47 written citizen comments submitted by email
- A letter from members of the Miami County Drug-Free Coalition
- Background materials submitted by two November 4 speakers
- An article discussing hospital ER trends
- The actual November 7, 2023 Issue 2 ballot language
- The Community and Economic Development Committee status report from their November 13 meeting (including the Chairman's written statement and a recent study report regarding the effects of marijuana use)

The Committee has asked that the Commission review this information, review the video of the November 13 meeting of the Committee, and, based on that information, consider if the Planning Commission recommendation would be amended.

A Special Meeting of the Troy Planning Commission has been called for November 20 at 3:30 p.m. in response to the request of the Community and Economic Development Committee.

encl.



MEMORANDUM

TO: Community & Economic Development Committee

FROM: Patrick E. J. Titterington *PETE*

DATE: November 11, 2024

SUBJECT: PLANNING COMMISSION RECOMMENDATION REGARDING RECOMMENDED AMENDMENTS TO THE ZONING CODE SECTIONS 1149.15, 1139.02 AND 1143.19 (b) RELATED TO ADULT USE CANNABIS OPERATORS

BACKGROUND:

The attached recommendation of the Troy Planning Commission was assigned to the Community & Economic Development Committee.

The Community & Economic Development Committee met on October 14, 2024 and recommended deferring a recommendation to City Council until public comments could be solicited. A public hearing was conducted during the November 4th regular City Council meeting, during which 13 residents spoke. A draft summary of those comments is attached. Additionally, staff made an on-line survey available via our website, which garnered 47 written submittals. A copy of those submittals is also attached. From all of the public comments and on-line submittals, 29 proponents for a total operator ban and 31 against a ban were tallied.

A letter from members of the Miami County Drug-Free Coalition, including Troy Police Chief Shawn McKinney, Troy Fire Chief Matt Simmons, Mayor Robin Oda, Miami County Commissioner Greg Simmons, and Miami County Sheriff Dave Duchak was also submitted and is attached. At the public hearing, two residents provided information supporting their positions, which was emailed to members of Council and which is also attached. At least one presenter referred to a recent Dayton Daily News article regarding juvenile hospital interactions and a copy of that article is attached.

There was much discussion regarding revenue potential, as well as interpretations of the Issue 2 ballot language and the actual ballot question put to the voters. Regarding revenue potential, it would be extremely difficult to forecast what any increased revenue would be and, as such, inadvisable to depend on revenue estimates to fund future projects, programs or priorities, as suggested by several commenters. First, there were very limited licenses issued by the State of Ohio. Second, those licenses were prioritized to preexisting medical marijuana operators. Troy may or may not receive any licenses if a potential operator were to apply. Third, since Troy has prohibited medical marijuana dispensaries, without any documented history of income from those types of businesses to extrapolate future revenues from recreational operations.

Finally, attached is the actual ballot language approved on the November 7, 2023. The actual question on the ballot was whether or not "To enact Chapter 3780 of the Ohio Revised Code." The ballot language, as well as





the full text of proposed Chapter 3780 is also attached. It is important to note that in the text of Chapter 3780, specifically Section 3780.25 provides that “[T]he legislative authority of a municipal corporation may adopt an ordinance...by majority vote to **prohibit, or limit the number of adult use cannabis operators permitted under this chapter within the municipal corporation.**” (emphasis added) So, while Issue 2’s passage does allow recreational marijuana within the state of Ohio, the law leaves the question up to each municipality, including Troy, as to whether operators (dispensaries, processors, or cultivators) should be allowed and, if so, how many and in what locations.

REQUESTED ACTION:

That the Community & Economic Development Committee provide a recommendation to Council in response to the recommendation of the Troy Planning Commission.

attachments



MEMORANDUM

TO: Mr. Rozell, President of Council

FROM: Sue Knight for the Troy Planning Commission

DATE: October 10, 2024

SUBJECT: REPORT OF THE PLANNING COMMISSION – RECOMMENDED AMENDMENTS TO THE ZONING CODE SECTIONS 1149.15, 1139.02 AND 1143.19 (b) RELATED TO ADULT USE CANNABIS OPERATORS

At the October 9, 2024, meeting of the Troy Planning Commission, the Commission reviewed the attached memo of staff recommending amendments to the Zoning Code regarding Adult Use Cannabis Operators. Currently, Troy City Council has established a moratorium on the establishment of Adult Use Cannabis Operators, which moratorium runs through November 28, 2024. Staff recommended the following Zoning Code amendments on this subject:

Establish new Section 1149.15 to read: *“1149.15 PROHIBITION OF ADULT USE CANNABIS OPERATORS
No person or entity shall establish or maintain land, buildings, or premises for use as an adult use operator. For the purposes of this section, “adult use cannabis operator” shall be defined as set forth in Chapter 3780 of the Ohio Revised Code as amended from time to time.”*

Amend Section 1133.02, Definitions, to insert a definition for Adult Use Cannabis Testing Laboratories to align with ORC 3780.01 (8) “Adult use testing laboratory” means an independent laboratory located that has been issued a license by the division of cannabis control to have custody and use of adult use cannabis for scientific purposes and for purposes of instruction, research, or analysis.

Amend Section 1143.19 (b) to insert Adult Use Testing Laboratory as a permitted use in the M-3 General Industrial District.

In making this recommendation, as required by Zoning Code Section 1139.06, staff provided the following statement as to the nature and effect of such amendment and determinations as to the following items (Staff analysis can be seen in **bold** following each section):

- a) Whether such change is consistent with the intent and purpose of this Zoning Code. **The changes are consistent with the intent and purpose of the Zoning Code as to “To direct particular land uses to the parcels of land best suited for them physically and in terms of access to highways and public services”.**
- b) Which areas are most likely to be directly affected by such change and in what way they will be affected. **The M-3 General Industrial District would be the most effected. Given the nature of the M-3 District, this use will have minimum effects on surrounding zoning districts.**
- c) Whether the proposed amendment is made necessary because of changed or changing conditions in the areas of zoning districts affected or in the City generally, and, if so, the nature of such changed or changing conditions. **The changing condition is the new state law regarding Adult Use Cannabis Operators as per Ohio Revised Code 3780.**

By unanimous vote, the Troy Planning Commission recommends to Troy City Council that the Zoning Code be amended as recommended by City staff as stated herein, and based on the analysis of staff required by Section 1139.06 stated above. This recommendation is forwarded herewith for consideration of Troy City Council.

Information reviewed by the Commission is attached.

MEMORANDUM

TO: City of Troy Planning Commission Members

FROM: Austin Eidemiller, Planning & Zoning Manager

DATE: October 9, 2024

SUBJECT: Changes to the Zoning Code.

BACKGROUND:

The State of Ohio recently enacted laws concerning cannabis use and operators which became effective on December 7, 2023. Ohio Revised Code Section 3780.25 allows municipalities to prohibit and/or limit the location of Adult Use Cannabis Operators. City Council previously approved a moratorium on permits allowing Adult Use Cannabis Operators per O-54-2023. This moratorium expired on June 1, 2024.

City Council extended the moratorium of Adult Use Cannabis Operators as O-19-2024 for one-hundred and eighty (180) days from June 1, 2024. Many jurisdictions that staff reviewed still have moratoriums in effect. In the State of Ohio, there are about one-hundred and eleven (111) active moratoriums prohibiting adult use cannabis businesses. The average moratorium length is eleven (11) months. After review, many of the surveyed jurisdictions are still under active moratoriums. Due to the lack of information and potential outcomes, Staff is recommending a prohibition of Adult Use Cannabis Operators. This subject can be reviewed at a later date and time to see the effects upon other communities as they enact laws relating to adult use cannabis.

DISCUSSION:

Staff is proposing three (3) amendments to the Zoning Code in accordance with ORC 3780 Adult Use Cannabis Control. The full amended sections are attached to this report as Exhibit A. Additions to the code text can be seen in red. Staff is not proposing any deletions to code text.

Alteration #1: Staff is proposing to enact Zoning Code 1149.15 of which states:

"1149.15 PROHIBITION OF ADULT USE CANNABIS OPERATORS No person or entity shall establish or maintain land, buildings, or premises for use as an adult use operator. For the purposes of this section, "adult use cannabis operator" shall be defined as set forth in Chapter 3780 of the Ohio Revised Code as amended from time to time."

For the purposes of this text amendment, an Adult Use Cannabis Operator is defined by ORC 3780 as: a level I adult use cultivator, a level II adult use cultivator, a level III adult use cultivator, an adult use processor, and an adult use dispensary.

Alteration #2: Additionally, Staff is proposing to amend Zoning Code section 1133.02 Definitions to insert a definition for Adult Use Cannabis Testing Laboratories to align with ORC 3780.01 (8) "Adult use testing laboratory" means an independent laboratory located that has been issued a license by the division of cannabis control to have custody and use of adult use cannabis for scientific purposes and for purposes of instruction, research, or analysis.

Alteration 3#: Staff is proposing to insert Adult Use Testing Laboratory as a permitted use in the M-3 General Industrial District. This would amend Zoning Code 1143.19 (b).

ZONING CODE 1139.06 AMENDMENTS TO TEXT

When a proposed amendment would result in a change in the text of this Zoning Code but would not result in a change of zoning classification of any property on the zoning map, the report of the Planning Commission shall contain a statement as to the nature and effect of such amendment and determinations as to the following items (Staff analysis can be seen in **bold** following each section) :

- a) Whether such change is consistent with the intent and purpose of this Zoning Code. **The changes are consistent with the intent and purpose of the Zoning Code as to "To direct particular land uses to the parcels of land best suited for them physically and in terms of access to highways and public services".**
- b) Which areas are most likely to be directly affected by such change and in what way they will be affected. **The M-3 General Industrial District would be the most effected. Given the nature of the M-3 District, this use will have minimum effects on surrounding zoning districts.**
- c) Whether the proposed amendment is made necessary because of changed or changing conditions in the areas of zoning districts affected or in the City generally, and, if so, the nature of such changed or changing conditions. **The changing condition is the new state law regarding Adult Use Cannabis Operators as per Ohio Revised Code 3780.**

The Director of Law has reviewed the proposed Zoning Code amendments.

RECOMMENDATION:

Staff recommends that Planning Commission provide a positive recommendation to City Council for the proposed Zoning Code changes.

Exhibit A

1149.13 PROHIBITION OF MEDICAL MARIJUANA CULTIVATION AND PROCESSING No person or entity shall establish or maintain land, buildings, or premises for the use of medical marijuana's cultivation or processing. For the purposes of this section, "medical marijuana cultivator," and "medical marijuana processor", shall be defined as set forth in Chapter 3796 of the Ohio Revised Code as amended from time to time.

1149.14 PROHIBITION OF MEDICAL MARIJUANA DISPENSARIES No person or entity shall establish or maintain land, buildings, or premises for use as a medical marijuana dispensary. For the purposes of this section, "medical marijuana dispensary" shall be defined as set forth in Chapter 3796 of the Ohio Revised Code as amended from time to time.

1149.15 PROHIBITION OF ADULT USE CANNABIS OPERATORS No person or entity shall establish or maintain land, buildings, or premises for use as an adult use operator. For the purposes of this section, "adult use cannabis operator" shall be defined as set forth in Chapter 3780 of the Ohio Revised Code as amended from time to time.

1133.02 DEFINITIONS

For the purposes of this Zoning Code, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

(9) "Adult Use Testing Laboratory" means an independent laboratory located that has been issued a license by the division of cannabis control to have custody and use of adult use cannabis for scientific purposes and for purposes of instruction, research, or analysis.

1143.19 M-3 GENERAL INDUSTRIAL DISTRICT

(b) Principal Permitted Uses. Only those uses set forth below which continuously conform to all the requirements of divisions (c) through (f) of this section shall be permitted:

- Acids, corrosive and derivatives – manufacture and bulk storage.
- Adult Use Testing Laboratories as defined by ORC 3780.
- Agricultural implement sales and service.
- Agricultural uses.
- Ammonia or chlorine manufacture and storage.
- Asphalt or asphalt products.
- Auction sales.
- Automobile parking garages.
- Automobile parking lots.
- Automobile repair garages – including body work.
- Bakeries – wholesale.
- Beverage distributors and bottling plants.

- Bone, canvas, cellophane, clay, cloth, cork, feathers, felt – manufacturing , assembling, compounding , or treatment (or any combination of these processes).
- Carpet and rug cleaning plants.
- Cash advance business.
- Celluloid or cellulose products and manufacturing.
- Cement block and formed products manufacturing.
- Cement, lime or lime products manufacture.
- Chemical products – compounding, processing and packaging, but not including any materials which decompose by detonation.
- Coal tar and creosote manufacturing.
- Coke ovens.
- Cold storage plants.
- Commercial greenhouse and nurseries.
- Concrete mixing plants.
- Contractor sales, storage and equipment yards.
- Crematoriums (pet and human).
- Dairy and food product processing and packaging.
- Driver training schools (trucks).
- Drop-forge plants.
- Electrical and electronic products, components and equipment – manufacturing, assembling or repair.
- Equipment rental services, including cars, trucks and trailers.
- Exterminating services.
- Fat rendering.
- Fertilizer manufacture.
- Fiber, fur, glass, hair, horn, leather, paper, plastics, rubber, precious or semi-precious stone or metal, sheet metal, shell, textiles, tobacco, wax, wire and wood, but not including as a principal operation, the manufacture of such substances.
- Food brokers – retail, wholesale and storage with processing.
- Food brokers – retail, wholesale and storage without processing.
- Foundries and foundry products.
- Frozen food lockers.
- Garbage or offal reduction or transfer.
- Glue manufacture.
- Government buildings, structures, or premises used exclusively by federal, state, county, township, or municipal governments for public purposes, but not including work shops, warehouse, or open material storage.
- Government buildings, structures, or premises used exclusively by federal, state, county, township or municipal governments for public purposes, provided open storage areas are screened.
- Incinerators.

- Liquid fuel, petroleum products, petroleum and volatile oils – bulk storage stations in accordance with Section 1143.19(f) hereof.
- Machine shops, tool and die shops.
- Machinery and heavy equipment rental, sales and storage.
- Manufacturing, assembling or repair of medical, dental, optical and similar precision instruments or appliances.
- Meat processing and packaging, exclusive of slaughtering.
- Medical and dental laboratories.
- Metal products, excluding structural steel and foundry products or product from previously prepared materials – manufacturing, compounding, assembling or treatment (or any combination of these processes).
- Metal products, including structural steel and foundry products or product from previously prepared materials – manufacturing, compounding, assembling or treatment (or any combination of these processes).
- Moving and storage companies.
- Musical instruments – manufacturing, assembling or repair.
- Novelties, toys and rubber products – manufacturing, assembling or repair.
- Pawn shop.
- Petroleum refining plants.
- Pharmaceutical products, including cosmetics, toiletries and perfumes, but excluding the manufacture of soap from raw materials or products previously prepared– manufacturing, compounding, assembling, or treatment (or any combination of these processes).
- Plastics.
- Pool hall.
- Printing, publishing, binding and typesetting plants.
- Public utility.
- Railroad stations, depots, train yards, classification yards and team tracks.
- Research and engineering laboratories.
- Rubber manufacture from crude or scrap material or the manufacturing of articles there from.
- Sales offices and service centers.
- Sawing and planing mills.
- Scrap and used metal storage and reclamation.
- Scrap paper storage and baling.
- Sexually oriented businesses.
- Sign painting and manufacture.
- Soap and detergent manufacture from raw materials.
- Stockyards and slaughter houses.
- Stone products processing and manufacturing.
- Tattoo parlors.
- Truck fuel dispensing stations.
- Truck repair facility.
- Truck sales and service.

- Truck washing facility.
- Trucking and motor freight terminals.
- Turpentine, varnish or paint manufacture.
- Watches and clocks, including clock operated devices – manufacturing, assembling or repair.
- Water filtration plants and pumping stations.
- Warehouses not including a self-storage facility.
- Wholesale, but not retail warehouses.

PUBLIC HEARING: Nov. 4, 2024. At 7:03 p.m., Council President Rozell declared open a public hearing on the recommendation of the Troy Planning Commission that Council enact legislation amending the Zoning Code to Prohibit Adult Use Cannabis Operators and establish Adult Use Testing Laboratory as a permitted use in the M-3 General Industrial District. The following spoke:

-Susan Justice, 845 Cartwright Ct. – opposes allowing operators; as a Registered Nurse she is concerned about the long-term impact of marijuana use; and commented that the long-term risk is not worth the short-term revenue.

-Alex Schaefer, 1004 E. Franklin St. – supports allowing cannabis operators; many places in Troy sell alcohol, which she believes is worse than marijuana; there are no overdoses from marijuana.

-Brad Boehringer, 105 Crestwood Dr. – supports control of locations of dispensaries; believes there are positives to marijuana; the City will lose potential revenue.

- Steve Henriksen, 975 Dickerson Dr. - does not see any harm in allowing cannabis operators; suggested it would be better to ban alcohol and cigarettes; tobacco usage will kill, but he does not know if marijuana usage will kill anyone.

-Christina Ryan-Claypool, 2851 Huntington Dr. - supports the community being proactive in prohibiting cannabis operators; as a recovering drug addict, marijuana was the gateway drug for her usage of other drugs; and while the operators would bring revenue to the City, this should not be about making money.

-Amber Schaefer, 1004 E. Franklin St. - she is a recovering alcoholic and supports having dispensaries in Troy; these businesses are where someone purchases an item and leaves, unlike a bar; and the dispensaries will bring more business to the area.

-Steve Justice, 845 Cartwright Ct. – he is a founding member of the Drug Free Task Force of Miami County; as such as been dealing with opioid related drugs that were killing people; he saw a growing addiction from cannabis and stated it is a strong addiction; he cited data that where dispensaries are opened has led to a higher use of cannabis, including by children, and medical issues; he is disturbed that a community that supports the Task Force would also support dispensaries; there are still Federal Laws regarding the use of marijuana; use of marijuana can lead to several medical issues and alter brain functions; and no one should live off money that will impact peoples' lives.

-George White, 236 N. Elm St. – he is a former pothead and is against dispensaries; he discussed that using marijuana negatively impacted his life and decisions; and he does not believe he would be alive today if he had not gotten off drugs.

-Jay Lavey, 225 S. Short St. – commented that if you think you will have problems, you will have problems, but will also have revenue; why not permit cannabis operators and get some of the revenue.

-Becky Girrard, 501 E. Franklin St. – commented that those that operate dispensaries have to know what they are doing; dispensaries have to make sure what is being sold has been legally tested and is accurate and clean; black market marijuana can be very toxic and cause mental issues; the use of marijuana will happen; it would be better to have the sale where it can be policed and people not use black market drugs.

-Larry Claypool, 2951 Huntington Dr. – from a school educator position, he has seen the culture change over the decades; encouraged Council taking a stand to not have dispensaries; and commented that it is not worth having the results of dispensaries on the conscience to collect a few dollars.

-Charles Pausley, 1790 Greenbriar Dr. – opposes allowing cannabis operators; he knows of family and friends who have their lives torn apart from drug use.

-Madison Hickman, 402 Lincoln Ave. – when she moved to Troy, she found that people knew who the drug dealers were; people will use marijuana; she sees this as an opportunity to set regulations for operators; there a many tobacco shops in Troy and there is no limit on business that sell tobacco.

-Matt Bigelow, 543 Elm St. – opposes allowing operators in Troy; Piqua is close for those who want to purchase cannabis.

There being no further comments, at 7:53 p.m., Mr. Rozell declared this public hearing closed.

Name: Thomas Allen

Address: 1015 Linwood Dr, Troy, OH, 45373

Would you support prohibiting adult use cannabis operators in the City of Troy?

Yes

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

No cannabis dispensaries!!!!

Email: tomallen@woh.rr.com

Phone: 9373390011

Name: Tracy Artz

Address: 1195 W. Main Street, Troy, Ohio, 45373

Would you support prohibiting adult use cannabis operators in the City of Troy?

Yes

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

Phone call; message taken by Sue Knight.

She and her husband, Tim, are unable to attend the 11-4 Council meeting.

Her message: They strongly support Council prohibiting cannabis operators in Troy based on their concerns for the safety and health of the community.

Email: lauren.karch@troyohio.gov

Phone:

Name: Volume Brickey

Address: 1575 Fleet Rd., Troy, ohio 45373

Would you support prohibiting adult use cannabis operators in the City of Troy? No

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

A large part of the population voted for cannabis to be legal and to be used responsibly by adults, I see no difference between that and allowing alcohol sales within the city.

Since the legalization there have been by now over \$100 million of sales of cannabis and the local communities are receiving a decent amount of tax off of that sale, why should we allow that tax money to flow to Piqua?

Email:

Wpbedb@yahoo.com

Phone:

Name: Luke Brittan

Address: 1231 Gettysburg Dr., Troy, OH 45373

Would you support prohibiting adult use cannabis operators in the City of Troy? Yes

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

I am already concerned with the amount of cannabis being used in the City of Troy, so prohibiting adult use cannabis operations seems like a step forward to me. I see no positive effects in allowing adult use cannabis operations in Troy.

Email:

lukebbrittan@gmail.com

Phone:

Name: Christina Ryan Claypool

Address: 2851 Huntington Drive, Troy, Ohio 45373

Would you support prohibiting adult use cannabis operators in the City of Troy? Yes

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

Thank you for allowing me to share my view to prohibit cannabis dispensaries within Troy at the recent Council meeting. I was remiss in including one extremely vital point. That is, if Council would make the unfortunate decision to allow dispensaries, would this also be legally opening our community up for possible cultivation/production for cannabis in the future? Since the Ohio Revised Code Chapter 3780.25 (A) "allows local governments such as Troy to "adopt an ordinance" by majority vote to prohibit, or limit the number of adult use cannabis operators" within the municipal corporation, "Operators are defined as CULTIVATORS, processors, or dispensaries of cannabis products." The above quotations were taken directly from information the city itself release.

So, if Council does vote to allow dispensaries, resulting in possible hidden expenses in terms of a need for more law enforcement officers, along with public health and mental health resources to deal with both increased addiction and crime, could there be another exorbitant hidden expense by legally opening the door for Troy to be a site for future cultivation and production? This could negatively change the complexion of our municipality and possibly even impact our local environment. More research would need to be done, but there seems to be a concern for the environment long-term as marijuana cultivation is reportedly a water-intensive process and can increase pollution, and have other negative effects such as soil erosion. This information paraphrased from: (Zheng, Z., Fiddes, K. & Yang, L. A narrative review on environmental impacts of cannabis cultivation. J Cannabis Res 3,35(2021). <https://doi.org/10.1186/s42238-021-00090-0>

It's crucial to think about the future of Troy and to count the hidden costs permitting marijuana dispensaries might have long-term. Thank you for caring about our wonderful community and taking time to read my comments.

Christina Ryan Claypool

Email:

christina@christinaryanclaypool.com

Phone:

567-674-9669

Name: Ian Combs

Address: 1255 High Street, Troy, Ohio 45373

Would you support prohibiting adult use cannabis operators in the City of Troy? No

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

I am in favor of allowing dispensaries.

Email:

ian.combs17@gmail.com

Phone:

Name: Christina Crawford

Address: 911 Jasmine Ln Apt. B, Troy, OH, 45373

Would you support prohibiting adult use cannabis operators in the City of Troy?

No

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

I have fibromyalgia, Anxiety, depression, and frequent bouts of nausea (mostly due to the pain I experience from my fibromyalgia). For a bit of time I was able to have my med card, however, that is expensive to maintain. When issue 2 was passed it was a huge relief to me because it makes it easier for me to get and use marijuana to ease the symptoms I experience on a daily basis. Having cannabis operations in Troy would not only make that easier for people like me to get what they need to help them, but I believe that it would also benefit Troy financially.

Email: christlvcrawford@gmail.com

Phone: 9378091118

Name: Jennifer Daniel

Address: 718 West Bentley Circle, Troy, Ohio, 45373

Would you support prohibiting adult use cannabis operators in the City of Troy?

Yes

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

I feel we have more important issues to deal with .. Why add something else to the city residence & police need to worry about..

I'm sure its a fine product but keep it out of our downtown.

Email: jennydaniel9@hotmail.com

Phone: 9373350710

Name: Stephanie Dollan

Address: 931 Branford Road, Troy, Ohio 45373

Would you support prohibiting adult use cannabis operators in the City of Troy? Yes

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

We have enough drugs in our community. We don't need to make it any easier to get them. Especially since this is for recreational use.

Email:

npcll@aol.com

Phone:

Name: Duane Dunivan

Address: 6370 Studebaker Road, Tipp City, Ohio, 45371

Would you support prohibiting adult use cannabis operators in the City of Troy?

No

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

Like it or not we voted to legalize cannabis in the state and for this council to forbid it within city limits because they don't like the voters overwhelmingly support is a disgrace to our democratic system. This can bring more small business to Troy. I would ask that you support the vote that was passed last November.

Email: duanedunivan@yahoo.com

Phone: 3012472741

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Name: Christina Farrall

Address: 310 W Franklin St, Troy, OH 45373

Would you support prohibiting adult use cannabis operators in the City of Troy? No

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

The dispensaries I've been to in Michigan and Ohio are very well done. The staff are very knowledgeable and professional. I have to admit, I was surprised. If the planning commission members have not been to the dispensary in Piqua, I would encourage you to do so before weighing in on this issue. I am a fairly conservative person and my opinion has changed over the past few years. Please educate yourselves.

I do not support this proposed prohibition. Thank you for your time.

Email:

Farrallchristina0@gmail.com

Phone:

567.712.4932

Name: Jonathan Hagar

Address: 17 W Market St, Troy, OH, 45373

Would you support prohibiting adult use cannabis operators in the City of Troy?

Yes

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

My perspective may be a bit unique as compared to most in Troy, as I have lived in a town that had 3 dispensaries. We moved here from Colorado where cannabis was legal. This was years ago, when it was legal only in a couple of states. What we saw back then was that it brought in a bunch of tourism, but it was the wrong kind of tourism. People who just wanted to use and abuse and didn't really care much for the local economy or culture. There was also an increase in taxes which went to schools, but it never was enough to make a big difference and with so many more people actively using cannabis, youth and kids found it more acceptable and it seemed to become the norm for a lot of them. This is something I definitely don't want for us in Troy Ohio. Our kids should not see cannabis use as the norm and by having dispensaries prohibited here, I think we send the right message to our next generation. I believe having cannabis more readily available will just make more kids and underaged individuals have access to it easier as well. Most of my job and life revolves around youth impact and mentoring, and I've found that many kids have "hook ups" with regards to nicotine and vapes. If a dispensary is allowed to open in town, it is only a matter of time before it ends up in the hands of many of these minors. Thank you for taking the time to read this and considering prohibiting adult use cannabis operations in Troy.

Email: jcon707@gmail.com

Phone: 8163327603

Name: Sarah Hastings

Address: 1046 Laurel Tree Ct, Troy, Oh, 45373

Would you support prohibiting adult use cannabis operators in the City of Troy?

No

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

I believe allowing adult use cannabis operations in the city would boost the economy, providing new employment and tax revenue. I also many people who use cannabis have to use it medical purposes and may not want to drive to Piqua or elsewhere to obtain it

Email: Sehastings07@gmail.com

Phone: 9372700050

Name: Terry Hawkins

Address: 840 Jefferson Street, Troy, Ohio 45373

Would you support prohibiting adult use cannabis operators in the City of Troy?

No

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

It will bring revenue to the city and I'm sure the city will get a cut. It's no different than allowing DORA in town.

Email: terry12053014@gmail.com

Phone: 9377610125

Name: Aprille Hurst

Address: 2975 Parkwood Dr, Troy, OHIO, 45373

Would you support prohibiting adult use cannabis operators in the City of Troy?

No

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

Cannabis use is no different than alcohol use and in some circumstances is a benefit for individuals who suffer from debilitating pain or illness. Just an example, my mother was suffering tremendously from neck and back pain which regular pain meds could not touch. We were able to find a dispensary and obtain some cannabis for her to be able to sleep. But we had to go a different town to get it. Would have been much nicer to spend our money in our own city and let it reap the tax benefits.

Email: bucklitcoach@gmail.com

Phone:

Name: Nathan Hurst

Address: 1186 Race Dr, Troy, Ohio, 45373

Would you support prohibiting adult use cannabis operators in the City of Troy?

No

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

The amount of money the city will make off of taxes from the sale of cannabis will be able to fund any projects the City of Troy would want to do. Troy will continue to lose major tax money to Piqua, Springfield, and Dayton the longer cannabis sales are prohibited. Money that would absolutely benefit the city.

Email: blathanblurst@hotmail.com

Phone:

Name: Nevin Hurst

Address: 1186 Race Dr, Troy, OH, 45373

Would you support prohibiting adult use cannabis operators in the City of Troy?

No

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

The use of recreational cannabis is legal state wide, so I would not see a valid point as to not let it be used to our advantage in the city. If we were able to do have a dispensary and be able to collect taxes on sales, we may be able to afford new budgets within the city. For example, putting air conditioning in the schools may be a benefactor of the situation.

Email: Nevinhurst2@troyohio.gov

Phone:

Name: Travis Jamison

Address: 2201 Peters Road, Troy, Oh, 45737

Would you support prohibiting adult use cannabis operators in the City of Troy?

No

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

I moved here 3 years ago from Florida, where I had my medical card for 3 years prior. I used this for medical issues that I have. At 50, thankfully they were not life altering or threatening. But the cannabis helped me through with the issues I had.

Now I have to drive to Piqua, and I see levees and taxes being requested as we just let this cash go to other city's and do nothing but cause people that need these medications to have to drive further for the exact same thing, in the same county.

Please repeal this and lets fund our schools with tax dollars and not by begging for more money from our citizens.

Email: travis.jamison@gmail.com

Phone: 727-389-8832

Name: Matthew Johns

Address: 594 Trade Sq. E, Troy, Ohio, 45373

Would you support prohibiting adult use cannabis operators in the City of Troy?

No

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

To The City of Troy,

I am a proud citizen of this beautiful town I call home here in Troy. I have lived here for over 7 years and I still stand by saying this is the greatest city in the country!

I DO NOT support a ban on cannabis operations in the City of Troy. I believe this is a mis-step and would be a move in the wrong direction.

The citizens of Ohio and myself voted in November of 2023 to legalize and control adult use of cannabis. The voices of the citizens was heard and as a result, we now live in a State with more freedoms than most and I am very proud of that.

With Piqua having (2) dispensaries operating, we are without a doubt losing revenue that could be made on Troy's soil. Not only are the dispensaries in Piqua taking revenue from Troy citizens but the surrounding radius of cities as well. If Troy was able to open a dispensary it would bring some of that revenue to Troy.

Finally, there really is no reason to ban this as I said, we are in close proximity to other dispensaries. This is a lost opportunity and would be a ban on freedom.

Please re-consider the economic ramifications that could be plentiful for Troy as adult cannabis is now legal and very carefully regulated as safe as tobacco and alcohol if not safer. I would also like to request that each of the council members visit the dispensary in Piqua to see how safe and clean these facilities are. Very safe, responsible, and regulated.

Thank you for taking time to read this letter of reconsideration!

Respectfully,

Matt Johns

Email: Mattjohns11812@gmail.com

Phone: 7654330602

Name: Alicia Judd

Address: 620 s clay st, Troy, Ohio 45373

Would you support prohibiting adult use cannabis operators in the City of Troy? Yes

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

Email:

Esitalon95@yahoo.com

Phone:

Name: Shaun Kimble

Address: 917 S Walnut St, Troy, Oii 45474

Would you support prohibiting adult use cannabis operators in the City of Troy? No

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

The people of Ohio and the city of Troy have spoken. We voted to legalize marijuana use. The only thing banning dispensaries does is make sure other towns get tax money that could be being spent here. Please stop holding Troy back and let it move into the future.

Email:

Kimble7227@hotmail.com

Phone:

937-451-2697

Name: Austin Kowalak

Address: 2800 North Alcony Conover road , Casstown, Ohio, 45312

Would you support prohibiting adult use cannabis operators in the City of Troy?

No

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

I think we should allow it. It's a big money that could be brought to the city

Email: Akowalak15@gmail.com

Phone: 9375248822

Name: Shirley Lamka

Address: 101 E. Main St., Troy Ohio 45373

Would you support prohibiting adult use cannabis operators in the City of Troy?

Yes

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

Email: totalteam@roadrunner.com

Phone: 9373357004

Sue Knight

From: Patrick Titterington
Sent: Sunday, October 27, 2024 5:39 PM
To: Todd Severt; Lynne Snee; Susan Westfall; William Rozell; Jeffrey Schilling; Kristie Marshall; Jeffrey Whidden; Samuel Pierce; Bobby Phillips; Bill Twiss; Sue Knight; Mayor Robin Oda; Tim Davis; Shawn McKinney
Subject: Fw: Online Form Submittal: Email All Council Members

Mrs. Larck's response.

Patrick E. J. Titterington
Troy City Director



From: JANET LARCK <jlarck@aol.com>
Sent: Sunday, October 27, 2024 4:30 PM
To: Patrick Titterington <patrick.titterington@troyohio.gov>
Subject: Re: Online Form Submittal: Email All Council Members

Thank you! Yes, I'm against allowing dispensaries in Troy. Thank you for clarifying.
Sent from my iPhone

On Oct 27, 2024, at 4:25 PM, Patrick Titterington <patrick.titterington@troyohio.gov> wrote:

Good afternoon Mrs. Larck:

First, on behalf of Mayor Oda and City Council, thank you for your email comments.

Second, I have a question to clarify your position: you initially state that Council should vote down the proposal. You then seem to argue against allowing dispensaries in the community.

The proposal that has been recommended by the Planning Commission is to BAN all marijuana operators (dispensaries, cultivators and processes) from Troy. If you agree that operators should not be allowed, you would be in favor of the proposal. If you agree that operators should be allowed, then you would oppose the proposal.

I apologize for the confusing wording of this proposal, which is why I ask for clarification.

Again, thank you for your email and please don't hesitate to email any other questions or concerns.

Patrick Titterington
Troy City Director

Sent from my iPad

On Oct 27, 2024, at 1:32 PM, noreply@civicplus.com wrote:

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Email All Council Members

Please complete the online form below to submit your questions / comments. If you would like to contact us by phone, you may call (937) 335-1725.

First Name	Janet
Last Name	Larck
Address1	434 Grant St
Address2	Field not completed.
City	Troy
State	OH
Zip	45373
Phone Number	9376841099
Email Address	Jlarck@aol.com
Please leave your comments or questions below.	Dear Council Members, Due to a scheduled medical procedure, we'll be unable to attend the council meeting to give input on the issue of allowing marijuana dispensaries in the City of Troy. We believe, for many reasons, that this proposal should be voted down.

If you read the article by Kevin Sabet on the National Institutes of Health website, you'll see that commercialized marijuana sales have an impact on social issues, public health and public safety. Making dispensaries more common normalizes marijuana and has a detrimental effect on mental health and physical health, especially on those who begin using marijuana at younger ages. Making this drug more accessible, seems irresponsible for a community that cares about youth.

Studies have also shown that there's a rise in crime near areas that have dispensaries. Over the past 5-10 years we've already seen an uptick in drug related crime in our neighborhood. Our cars have been ransacked by people looking for money to fund a drug habit. Medical dispensaries will translate into recreational dispensaries and there will be an increase in crime to support the cost of drug usage.

We live in Troy because we value the safety of our family. Having worked with children in this city for the past 30 years, we support the family values that Troy has always stood for. Please vote no to allowing dispensaries in our city. Thank you for your time.

Tim and Janet Larck

Email not displaying correctly? [View it in your browser.](#)

Name: Macey Lawrence

Address: 426 ellis street, Troy, Ohio 45373

Would you support prohibiting adult use cannabis operators in the City of Troy? No

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

I currently drive to the piqua dispensary. It would be nice to give my money to a troy facility instead.

Email:

Helloitspeach@gmail.com

Phone:

Name: Cyndi Lepine

Address: 649 Orchard Dr, Troy, Ohio, 45373

Would you support prohibiting adult use cannabis operators in the City of Troy?

Yes

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

Absolutely no reason to encourage this or make it more convenient in Troy. If someone needs this for medical reasons they can easily get it through their prescriber or go to another city to purchase it. Why would we encourage people to use and abuse a mind altering substance by making it more accessible in our city?

Email: cyndilepine@yahoo.com

Phone: 937-441-5537

Name: Ardena Macy

Address: 545 Stony Ridge Troy Apartment G3, Troy, Ohio 45373

Would you support prohibiting adult use cannabis operators in the City of Troy? No

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

Message from Mr. and Mrs. Macy:

Having a dispensary would be great for Troy, and would create jobs and revenue. It'd keep money in Troy instead of having residents go elsewhere. We would encourage the City to speak to other municipalities that have dispensaries operating in town.

Phone message taken by Lauren Karch

Email:

Phone:

Name: BRIA Mcneal

Address: 114 floral ave, Troy, ,

Would you support prohibiting adult use cannabis operators in the City of Troy?

No

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

Medical and rec use could be good for everyone! It could generate so much money for the City Of Troy. The ones who need it for medical don't have to travel to another city for use.

Email: Briatk23@icloud.com

Phone:

Name: Chad Morgan

Address: 1114 long st, Troy, OH, 45373

Would you support prohibiting adult use cannabis operators in the City of Troy?

No

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

I'm all for it if it's done legally but if it's done illegally like it's done in front of Dad's carryout by the workers they sit there and smoke weed on the front porch with some of the known issue people the neighborhood in which they smoke weed right in front of the kids instead of following the laws you're not supposed to do it in public but I know what I say does not matter the city hall so it is what it is

Email: model.a.hotrod.cm30@gmail.com

Phone: 9372674997

Name: Cynthia Post

Address: 576 Woodbury Ct., Troy, OH, 45373

Would you support prohibiting adult use cannabis operators in the City of Troy?

Yes

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

Troy already has a ban on medical marijuana dispensaries and therefore it does not make any sense to allow recreational dispensaries. I don't want it to be easier to obtain marijuana within the city of Troy as I love this town for its family atmosphere. I don't think allowing dispensaries will bring anything positive to the city of Troy. I support a ban on cannabis operations in the city of Troy.

Email: mcpost@roadrunner.com

Phone:

Name: Matthew Post

Address: 576 Woodbury Court, Troy, OH, 45373

Would you support prohibiting adult use cannabis operators in the City of Troy?

Yes

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

I do not support access in Troy.

Email: mcpost@roadrunner.com

Phone: 9376726160

Name: Dennis RAMIREZ

Address: 6901 Dial Dr., Huber Height , Ohio , 45424

Would you support prohibiting adult use cannabis operators in the City of Troy?

No

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

The sky has not fall around Ohio. I don't see any increase any crime related to these products. I prefer to have a new shop close to my home. NO PROHIBITED PLEASE!

Email: Dramirez8@aol.com

Phone: 937-654-7214

Sue Knight

From: Bill Twiss
Sent: Monday, November 4, 2024 8:08 PM
To: Sue Knight
Subject: Fwd: Nov 4, 20245 Public Hearing input

Another comments on the topic for tonight
Please forward to council

Thanks
Sent from my iPad

Begin forwarded message:

From: Lia Ravestein <dutchlia@gmail.com>
Date: November 1, 2024 at 1:59:23 PM EDT
To: bill.twiss@troyohio.gov
Subject: Nov 4, 20245 Public Hearing input

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Mr. Twiss,

I have been a resident of Troy for the past 7 years. I was pleased that Issue 2, To Commercialize, Regulate, Legalize, and Tax the Adult Use of Cannabis was passed last year. I was hopeful that the revenue generated from recreational cannabis sales could offer additional revenue for our community.

Please consider this as my input to the public hearing to be held Monday Nov 4, 2024.

I would like to highlight the potential revenue from the Host Community Cannabis Fund that could be utilized by our community if cannabis dispensaries are permitted.

In addition to the state and permissive sales tax on adult use cannabis, Issue 2 requires an additional 10% tax that will be collected and deposited into a number of new funds (R.C. 3780.23).

As listed in the Ohio Revised Code 3780.23 <https://codes.ohio.gov/ohio-revised-code/section-3780.23> The distribution of this revenue is as follows:

- 36% shall go to the Cannabis Social Equity and Jobs Fund
- **36% shall go to the Host Community Cannabis Fund**
- 25% shall go to the Substance Abuse and Addiction Fund

- 3% shall go to the Division of Cannabis Control and Tax Commissioner Fund

“Thirty-six per cent to the **host community cannabis fund** for the benefit of municipal corporations or townships that have adult use dispensaries, and the municipal corporations or townships may use such funds for any approved purpose. Distributions to municipal corporations or townships shall be based on the percentage of adult use tax attributable to each municipal corporation or township”

I am sharing the most recent Ohio cannabis sales data to illustrate the revenue that is being generated by the additional 10% tax that is being collected for the previously listed funds. Revenue that is not currently available for our community due to our current and proposed ban on cannabis dispensaries.

As reported by the Ohio Department of Commerce Division of Cannabis Control. https://dam.assets.ohio.gov/image/upload/com.ohio.gov/DCC/DCC_Historical_Sales_Data.pdf
Historical Sales



Thank you for taking the time to review my feedback on what I deem to be a revenue stream that our community is currently missing out on. Let's show that Troy is a progressive community and supports the majority vote within our City that passed Issue 2.

Cornelia Ravestein
301 S Plum, St
Troy, Ohio 45373
lia.mason@outlook.com
(937) 572-1710

Name: Nathan Redmond

Address: 2791 Meadowpoint Drive, Troy, OH, 45373

Would you support prohibiting adult use cannabis operators in the City of Troy?

Yes

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

Email: nredmond@mail.com

Phone:

Name: Rachael Redmond

Address: 2791 Meadowpoint Drive, Troy, OH, 45373

Would you support prohibiting adult use cannabis operators in the City of Troy?

Yes

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

Email: rredmond01@gmail.com

Phone: 4192369071

Name: Bruce Rhoades

Address: 1780 Conwood Dr., Troy, OH, 45373

Would you support prohibiting adult use cannabis operators in the City of Troy?

Yes

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

I have seen this in Michigan in Traverse City. What a blight on the city - seems like more cannabis store than gas stations. All with brightly lit stores and ads.

Keep us from this.

Email: brhoades@protonmail.com

Phone: 937-216-8735

Name: Pamela Rhoades

Address: 1780 conwood dr. , Troy, Ohio, 45373

Would you support prohibiting adult use cannabis operators in the City of Troy?

Yes

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

Recreational drugs serve no healthy good benefit for anyone.

Email: pkrhoades@protonmail.com

Phone:

Sue Knight

From: Bill Twiss
Sent: Monday, November 4, 2024 8:03 PM
To: Sue Knight
Subject: Fwd: Monday Meeting

This is comment on our topic tonight can you please forward to council

Sent from my iPad

Begin forwarded message:

From: Brad Ross <bradross2015@gmail.com>
Date: November 1, 2024 at 12:13:33 PM EDT
To: bill.twiss@troyohio.gov
Subject: Monday Meeting

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Good morning, Bill:

My name is Brad Ross. I will be unable to attend the meeting on Monday evening, as I will be working until 9pm. But, as a resident of the 5th, I wanted to express my feelings towards the undemocratic and anticapitalist attempt our unelected beauracrats are undertaking in blocking the legal sale of cannabis in Troy.

The substance is legal now. It is NOT the role of Titterington or Oda or any other individual to determine whether or not this substance should be sold in our community. It is not the government's place to place a moratorium on any form of legal, free market commerce. I'm all for the restrictions - keep the establishment away from schools, day cares, churches, etc. But a blanket ban should not be supported by anyone who embraces our free market system. Let an enterprising entrepreneur try their hand at opening a store and allow the market to decide if an adult use cannabis retailer is appropriate for our community.

I could go into the benefits of such an establishment - the tax revenue and jobs and whatnot, but I don't see much point. You're either for free market capitalism and allowing the consumer to determine the businesses that will thrive or die within our community or you're for top-down central planning by unelected beaurcrats, in which case, your principles may better align with the likes of the Chinese Communist Party. I hope the Fightin' 5th comes down on the right side of this issue.

Thanks for your consideration.

Name: Megan Schwartz

Address: 1705 Marby Drive, Troy, OH, 45437

Would you support prohibiting adult use cannabis operators in the City of Troy?

No

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

- 1.) Ohio voters chose to legalize the use of marijuana last year.
- 2.) Tax revenue from dispensaries, which can be substantial, can be invested in our community.

https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4537855

<https://www.wcpo.com/news/state/state-ohio/seeing-green-how-adult-use-marijuana-sales-will-economically-impact-ohio-local-communities>

Email: mlschwartz85@gmail.com

Phone:

Name: Isabella Smith

Address: 533 Summit Avenue, Troy, Ohio, 45373

Would you support prohibiting adult use cannabis operators in the City of Troy?

No

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

Email: iamsmith04@outlook.com

Phone: 9376157426

Name: Daniel Stammen

Address: 1229 Sullivan Pond Court, Troy, Ohio, 45373

Would you support prohibiting adult use cannabis operators in the City of Troy?

Yes

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

Cannabis has shown to cause negative effects in the community it is located in. These negative effects do not out weigh the addition of a single business. In addition, cannabis sales violate the community feel and direction of Troy and takes it down an unsavory path.

Email: stammen.34@gmail.com

Phone:

Name: Jackie Stammen

Address: 1229 Sullivan Pond Ct, Troy, Ohio, 45373

Would you support prohibiting adult use cannabis operators in the City of Troy?

Yes

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

Cannabis Operators should NOT be allowed within City limits. Troy is a family friendly community with small-town feel. Allowing cannabis operations does not support this. I worry how it will impact the community with cannabis easily and readily available within city limits. Please protect our community and our children from these influences.

Email: JRStammen1@gmail.com

Phone:

Name: Lisa Stark

Address: 1189 E Bentley Circle Troy, Troy, Ohio, 45373

Would you support prohibiting adult use cannabis operators in the City of Troy?

Yes

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

I am against the sale of legal pot in Troy. There are enough places around here for those who wish to purchase.(to purchase

Just asking for trouble.

[This was submitted via Facebook - LK]

Email: socialmedia@troyohio.gov

Phone:

Name: Shawn Stewart

Address: 1246 heritage drive , Troy, Ohio, 45473

Would you support prohibiting adult use cannabis operators in the City of Troy?

No

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

I 100% support allowing cannabis operators in city limits because this will bring in more tax money that we can use to better the city, schools, roads, parks etc. I completely understand peoples worries about it but it provides a safer place for people to get cannabis vs buying it from drug dealer. Not only will this help create tax money, more jobs, safer option for cannabis users but it will help limit drug dealers within the city

Email: Stewart24@gmx.com

Phone:

Name: Tara Trump

Address: 1010 drury lane, Troy, Ohio, 45373

Would you support prohibiting adult use cannabis operators in the City of Troy?

No

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

Email: Trumptara93@gmail.com

Phone: 9375647947

Name: James Walter

Address: 2355 Cara Dr., Troy, ,

Would you support prohibiting adult use cannabis operators in the City of Troy?

Yes

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

As a retired Troy City police officer I have seen too many times what drugs can do to a person/community. Therefore I am most definitely against any form of legalization of any drugs of this type. Let's keep Troy a decent community in which to raise a family!

Email: lwalter@woh.rr.com

Phone: 937 335-1083

Name: Linda Walter

Address: 2355 Cara Dr., Troy, OH, 45373

Would you support prohibiting adult use cannabis operators in the City of Troy?

Yes

Please provide any comments on the proposed prohibition on adult use cannabis operations in the City of Troy.

As a citizen of Troy my entire life I am totally against this action. After seeing what drug addiction can do to a family and or individual my husband and I are most definitely against it. We have adult children that have struggled with addiction and they have proclaimed that marijuana is definitely a gateway drug! So to pass this now what comes next! Statistics in other communities have seen a rise in young children being treated for eating gummies etc.. I am appalled that our fine City would even consider this action.

Email: lwalter@woh.rr.com

Phone: 937 335-1083

November 1, 2024

**Official statement from the Safety Services Leadership Team of the City of Troy,
Miami County Sheriff Dave Duchak,
And Miami County Commissioner, Greg Simmons**

As elected and appointed leaders of the City of Troy and Miami County, we have developed experiences and professional opinions as we have led our respective organizations. That leadership encompasses a combined 142 years. While each of our experiences have been unique, we are unified in our shared mission of ensuring our citizens remain safe as we navigate to meet the challenges that lie ahead.

In this unified commitment, our leadership team meets regularly to discuss the safety-first responder issues facing our community and to discuss common strategies. We ensure that those strategies align with our shared mission and core values of our community partners and residents.

It is in that spirit and out of great concern for the possible and still unknown impacts that we, the undersigned, strongly **support** the recommendations of the Troy Planning Commission. Specifically, we encourage you, the Troy City Council, to pass an ordinance banning all marijuana operators in Troy, thus keeping dispensaries, cultivators and processors from operating within Troy's corporate limits.

Our first responders, both city and county, have seen firsthand the effects of drugs and addiction on families in our community. In late 2015, to combat the heroin epidemic, Miami County formed a coalition that included elected officials, safety service leaders, health service leaders, and non-profit organizations affected by this plague. Since that time, this team, now known as the *Miami County Drug-Free Coalition*, has worked diligently to combat the negative effects of drugs in our communities.

****It is important to note that each signee of this statement is a member of this coalition and is committed to the mission of reducing the use and impact of drugs in our city and county.****

Many collaborative initiatives have made measurable impacts within Miami County. One such program is the QRT (Quick Response Team), made up City of Troy Police and Fire Dept. personnel, which interacts every week with individuals who have either overdosed or who are struggling with addiction. This team works directly with these individuals to link them to recovery services. This program was one of the first in Ohio and has now become a standard in the state. A key to its continued success is a strong and unified statement against any temptations to acquire any illicit drug, including recreational marijuana, which is a Schedule I illegal substance under the federal Controlled Substance Act. Schedule I drugs are defined as "having a high potential for abuse and the potential to create severe psychological and/or physical dependence."

One of the current critical issues that we see is the underage usage of marijuana. Our schools are facing an epidemic of increased marijuana usage, increased possession, and the difficulties of combating it. With the increased availability, as well as several different forms including vape-form THC, gummies, brownies, etc., it has become nearly impossible to ensure drug-free environments within our schools. These new forms of this drug have made it extremely difficult for our law enforcement first

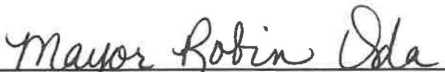
responders, court system, medical professionals, and others to prevent this drug from getting in the hands of juveniles.

Just last week, the Dayton Daily News published an article citing a very startling and concerning example of this issue. Dayton Children's Hospital has seen a nearly 600% increase in unintentional child marijuana ingestion. Again, the ability of our youth to have additional opportunities in our community for marijuana cannot be tolerated and by banning operators from Troy, we can do our part to reduce juvenile access to this Class I drug.

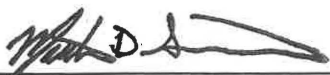
Lastly, we want to lead by example. Since the passage of legalized medical marijuana in 2019 and the passage of legalized sales of recreational marijuana in 2023, the City of Troy has been unified in a zero-tolerance drug-free workplace for our 196 full-time and 44 part-time employees. This stance will not change. We feel it would be hypocritical as an organization to hold all of our employees to a standard and then not make a statement opposing the sales of drugs within our community.

We understand that our role is to advise and provide insight into areas of our professional responsibilities. We do not take these responsibilities lightly, nor do we make this statement without knowing the weight of our words and potential opposition. However, we are united and urge you to consider our professional recommendation of **not allowing** the sale of marijuana within our community by supporting the recommendation of the Troy Planning Commission.

Respectfully submitted:


Mayor Robin Oda

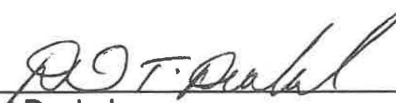
Date: 11.01.2024


Matthew Simmons
Fire Chief

Date: Nov. 1, 2024


Shawn McKinney
Police Chief

Date: 11-04-2024


David Duchak
Miami County Sheriff

Date: 11/4/2024


Greg Simmons
Miami County Commissioner

Date: 11/1/24

MARIJUANA

THE RISKS ARE REAL

Using marijuana carries real risks for your health and quality of life. Some might be surprising to you. So know the risks — learn before you burn, eat, or use.

Today's marijuana is stronger.

Today's marijuana has more than **3 times** the concentration of THC than marijuana from 25 years ago. More THC — the mind-altering chemical in marijuana — may lead to an increase in dependency and addiction.



↑
1 in 10

Risk of addiction.

About **1 in 10** people who use marijuana may become addicted to marijuana — and **1 in 6** when use begins before age 18.

CDC - recent research = 3 in 10 people who use it have cannabis use disorder.

Lowers brain power.

Marijuana affects your brain development. Use by adolescents has been linked to a decline in IQ scores — up to 8 points! Those are points you don't get back, even if you stop using.



Impairs your memory.

Using marijuana can affect your memory, learning, concentration, and attention. Other effects include difficulty with thinking and problem solving.

Can cause permanent IQ loss of 8 pts. Do not come back, even p. quitting.

Affects your performance.



Using marijuana can lead to worse educational outcomes. Compared with teens who don't use, students who use marijuana are more likely not to finish high school or get a college degree.

MD story!

Can harm your baby.

Using marijuana when you're pregnant can affect your baby's development. It's linked to lower birth weight, preterm birth and stillbirth, increased risk of brain and behavioral problems.

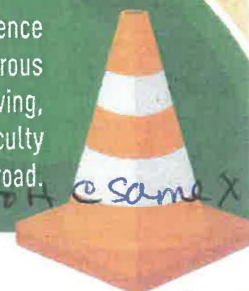


infants, children + teens partic. susceptible to adverse effects on dev. brains!

Driving danger.

People who drive under the influence of marijuana can experience dangerous effects: slower reactions, lane weaving, decreased coordination, and difficulty reacting to signals and sounds on the road.

SE. magnified if using ETOH @ same time!



Marijuana use comes with real risks. Learn more at [SAMHSA.gov/marijuana](https://www.samhsa.gov/marijuana)

Center for Disease Control
Additionally from CDC.gov

** long-term/freq use linked to ↑ risk psychosis + schizophrenia in some users.*

If you or someone you know needs help with a substance use disorder, including marijuana, call SAMHSA's National Helpline at 1-800-662-HELP (4357) or TTY: 1-800-487-4889, or use SAMHSA's Behavioral Health Treatment Services Locator at [SAMHSA.gov](https://www.samhsa.gov) to get help.

Heart - raises HB + Bp rmed. p use. can also lead to ↑ risk stroke, heart Dis. + other vascular issues.

Lung - regardless of how smoked can harm lung tiss. + cause scarring + damage to

SAMHSA

Substance Abuse and Mental Health Services Administration

Learn About Marijuana Risks



Know the Risks of Marijuana

Marijuana use comes with real risks that can impact a person's health and life.

Marijuana is the most commonly used illegal substance in the U.S. and its use is growing. Marijuana use among all adult age groups, both sexes, and pregnant women is going up. At the same time, the perception of how harmful marijuana use can be is declining. Increasingly, young people today do not consider marijuana use a risky behavior.

But there are real risks for people who use marijuana, especially youth and young adults, and women who are pregnant or nursing. Today's marijuana is stronger than ever before. People can and do become addicted to marijuana.

Approximately 1 in 10 people who use marijuana will become addicted. When they start before age 18, the rate of addiction rises to 1 in 6.

Marijuana Risks

Marijuana use can have negative and long-term effects:



Brain health: Marijuana can cause permanent IQ loss of as much as 8 points when people start using it at a young age. These IQ points do not come back, even after quitting marijuana.

Know the Negative Effects and Risks of Marijuana



Mental health: Studies link marijuana use to depression, anxiety, suicide planning, and psychotic episodes. It is not known, however, if marijuana use is the cause of these conditions.



Athletic Performance: Research shows that marijuana affects timing, movement, and coordination, which can harm athletic performance.



Driving: People who drive under the influence of marijuana can experience dangerous effects: slower reactions, lane weaving, decreased coordination, and difficulty reacting to signals and sounds on the road.

Q2-1's Story!

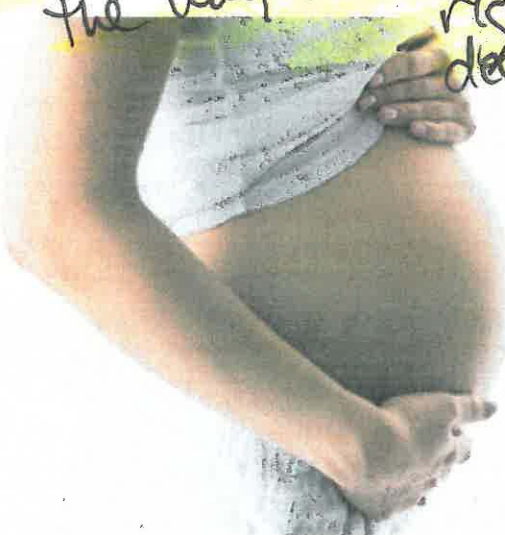


Baby's health and development: Marijuana use during pregnancy may cause fetal growth restriction, premature birth, stillbirth, and problems with brain development, resulting in hyperactivity and poor cognitive function. Tetrahydrocannabinol (THC) and other chemicals from marijuana can also be passed from a mother to her baby through breast milk, further impacting a child's healthy development.



Daily life: Using marijuana can affect performance and how well people do in life. Research shows that people who use marijuana are more likely to have relationship problems, worse educational outcomes, lower career achievement, and reduced life satisfaction.

\$ Should never stand in the way of making right decisions



A) Concur & risk

(may + revenue in short term @ expense of long term health "ind's" fam + comm)

(center for disease control) CDC purportedly nation's leading science based, data driven, service org. that protects public health

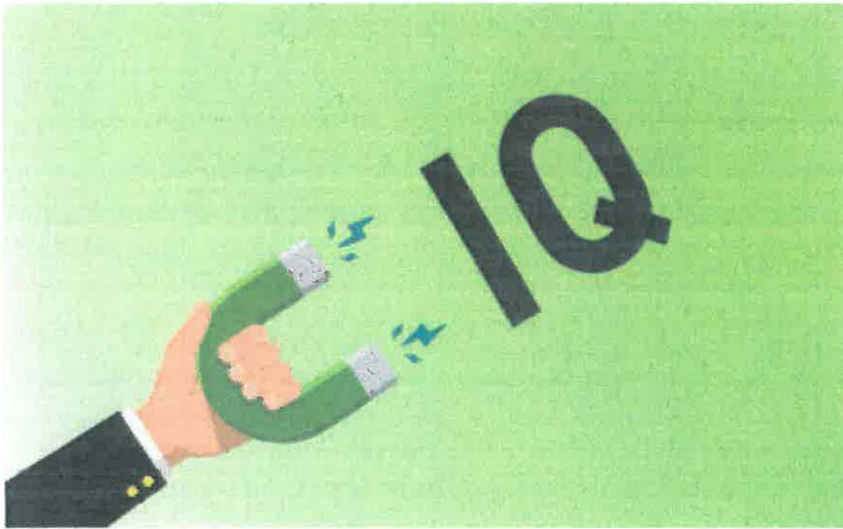
- puts science into action to help children & families stay healthy, which ultimately helps businesses + communities to stay strong!

Marijuana and Pregnancy

Marijuana use during pregnancy can be harmful to a baby's health and cause many serious problems.

<https://www.samhsa.gov/marijuana>

Learn more



What is Your Marijuana IQ?

How much do you really want to know about the risks of marijuana? You might be surprised.

Take the Quiz

Marijuana Addiction

Contrary to popular belief, marijuana is addictive. Research shows that:

- 1-in-6 people who start using the drug before the age of 18 can become addicted.
- 1-in-10 adults who use the drug can become addicted.

Over the past few decades, the amount of THC in marijuana has steadily climbed; today's marijuana has three times the concentration of THC compared to 25 years ago. The higher the THC amount, the stronger the effects on the brain—likely contributing to increased rates of marijuana-related emergency room visits. While there is no research yet on how higher potency affects the long-term risks of marijuana use, more THC is likely to lead to higher rates of dependency and addiction.

About Marijuana

Marijuana refers to the dried leaves, flowers, stems, and seeds from the *Cannabis sativa* or *Cannabis indica* plant. Marijuana is a psychoactive drug that contains close to 500 chemicals, including THC, a mind-altering compound that causes harmful health effects.

People smoke marijuana in hand-rolled cigarettes, in pipes or water pipes, in blunts, and by using vaporizers that pull THC from the marijuana. Marijuana can also be mixed in food (edibles), such as brownies, cookies, and candy, or brewed as a tea. People also smoke or eat different forms of marijuana extracts, which deliver a large amount of THC and can be potentially more dangerous.

Rise of Marijuana Use

Today, marijuana use is on the rise among all adult age groups, both sexes, and pregnant women. People ages 18-25 have the highest rate of use.

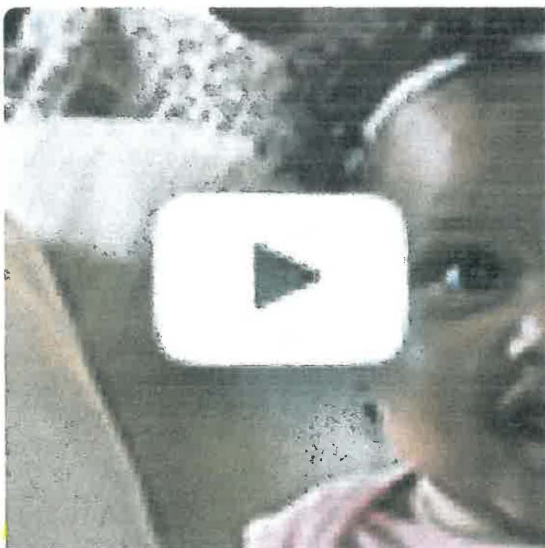
Marijuana and THC remain illegal at the federal level, even though many states have legalized its use. In states where legal, marijuana is a fast-growing industry with sales to individuals over 21 in retail stores, wineries, breweries, coffee shops, dispensaries, online, as well as grown at home.

Such as ours

But @ what cost!

Get the Files

» [View and share the following marijuana videos and resources](#)



[Video: Marijuana Use while Pregnant or Breastfeeding](#)



Marijuana: Rising THC Concentrations in Cannabis Can Pose Health Risks

August 30, 2023

by Isabella Backman



Brain changes and other cannabis side effects need more study, say Yale researchers

Three days before he died in 2019, Johnny Stack told his mother, Laura, that marijuana had ruined his mind and his life.

Johnny first tried the drug when he was 14 at a high school party. It had recently been legalized in Colorado, and an older brother of one of his friends had a medical marijuana card. But when Johnny got home, he felt guilty and confessed to Laura that he had felt pressured to use it. "I thought the marijuana was the same marijuana I had used when I was 17," she recalls. "I told him to never do it again—but I didn't understand how different it was or feel a sense of urgency about it."



Credit: courtesy of Laura Stack

The late Johnny Stack

Johnny Stack took his life after mental episodes blamed on marijuana use.

Gradually, Laura noticed Johnny becoming more isolated and verbally abusive. And when he went off to college a few years later, he grew extremely paranoid. He told her that the FBI had bugged his dorm room. He was convinced “the mob” was after him, but “he couldn’t describe who the mob was or what they wanted from him,” she remembers. He also began expressing thoughts of self-harm. “He sent me a text saying he had been dabbing nonstop with his roommate for two weeks and felt like killing himself every day,” she says. (Dabbing is a relatively new form of marijuana consumption that involves inhaling a concentrated form with extremely high levels of THC.) “I didn’t even know what ‘dabbing’ was. I thought it was a bad dance move.”

Shortly after, Johnny went to the hospital. The doctor wrote in his chart, “THC abuse, severe.” He never tested positive for any other drug.

For five years, Johnny and his family battled marijuana addiction and marijuana-induced psychosis. In times of sobriety, “he was Johnny again,” Laura says. But eventually, he would start using again and the suspicion, delusions, and agitation would shortly follow. As Laura desperately searched for help, she was often met with dismissal or disbelief. One psychiatrist suggested Johnny try smoking a different strain. One rehabilitation center told them to lie about what he was addicted to—by

saying he was addicted to LSD instead, the center told them, they would be more likely to obtain insurance coverage. Their insurance company refused to cover treatment for marijuana addiction, which would cost \$60,000 out of pocket. "Nobody believed us ... nobody!" says Laura, who would go on to start the non-profit, Johnny's Ambassadors.

In the last photo ever taken of Johnny, he was standing on top of a six-story parking garage in the midst of a psychotic episode with his arms outstretched. He took his life on November 20, 2019.

As THC potency increases, science fails to keep up

Cannabis sativa has more than 500 distinct chemical entities, the most significant and well-known components being cannabidiol [CBD] and delta-9-tetrahydrocannabinol [THC]. While the term "cannabis" includes any product derived from the plant, marijuana encompasses the parts that contain significant levels of THC, which produces the drug's psychoactive effects.

Over the last several decades, the THC content of cannabis has changed substantially. In 1995, the average THC content in cannabis seized by the Drug Enforcement Administration was about 4%. By 2017, it had risen to 17% and continues to increase. Beyond the plant, a staggering array of other cannabis products with an even higher THC content like dabs, oils, and edibles are readily available—some as high as 90%. "The marijuana and cannabis products that your grandparents may have used are very different from what's out there now," says Deepak Cyril D'Souza, MD, Albert E Kent Professor of Psychiatry at Yale School of Medicine.

Loss
How
270
in 1995

"The marijuana and cannabis products that your grandparents may have used are very different from what's out there now."

—Deepak Cyril D'Souza, MD

It's true that cannabis has evidence-backed medical benefits. The U.S. Food and Drug Administration (FDA) has approved several commercially available products, including Dronabinol for chemotherapy-induced

nausea and vomiting and Epidiolex for a rare form of epilepsy in young people. Both of these drugs are available by prescription only.

Many people use cannabis recreationally without experiencing evident adverse effects. However, for some, the health risks associated with cannabis, such as addiction and cannabis withdrawal syndrome are genuine and potentially debilitating. "Nearly one-third of regular cannabis users may develop problematic use patterns. While certain cannabis-derived products show therapeutic potential, they are not without risks," says Joao De Aquino, MD, assistant professor of psychiatry. "The challenge lies in maximizing therapeutic benefits, like pain relief, while minimizing negative consequences. Achieving this balance necessitates comprehensive, controlled studies that evaluate both the therapeutic and adverse effects."

And as cannabis grows more potent, there is limited high-quality scientific evidence about the safety of increasingly available products. "A lot of our views about cannabis, unfortunately, are not driven by good science, but driven more by opinion," says D'Souza, who is launching one of the first centers of its kind on the east coast dedicated to high-quality research on the drug. "As we are legalizing cannabis and making it commercially available, we need to understand the implications of that on human health."

Growing evidence points to potentially severe side effects of cannabis

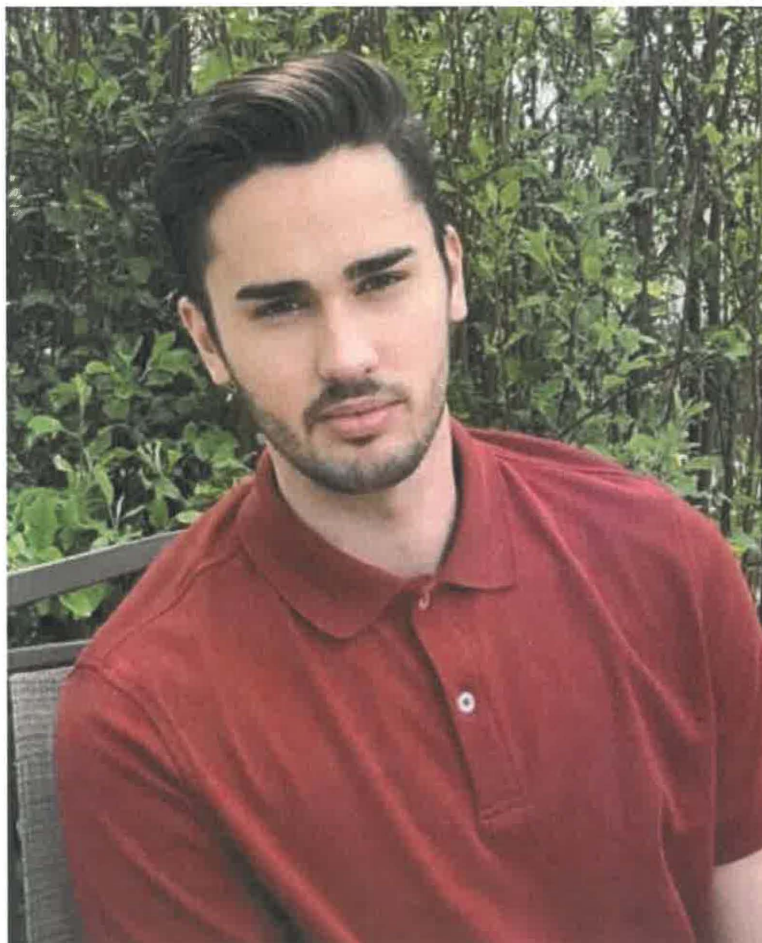
As the drug becomes more and more potent, there has been a parallel increase in both medical and recreational marijuana's accessibility and acceptance in the United States. Most users are aware of the common side effects, including impairments in memory and attention, greater inclination for risk-taking, and diminished capacity to drive. And while for most people, cannabis produces a feeling of relaxation, in others, for poorly understood reasons, it can trigger anxiety and panic.

Now, growing research is pointing to other concerning, potentially severe consequences of cannabis use. This not only affects adults over the age of 21, who can legally buy marijuana in many jurisdictions, but also adolescents. "Data suggests that as cannabis becomes more available in

the environment for adults, its access also increases to children and young adults who may be particularly vulnerable to its long-term effects," says Mohini Ranganathan, MBBS, associate professor of psychiatry.

There is compelling data showing that cannabis may be associated with changes in brain structure in young people, particularly in the prefrontal cortex, which is associated with decision-making and executive function. Other epidemiological evidence suggests that heavy and early use of cannabis is associated with increased risk of developing schizophrenia, bipolar disorder, depression, and anxiety.

Dr. Deepak
For over two decades, D'Souza has been studying the relationship between cannabis and psychosis, in which an individual experiences a loss of reality after using a high-potency product. Emerging studies suggest that cannabis use leads to an increased risk of reporting psychotic symptoms. A 2022 study, for instance, found a significant correlation between the number of cannabis dispensaries and rates of psychosis presenting in emergency departments.



Credit: courtesy of Ethan Andrew

Ethan Andrew

Suffered a psychotic episode after dabbing with a friend.

Ethan Andrew, a 24-year-old studying informational technology at Colorado State University Global, suffered a psychotic episode in the summer of 2017 after getting into dabbing with his friend. He had been regularly "smoking flower" and at first didn't think much of the higher potency of dabs. "We thought of it as beer versus tequila—it's still alcohol, but one will just get you there faster," he remembers. Over time, dabs became his preferred method of cannabis ingestion, until he began experiencing worsening paranoia.

"I started obsessing over random objects and tried to find the meaning in useless things—I thought everything was a message to me, and I had to get to the bottom of it," he says. "Weed was not giggly and fun anymore." He recalls vividly hearing his mother yell his name "at the top of her lungs," but when he ran upstairs, he found her fast asleep. Soon after, he decided to quit smoking—cold turkey.

The withdrawal worsened his psychosis, and he recalls the following two months as the worst months of his entire life. His paranoia skyrocketed and the voices in his head became so distracting that he quit his summer job. He sought out several psychiatrists, but they were of little help. Eventually, the symptoms faded away on their own. "There are few things I could experience that would be more terrifying than those two months," he says.

Recent research is also revealing the cardiovascular effects of cannabis, and that cannabis may be associated with a higher risk of heart attacks. In his lab, D'Souza has seen that cannabis impacts physio-cardiovascular function and usually leads to increased heart rate in healthy individuals. But the drug's impact on the cardiovascular system may have more sobering consequences especially in those with unrecognized cardiovascular problems. "There are now higher rates of young people with no obvious cardiac histories who are going to the emergency room with heart attacks," says D'Souza. Many of these ER visits have occurred within about an hour of the individual consuming cannabis.

heart
consequences

Furthermore, regular, heavy consumption of cannabis may lead to chronic impairments in memory, attention, and motivation. Alex, who asked for her name to be changed for privacy, first tried the drug when she was 17 and a high school student. At the peak of her cannabis use, she was smoking three to four times a week. This was when she noticed that she was struggling with her memory, and losing a concerning amount of weight. *memory*

Now in her 30s, Alex continues to smoke, but only socially. She says her weight is restored, but her issues with short-term memory persist. "I'll forget what I did yesterday, or I'll start one project and then leave it and forget it," she says. "This is a big issue that teenagers should at least be warned about before smoking marijuana."

There is a widespread misconception that cannabis is not addictive. "This couldn't be further from the truth," says D'Souza. "There is compelling evidence from both animal studies and humans that some people get addicted to cannabis (~30%) for reasons we don't fully understand." *Addictive*

Addiction to cannabis is directly related to its THC content. D'Souza believes that the false perception may stem from several decades ago, when the THC content was lower, and the drug was likely less addictive. But as cannabis becomes more potent, he fears that there may be greater rates of addiction in the future.

A critical opportunity for new research on cannabis

Until recently, the federal government "made it challenging" to conduct research on the potential effects of cannabis, says D'Souza. But now, it finally has begun relaxing on some of the obstacles it previously imposed, presenting a critical opportunity to generate high-quality evidence and understand how to support those who have suffered negative consequences after marijuana use. In pursuit of this goal, D'Souza and his colleagues have founded Yale School of Medicine's new Center for the Science of Cannabis and Cannabinoids. "We hope to be leaders here at Yale as we embark on a very important and grand social experiment (referring to the commercialization of cannabis)," he says. The center will strive to better understand the therapeutic applications of cannabis through double-blind, randomized, placebo-controlled studies. But it will also investigate the potential harmful consequences.



Credit: courtesy of Lori Robinson, founder of Moms Strong

Memorial Quilt

The organization Moms Strong produced this quilt to honor loved ones it says were lost to marijuana use.

One area in need of research is brain development across the lifespan using animal and organoid models. This includes during adolescence, when young people are likely to try cannabis for the first time while also undergoing significant neurodevelopment.

But it will also be important to study this exposure in utero, as there is an "alarming increase" in women who are using cannabis during pregnancy to manage morning sickness, says D'Souza. "They're using it because they believe that, since cannabis is plant-based, it's natural and therefore not harmful." Now, new studies suggest that children born to mothers who used cannabis during pregnancy have cognitive deficits that can persist into adolescence.



Young people aren't the only ones using cannabis. A growing number of older individuals, including people 65 and older, are turning to cannabis, but the vast majority of existing research excludes this population. "If you go to a cannabis dispensary and ask them what their average customer is like—it's young people with permitted disorders who want medicinal cannabis and young people who want to get intoxicated," says Godfrey Pearlson, MBBS, professor of psychiatry and of neuroscience. "But then it's also older people who either have problems sleeping, problems with pain like arthritis, or individuals who used cannabis in the '60s and want to try it again." Future research will be needed to fill the glaring gap and elucidate how cannabis may impact older individuals differently from young people.

Beyond brain development, the link between cannabis and mental disorders also warrants further investigation. D'Souza is especially interested in understanding how exposure may impact the risk for schizophrenia. "Schizophrenia is perhaps one of the most devastating mental disorders, because it usually strikes between the ages of 15 and 25, preventing young people from reaching their potential," he says. "We don't have any way of treating it. So, if we find that cannabis is a risk factor, then there's something we can do about it."

Finally, cannabis and car safety is another urgently needed area of study. There is minimal data on how cannabis affects driving, and while there is a legal blood alcohol concentration limit for operating a motor vehicle, researchers know very little about how to detect drivers under the influence of cannabis. "When we get people intoxicated in the lab and ask them how safe they think their driving is in a driving simulator, they often think their driving is safe even when they're fairly impaired," says Pearlson. "People are not good judges of their driving impairment in terms of their safety to drive. They think they're safer than they actually are."

The commercialization of cannabis

In May, Minnesota became the 23rd state to legalize recreational marijuana. Furthermore, 31 states have decriminalized the drug, meaning that an individual cannot be prosecuted for low-level possession. D'Souza feels that the growing movement toward decriminalization and

legalization in the United States is a positive one. Despite these efforts, in 2020, over 300,000 people were arrested for possessing cannabis. And these convictions disproportionately target people of color. Over 40% of the arrests were of Black Americans, even though they only account for 14% of the U.S. population and use marijuana at the same rate as white Americans. "The real issue is not legalization, but commercialization," D'Souza explains.

The increased commercialization of cannabis mirrors what happened with the tobacco industry, he says. Both industries share a goal of making a money and selling at high volume through designing highly attractive products. Adolescents and young adults, who are especially vulnerable to developing an addiction, make attractive consumers. "It shouldn't surprise us that THC is being sold as gummy bears or 'Kronk' bars, or that the vaping fluids with flavors like pineapple or mango come in thinly disguised packages that attract young people," says D'Souza. "The idea is that if you have a young customer, you have a lifelong customer."

Gladys Longoria discovered her son's marijuana stash when he was a high school student, after a neighbor warned her that he might be hanging out with an at-risk crowd. He would go on to develop an addiction to cannabis and cannabinoid hyperemesis syndrome, in which using the drug induced severe abdominal pain, nausea, and vomiting that drove Longoria to take him to the hospital multiple times. She is frustrated by how the products she found targeted young users like her son. "I would find packaging for 'birthday cake,' or the bag would look like Skittles," she recalls. "They entice young people with flavors like birthday cake or brownie. You name it, and it's out there."

It took decades for people to recognize the true harmfulness of tobacco because "these commercial establishments had armies of lawyers and lobbyists actively suppressing the science that showed a clear link between tobacco and negative health consequences," says D'Souza. Many of these same tobacco companies have now invested in the cannabis industry, where they are again finding ways to draw in young customers. Combatting this will require scientists working together to produce strong evidence that cannabis is not the harmless product the industry is making it out to be. "I will leave you with this question," says

D'Souza. "Is it going to take us another 50 years to recognize the consequences, as it took us with tobacco?"

Featured in this article



Deepak Cyril Dsouza, MBBS, MD

Vikram Sodhi '92 Professor of Psychiatry; Director Schizophrenia Neuropharmacology Research Group at Yale (SNRGY); Director, Neurobiological Studies Unit, VACHS; Director, VA-CMHC Schizophrenia Research Clinic; Director, Yale Center for the Science of Cannabis and Cannabinoids ; Chair, Research and Development Committee, VA Connecticut Healthcare System



Joao P. De Aquino, MD

Assistant Professor of Psychiatry; Assistant Chief of the Clinical Neuroscience Research Unit (CNRU), Psychiatry



Mohini Ranganathan, MBBS

Associate Professor of Psychiatry



Godfrey Pearlson, MA, MBBS

Professor of Psychiatry and of Neuroscience

ERs see increase in kids ingesting pot

Experts warn edibles can accidentally be confused with candy.

BY SAMANTHA WILDOW - STAFF WRITER

DAYTON DAILY NEWS IN-DEPTH

Children's hospitals are seeing a rise in unintentional marijuana ingestions by children, and as marijuana has become increasingly accessible, doctors are encouraging parents to be cautious around Halloween.

Dayton Children's Hospital's emergency department visits from 2019 to 2023 for kids who accidentally consumed or were exposed to cannabis products **went up by 571% compared to the previous period before medical marijuana became legal in Ohio**, according to the hospital.

"Edible marijuana products can look just like regular candies and snacks, making them incredibly dangerous for children," said Abbey Pettiford, injury prevention outreach supervisor at Dayton Children's. "Just one marijuana cookie or candy bar can contain several times the recommended adult dose of THC, leading to serious overdose effects in children."

In 2019, Ohio legalized licensed sales of medical marijuana, and in November 2023, voters approved recreational marijuana, which took effect Aug. 6.

Dayton Children's is already seeing the effects from recreational

marijuana.

Between Aug. 6 and Oct. 21, there were 13 unintentional cannabis-related ingestions seen in the emergency department.

To date, in 2024, the hospital has seen 66 unintentional ingestions of cannabis products. In 2023, Dayton Children's had a total of 47 unintentional ingestions.

Prior to the legalization of recreational marijuana use, Dayton Children's and the Ohio Children's Hospital Association advocated against it. Dayton Children's was "deeply concerned about the risk to young children ingesting, breathing or being exposed to marijuana, should it become legal and more widely available," the hospital said.

There has been an increase in overall unintentional ingestions coming into Dayton Children's emergency departments, the hospital said. Unintentional ingestions can include anything from magnets, button batteries, prescription drugs and so on.

In 2019, Dayton Children's had 279 unintentional ingestions, and in 2023, it had 402 unintentional ingestions, which represented a 44% increase.

In 2020, Dayton Children's had 253 unintentional ingestions, and so far in 2024, it has had 570, which is a 125% increase.

These figures include the cannabis numbers. If the incidences with cannabis are removed from those figures, then it becomes an overall increase of 104% from 2020- 2024 and a 30% increase from 2019-2023, according to Dayton Children's.

Other children's hospitals in Ohio are seeing similar increases. The majority of calls to poison centers regarding children ingesting marijuana products have come from edible forms, Cincinnati Children's said.

The total number of incidents reported to Ohio Poison Centers where

• children under 18 years old were exposed to some form of marijuana was 196 in 2018, which increased to 769 so far in 2024.

The majority of those cases were with edible kinds of marijuana, which included 146 incidents in 2018 up to 698 so far in 2024, according to data from Ohio Poison Centers.

All regional poison centers in the U.S. are accessed by calling 1 (800) 222-1222.

When you call the number, you will reach one of the two Ohio Poison centers, located in Columbus or Cincinnati, according to Nationwide Children's.

Impact on health, brain development

Secondhand marijuana smoke and vapor can cause lung irritation, trigger asthma flare-ups and expose children to measurable levels of THC in their blood, according to Dayton Children's.

Risks to youth when it comes to cannabis include permanent effects on the developing brain when use begins in adolescence, especially with regular or heavy use, the Centers for Disease Control and Prevention says.

The cannabis plant contains more than 100 compounds, or cannabinoids, like tetrahydrocannabinol (THC), which is "impairing or mind-altering," the CDC says.

Negative effects from cannabis on youth can include difficulty thinking and problem-solving, problems with memory and learning, reduced coordination, difficulty maintaining attention, and problems with school and social life, the CDC says.

Tips for keeping cannabis away from kids

Dayton Children's is sharing tips for parents, caregivers and adults in the

community to keep children safe from accidental marijuana ingestion.

This is especially important at Halloween as many products look just like the candies children consume to celebrate the holiday, Dayton Children's said.

To protect children from accidental ingestion, parents are advised to:

- Store cannabis products up, away and out of sight.
- Use a locking bag or box for safe storage.
- Avoid consuming cannabis in front of children to avoid making them tempted or curious to try.
- Dispose of unfinished products and ash promptly.
- Ask guests to keep purses, bags and coats out of reach.

If a child is accidentally exposed to marijuana, call Poison Control immediately at 1-800-222-1222 for guidance on the next steps.

BY THE NUMBERS

In 2022, 30.7% of U.S. high school 12th graders reported using cannabis in the past year, and 6.3% reported using cannabis daily in the past 30 days, according to the Centers for Disease Control and Prevention.

Past-year vaping of cannabis declined from 2020 to 2021 and remained steady in 2022 following large increases in 2018 and 2019.

Many middle and high school students still reported past-year cannabis vaping in 2022 — 6% of eighth graders, 15% of 10th graders and 21% of 12th graders.

ISSUE 2 BALLOT LANGUAGE**Proposed Law****To Commercialize, Regulate, Legalize, and Tax the Adult Use of Cannabis****Proposed by Initiative Petition****To enact Chapter 3780 of the Ohio Revised Code****A majority yes vote is necessary for the law to pass.**

To enact Chapter 3780 of the Ohio Revised Code, which would:

- Define adult use cannabis to mean marijuana as defined in Section 3719.01 of the Revised Code and establish the Division of Cannabis Control (the "Division") within the Department of Commerce;
- Authorize the Division to regulate, investigate, and penalize adult use cannabis operators, adult use testing laboratories, and individuals required to be licensed;
- Legalize and regulate the cultivation, processing, sale, purchase, possession, home grow, and use of cannabis by adults at least twenty-one years of age;
- Create additional protections for individuals who engage in permitted adult use cannabis conduct;
- Establish the cannabis social equity and jobs program and require the Department of Development to certify program applicants based on social and economic disadvantage;
- Define "social disadvantage" to include membership in a racial or ethnic minority group, disability status, gender, or long-term residence in an area of high unemployment;
- Shield certain confidential information from disclosure to the public, including but not limited to any information reported to or collected by the Division that identifies or would tend to identify any adult use cannabis consumer and prohibit the Department of Development from releasing certain application information as public records;
- Require the Division to provide preferential treatment to applicants who have qualified for the cannabis social equity and jobs program based on social disadvantage when issuing level III adult use cannabis cultivator licenses and dispensary licenses;
- Prohibit certain local government entities from limiting specific research, levying a tax, or charge on adult use operations, their owner, or their property not generally charged on other business, and prohibit certain local government entities from prohibiting or limiting adult use cannabis home grow or prohibiting or restricting an activity authorized by the proposed law;
- Authorize a landlord or an employer to prohibit the adult use of cannabis in certain circumstances, and prohibit the operation of a motor vehicle while using or under the influence of adult use cannabis and from using any other combustible adult use cannabis while a passenger in a motor vehicle;
- Limit criminal liability for certain financial institutions that provide financial services to any lawful adult use cannabis operator or testing laboratory licensed under the proposed law;
- Require the Division to enter into an agreement with the Department of Mental Health and Addiction Services to create a program for cannabis addiction services;
- Provide for the creation of five funds in the state treasury: the adult use tax fund; the cannabis social equity and jobs fund; the host community cannabis fund; the substance abuse and addiction fund; and the division of cannabis control and tax commissioner fund; and
- Provide for taxation of 10 percent on the sale of adult use cannabis by dispensaries in addition to usual sales taxes and require that all monies collected from the 10 percent tax levied to be deposited into the adult use tax fund and quarterly distributed as follows: 36 percent to the cannabis social equity and jobs fund; 36 percent to the host community cannabis facilities fund; 25 percent to the substance abuse and addiction fund; and three percent to the division of cannabis control and tax commission fund.

If passed, the law will become effective 30 days after the election.

SHALL THE PROPOSED LAW BE ADOPTED?

☐ Yes

☐ No

FULL TEXT OF LAW

Be it enacted by the people of the State of Ohio that the following chapter and sections are added to Title XXXVII of the Revised Code:

Chapter 3780: Adult Use Cannabis Control

Section 3780.01. Definitions.

(A) As used in this chapter:

(1) "Adult use cannabis" or "cannabis" or "marijuana" means marihuana as defined in section 3719.01 of the Revised Code.

(2) "Adult use cannabis operator" means a level I adult use cultivator, a level II adult use cultivator, a level III adult use cultivator, an adult use processor, and an adult use dispensary.

(3) "Adult use consumer" means an individual who is at least twenty-one years of age.

(4) "Adult use cultivator" means a level I adult use cultivator or a level II adult use cultivator.

(5) "Adult use dispensary" means a person licensed pursuant to section 3780.15 of the Revised Code, this chapter and any rules promulgated thereunder to sell adult use cannabis as authorized.

(6) "Adult use extract" or "extract" means a substance obtained by separating or concentrating cannabinoids and other compounds from any part of the adult use cannabis plant by physical or chemical means, intended to be refined for use as an ingredient in an adult use cannabis product or as a standalone adult use cannabis product.

(7) "Adult use processor" means a person licensed pursuant to section 3780.14 of the Revised Code, this chapter and any rules promulgated thereunder to manufacture adult use cannabis as authorized.

(8) "Adult use testing laboratory" means an independent laboratory located that has been issued a license by the division of cannabis control to have custody and use of adult use cannabis for scientific purposes and for purposes of instruction, research, or analysis.

(9) "Advertising" means any written or verbal statement, illustration, or depiction created to induce sales through the use of or a combination of letters, pictures, objects, lighting effects, illustrations, videos, sounds, or other similar means. "Advertisement" includes brochures, promotional and other marketing materials consistent with section 3780.21 of the Revised Code.

(10) "Applicant" means an individual or person who files an application for a license pursuant to this chapter.

(11) "Certificate of operation" means a certification of operation or license issued by either the department of commerce or the state board of pharmacy to a person pursuant to Chapter 3796 of the Revised Code and Chapter 3796 of the Administrative Code.

(12) "Confidential information" means information that is not a public record for purposes of section 149.43 of the Revised Code.

(13) "Cultivate" means to grow, harvest, package, and transport adult use cannabis pursuant to this chapter.

(14) "Cultivation area" means the boundaries of the enclosed areas in which adult use cannabis is cultivated during the vegetative stage and flowering stage of the cultivation process. For purposes of calculating the cultivation area square footage, enclosed areas used solely for the storage and maintenance of mother plants, clones, or seedlings shall not be included.

(15) "Cultivation facility" means a facility where an adult use cultivator or a level III adult use cultivator is authorized to operate.

(16) "Dispensary" means a person who has a certificate of operation to operate a dispensary under Chapter 3796 of the Revised Code and Chapter 3796 of the Administrative Code.

(17) "Disqualifying offense" means:

(a) A conviction or plea of guilty, including conspiracy to commit, attempt to commit, or aiding and abetting another in committing, the following:

(i) Any offense set forth in Chapters 2925, 3719, or 4729 of the Revised Code, the violation of which constitutes a felony or a misdemeanor of the first degree;

(ii) Any theft offense set forth under division (K) in section 2913.01 of the Revised Code, the violation of which constitutes a felony;

(iii) Any violation for which a penalty was imposed under section 3715.99 of the Revised Code;

(iv) A crime of moral turpitude as defined in section 4776.10 of the Revised Code; or

(v) A violation of any former law of this state, any existing or former law of another state, any existing or former law applicable in a military court or Indian tribal court, or any existing or former law of any nation other than the United States that is or was substantially equivalent to any of the offenses listed in paragraphs (a)(i) to (a)(iv) of this definition.

(b) Any first degree misdemeanor offense listed in paragraphs (a)(i) to (a)(v) of this definition will not automatically disqualify an applicant from licensure if the

applicant was convicted of or pleaded guilty to the offense more than five years before the date the application for licensure is filed.

(c) Notwithstanding paragraph (a) or (b) of this definition, no misdemeanor offense, including misdemeanors of the first degree, related to cannabis possession, cannabis trafficking, illegal cultivation of cannabis, illegal use or possession of drug paraphernalia or cannabis drug paraphernalia, or other cannabis related crimes shall be considered a disqualifying offense.

(18) "Director" means the director of the department of commerce.

(19) "Level I adult use cultivator" means either a person who has a certificate of operation as a level I cultivator and who is licensed pursuant to section 3780.12 of the Revised Code, this chapter and any rules promulgated thereunder to cultivate adult use cannabis as authorized, or a person who is licensed as a level I adult use cultivator pursuant to section 3780.12 of the Revised Code, this chapter and any rules promulgated thereunder to cultivate adult use cannabis as authorized, and either person may operate up to one hundred thousand square footage of space designated as the cultivation area in the application which may be increased if a request for expansion is approved by the division of cannabis control.

(20) "Level II adult use cultivator" means either a person who has a certificate of operation as a level II cultivator and who is licensed pursuant to section 3780.12 of the Revised Code, this chapter and any rules promulgated thereunder to cultivate adult use cannabis as authorized, or a person who is licensed as a level II adult use cultivator pursuant to section 3780.12 of the Revised Code, this chapter and any rules promulgated thereunder to cultivate adult use cannabis as authorized, and either person may operate up to fifteen thousand square footage of space designated as the cultivation area in the application which may be increased if a request for expansion is approved by the division of cannabis control.

(21) "Level III adult use cultivator" means a person licensed pursuant to section 3780.13 of the Revised Code, this chapter and any rules promulgated thereunder to cultivate adult use cannabis as authorized.

(22) "Level I cultivator" means a person who has a certificate of operation to operate as a level I cultivator under Chapter 3796 of the Revised Code and Chapter 3796 of the Administrative Code.

(23) "Level II cultivator" means a person who has a certificate of operation to operate as a level II cultivator under Chapter 3796 of the Revised Code and Chapter 3796 of the Administrative Code.

(24) "License" means a license by the division of cannabis control to a license applicant pursuant to chapter 3780 of the Revised Code and the rules adopted thereunder.

(25) "License applicant" means an individual or person who applies for a license under this chapter.

(26) "License holder" or "Licensee" means an adult use cannabis operator, adult use testing laboratory or an individual who is licensed under the provisions of chapter 3780 of the Revised Code.

(27) "Manufacture" means the process of converting harvested plant material into adult use extract by physical or chemical means for use as an ingredient in an adult use cannabis product.

(28) "Medical provisional license" means a provisional license issued by either the department of commerce or the state board of pharmacy to a person pursuant to Chapter 3796 of the Revised Code and Chapter 3796 of the Administrative Code.

(29) "Minor cannabinoid" means any cannabinoid other than CBD, CBDA, Delta-9 THC or Delta 9 THCa, including any isomer, analogue, or derivative thereof, and any other cannabinoid that naturally occurs in cannabis, regardless of whether that cannabinoid may be naturally or synthetically derived, which may be used as an ingredient in adult use products.

(30) "Mother plant" means an adult use cannabis plant that is cultivated or maintained for the purpose of generating clones, and that will not be used to produce plant material for sale to an adult use processor or an adult use dispensary unless the plant is transferred into the cultivation area of the facility.

(31) "Paraphernalia" means any equipment, products, or materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, composting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, vaporizing, or containing cannabis, or for ingesting, inhaling, or otherwise introducing cannabis into the human body.

(32) "Person" includes, but is not limited to, an individual or a combination of individuals; a sole proprietorship, a firm, a company, a joint venture, a partnership of any type, a joint-stock company, a corporation of any type, a corporate subsidiary of any type, a limited liability company, a business trust, or any other business entity or organization; an assignee; a receiver; a trustee in bankruptcy; an unincorporated association, club, society, or other unincorporated entity or organization; entities that are

disregarded for federal income tax purposes; and any other nongovernmental, artificial, legal entity that is capable of engaging in business.

(33) "Primary residence" means the residence of an individual in which the individual's habitation is fixed and to which, whenever the person is absent, the person has the intention of returning.

(34) "Processor" means a person who has been issued a processing certificate of operation pursuant to Chapter 3796 of the Revised Code and Chapter 3796 of the Administrative Code.

(35) "Prohibited facility" means any church, public library, public playground, public park, or school, as defined in section 3796.30 of the Revised Code.

(36) "Provisional license" means a temporary license issued to an applicant for an individual license that establishes the conditions that must be met by the licensee before the individual is issued a license in accordance with the requirements and conditions set forth in chapter 3780 of the Revised Code and the rules adopted thereunder.

(37) "Tetrahydrocannabinol" or "THC" means the sum of the amount of delta-9 tetrahydrocannabinol (THC) and 87.7 per cent of the amount of delta-9-tetrahydrocannabinolic acid (THCA) present in the product or plant material. THC does not include minor cannabinoids.

Section 3780.02 Authorization and purpose.

(A) Controlled and regulated sales and use of adult use cannabis shall be permitted under this chapter for the following public purposes:

(1) Reducing illegal marijuana sales and providing for a safer and regulated cannabis product;

(2) Limiting the transportation of out-of-state cannabis into the state;

(3) Providing key funding to support social equity, job creation, host communities that have adult use dispensaries, cannabis research, and proper oversight and regulation of the adult cannabis industry; and

(4) Improving social equity issues to address the state's compelling interest to redress past and present effects of discrimination and economic disadvantage for individuals in the state.

(B) Adult use cannabis shall only be sold to, or used by, an adult use consumer pursuant to this chapter unless otherwise authorized pursuant to the Revised Code.

(C) Nothing in this chapter shall limit any sale, use, possession, or any other activity authorized by Chapter 3796 of the Revised Code.

Section 3780.03. Establishment and authority of division of cannabis control; adoption of rules.

(A) There is hereby established a division of cannabis control within the department of commerce.

(B) To ensure the proper oversight and control of the adult use cannabis industry, the division of cannabis control shall have the authority to license, regulate, investigate, and penalize adult use cannabis operators, adult use testing laboratories and individuals required to be licensed under this chapter.

(C) The division of cannabis control shall adopt, and as advisable and necessary shall amend or repeal, rules on the following:

(1) Prevention of practices detrimental to the public interest consistent with this chapter, and also ways to educate the public about this chapter;

(2) Establishing application, licensure and renewal standards and procedures for license applicants or license holders related to adult use cannabis operators, adult use testing laboratories, and individuals required to be licensed, including any additional background check requirements, the disqualifying offenses under section 3780.01 of the Revised Code that prohibit licensure, and any exemption criteria from licensing requirements for institutional or private investors who do not have significant control or influence over a license applicant or license holder, and whose ownership in a license is for investment purposes only;

(3) Establishing reasonable application, licensure and renewal fees amounts to ensure license applicants and license holders under this chapter pay for the actual costs for administration and licensure for the division of cannabis control;

(4) Establishing standards for provisional licenses for an individual who is required to be licensed and who has exigent circumstances. Such standards for provisional licenses must include submission of a complete application and compliance with a required background check. A provisional license shall be valid not longer than three months. A provisional license may be renewed, at the division of cannabis control's discretion, for an additional three months. In establishing standards with regard to instant background checks the division of cannabis control may use all available resources;

(5) Specifying the process and reasons for which a license holder may be fined, suspended either with or without a prior hearing, revoked, or not renewed or issued;

(6) The process and requirements for division of cannabis control approval of any requested change in ownership or transfer of control of an adult use cannabis operator or adult use testing laboratory;

(7) Establishing process and standards for expanding the size of the cultivation area for a cultivation facility;

(8) Establishing standards and procedures for the testing of adult use cannabis by an adult use testing laboratory licensed under this chapter. When establishing standards and procedures for the testing of cannabis, the division of cannabis control shall do all of the following:

(a) Specify when testing must be conducted;

(b) Determine the minimum amount of adult use cannabis that must be tested;

(c) Specify the manner in which testing is to be conducted in an effort to ensure uniformity of cannabis products processed for and dispensed; and

(d) Specify the manner in which test results are provided.

(9) The minimum amount of insurance or surety bond that must be maintained by an adult use cannabis operator and adult use testing laboratory;

(10) Requiring the division of cannabis control to adopt reasonable standards for any adult use cannabis samples, and advertising as prescribed in section 3780.21 of the Revised Code;

(11) Requiring that the records, including financial statements, of an adult use cannabis operator or adult use testing laboratory be maintained in the manner up to two years as prescribed by the division of cannabis control and which shall be made available for inspection upon demand by the division of cannabis control, but shall be subject to section 3780.31 of the Revised Code;

(12) Prescribing technical standards and requirements consistent with industry standards that must be met for security and surveillance equipment necessary for the provision of security and surveillance of adult use cannabis operators and adult use testing laboratories;

(13) Prescribing requirements for a license holder's provision of security services for an adult use cannabis operator and adult use testing laboratories which shall include the license holder's option to use armed or unarmed services including through agents of the license holder;

(14) Prescribing standards according to which license holders shall keep accounts and standards according to which adult use cannabis operators and adult use testing laboratories accounts shall be audited, and establish guidance for assisting the department of taxation in levying and collecting the adult use tax levied under section 3780.22 of the Revised Code;

(15) Determining penalties for violation of division of cannabis control rules or this chapter, and a process for imposing such penalties;

(16) Training requirements for employees and agents of adult use cannabis operators and adult use laboratories;

(17) Prescribing standards and procedures to allow for adult use cannabis delivery to adult use consumers, and online and mobile ordering procedures, which may only be conducted by an adult use dispensary or their agent;

(18) Prescribing cannabis inventory requirements to be maintained in an electronic database consistent with section 3780.05 of the Revised Code;

(19) Prescribing standards and procedures for product packaging and labeling of adult use cannabis products;

(20) Prescribing standards and procedures in coordination with the department of development to administer and enforce the cannabis social equity and jobs program as prescribed under 3780.19 of the Revised Code;

(21) Establishing a tetrahydrocannabinol content limit for adult use cannabis, which for plant material the content limit shall be no less than thirty-five per cent and for extracts the content limit shall be no less than ninety per cent, but that such content limits may be increased or eliminated by the division of cannabis control; and

(22) Prescribing duty to update requirements for license holders.

(D) All rules adopted under this section and chapter shall be adopted in accordance with Chapter 119 of the Revised Code.

(E) In addition to the rules described in division (C) of this section, the division of cannabis control may adopt any other rules it considers necessary for the administration, implementation, and enforcement of this chapter consistent with this chapter.

(F) When adopting rules under this section, the division of cannabis control shall consider standards and procedures that have been found to be best practices relative to the use and regulation of adult use cannabis and shall harmonize any rules with the rules adopted pursuant to sections 3796.03 and 3796.04 of the Revised Code to minimize duplication of operational requirements and fees as much as possible. If there is a conflict with Chapter 3796 and related rules, and chapter 3780 of the Revised Code and related rules, then chapter 3780 and related rules shall govern.

Section 3780.04. Allowable forms of adult use cannabis.

(A) Only adult use cannabis may be sold under this chapter in the following forms: plant material and seeds, live plants, clones, extracts, drops, lozenges, oils, tinctures, edibles, patches, smoking or combustible product, vaporization of product, beverages, pills, capsules, suppositories, oral pouches, oral strips, oral and topical sprays, salves, lotions or similar cosmetic products, and inhalers.

(B) Any person may submit a petition to the division of cannabis control requesting that an additional form or method of adult use cannabis be approved. A petition shall be submitted to the division of cannabis control in a manner prescribed by the division of cannabis control.

(C) On receipt of a petition, the division of cannabis control shall determine whether or not to approve the form or method of adult use cannabis described in the petition within sixty days of petition receipt.

(D) The division of cannabis control may adopt rules as necessary to implement this section.

Section 3780.05. Electronic database.

The division of cannabis control shall establish and maintain an electronic database to monitor all adult use cannabis from its seed or clone source through its cultivation, processing, testing, and dispensing for all adult use cannabis operator operations. The division of cannabis control may contract with a separate entity or state agency to establish and maintain all or any part of the electronic database on behalf of the division of cannabis control.

The electronic database shall allow for information regarding adult use cannabis to be updated instantaneously. Any license holder licensed under this chapter shall submit to the division of cannabis control any information the division of cannabis control determines is necessary for maintaining the electronic database.

The division of cannabis control, and any entity under contract with the division of cannabis control, shall not make public any information reported to or collected by the division of cannabis control under this section that identifies or would tend to identify any adult use consumer.

Section 3780.06. Information provided by the department of taxation.

(A)(I) Notwithstanding section 149.43 of the Revised Code or any other public records law to the contrary or any law relating to the confidentiality of tax return information, upon the request of the division of cannabis control, the department of taxation shall provide to the division of cannabis control all of the following information:

(a) Whether an applicant for license under this chapter follows the applicable tax laws of this state;

(b) Any past or pending violation by the applicant of those tax laws, and any penalty imposed on the applicant for such a violation.

(2) The division of cannabis control shall request the information only as it pertains to an application for license that the division of cannabis control is reviewing.

(3) The department of taxation may charge the division of cannabis control a reasonable fee to cover the administrative cost of providing the information.

(B) Information received under this section is confidential. Except as otherwise permitted by other state law or federal law, the division of cannabis control shall not make the information available to any person other than the applicant for licensure to whom the information applies.

Section 3780.07. Facilities.

(A) Except as provided in divisions (B), (C), and (D) of this section, no adult use cannabis operator or adult use testing laboratory shall be located within five hundred feet of the end boundaries of a parcel of real estate having situated on it a prohibited facility.

If a relocation of an adult use cannabis operator or adult use testing laboratory licensed under this chapter results in the adult use cannabis operator or adult use testing laboratory being located within five hundred feet of the boundaries of a prohibited facility, the division of cannabis control shall deny the relocation and the adult use cannabis operator or adult use testing laboratory may apply with the division of cannabis control to request a relocation to a different location.

(B) Division (A) does not apply to:

(1) Current facilities and properties of adult use cannabis operators if the license holder or applicant, or the owners of the license holder or applicant, also have a certificate of operation and is doing business at that same location; or

(2) Research related to adult use cannabis conducted at a state university, academic medical center, or private or public research and development organization as part of a research protocol approved by an institutional review board or equivalent entity, or any other entity as approved by the division of cannabis control.

(C) Upon a level I cultivator or level II cultivator with a certificate of operation, or the same owners of the level I or level II cultivator, receiving a license from the division of cannabis control as a level I adult use cultivator or level II adult use cultivator, the license holder may expand its cultivation area and facility as authorized in this chapter notwithstanding any limitation resulting from

Chapter 3796 of the Revised Code or Chapter 3796 of the Administrative Code.

(D) Upon the division of cannabis control's receipt of a request from an adult use cultivator or level III adult use cultivator for expansion beyond what is authorized in this chapter, the division of cannabis control shall have ninety days to review and approve or deny a request for expansion consistent with division of cannabis control rule.

(E) After the review and approval from the division of cannabis control, an adult use cultivator may relocate all or a portion of the authorized cultivation area to more than one cultivation facility as long as any relocation complies with this chapter, the relocated facility is operated under the same license, and so long as the aggregate square footage for all related cultivation area and facilities does not exceed the square footage limitations under the license as authorized under this chapter. A level I adult use cultivator or level II adult use cultivator who also has, or whose same owner also has, a certification of operation, may only relocate cultivation area that is above the original approved cultivation area under 3796 of the Revised Code and 3796 of the Administrative Code.

(F) A level III adult use cultivator's cultivation area shall not exceed five thousand square feet unless authorized by the division of cannabis control under this chapter.

(G) The division of cannabis control may adopt rules as necessary to implement this section.

Section 3780.08. Criminal records checks.

(A) As used in this section, criminal records check has the same meaning as in section 109.572 of the Revised Code.

(B)(1) As part of the application process for a license issued under this chapter, the division of cannabis control shall require each of the following to complete a criminal records check:

(a) An administrator or other person responsible for the daily operation of an adult use cannabis operator or an adult use testing facility seeking a license;

(b) An owner or prospective owner, officer or prospective officer, or board member or prospective board member of an entity seeking the license as an adult use cannabis operator or an adult use testing facility as determined by the division of cannabis control; and

(c) An employee or agent of an adult use cannabis operator or an adult use testing facility required to be licensed under this chapter.

(2) If a person subject to the criminal records check requirement does not present proof of having been a resident of this state for the five-year period immediately prior to the date the criminal records check is requested or provide evidence that within that five-year period the superintendent of the bureau of criminal identification and investigation has requested information about the person from the federal bureau of investigation in a criminal records check, the division of cannabis control shall request that the person obtain through the superintendent a criminal records request from the federal bureau of investigation as part of the criminal records check of the person. Even if a person presents proof of having been a resident of this state for the five-year period, the division of cannabis control may request that the person obtain information through the superintendent from the federal bureau of investigation in the criminal records check.

(C) The division of cannabis control shall provide the following to each person who is subject to the criminal records check requirement:

(1) Information about accessing, completing, and forwarding to the superintendent of the bureau of criminal identification and investigation the form prescribed pursuant to division (C)(1) of section 109.572 of the Revised Code and the standard impression sheet to obtain fingerprint impressions prescribed pursuant to division (C)(2) of that section;

(2) Written notification that the person is to instruct the superintendent to submit the completed report of the criminal records check directly to the division of cannabis control.

(D) Each person who is subject to the criminal records check requirement shall pay to the bureau of criminal identification and investigation the fee prescribed pursuant to division (C)(3) of section 109.572 of the Revised Code for the criminal records check conducted of the person.

(E) The report of any criminal records check conducted by the bureau of criminal identification and investigation in accordance with section 109.572 of the Revised Code and pursuant to a request made under this section is not a public record for the purposes of section 149.43 of the Revised Code and shall not be made available to any person other than the following:

(1) The person who is the subject of the criminal records check or the person's representative;

(2) The staff of the division of cannabis control and the director; and

(3) A court, hearing officer, or other necessary individual involved in a case dealing with either of the following:

(a) A license denial resulting from the criminal records check;

(b) A civil or criminal action regarding the division of cannabis control or any violation of this chapter.

(F) The division of cannabis control shall deny a license if, after receiving the information and notification required by this section, a person subject to the criminal records check requirement fails to do either of the following:

(1) Access, complete, or forward to the superintendent of the bureau of criminal identification and investigation the form prescribed pursuant to division (C)(1) of section 109.572 of the Revised Code or the standard impression sheet prescribed pursuant to division (C)(2) of that section;

(2) Instruct the superintendent to submit the completed report of the criminal records check directly to the division of cannabis control.

(C) The superintendent of the bureau of criminal identification and investigation shall conduct a criminal record check under section 109.572 of the Revised Code in a consistent manner as the superintendent conducts a criminal record check as required for sections 3796.12 and 3796.13 of the Revised Code upon the receipt of a request, a completed form prescribed pursuant to section 109.572(C)(1) of the Revised Code, and a set of fingerprint impressions obtained in a manner described in section 109.572(C)(2) of the Revised Code. The superintendent of the bureau of criminal identification and investigation shall conduct a criminal records check in the manner described in section 109.572(B) of the Revised Code to determine whether any information exists that indicates that the person who is the subject of the request previously has been convicted of or pled guilty to a disqualifying offense as defined in this chapter and as clarified in rules adopted under this chapter.

Section 3780.09. Location of adult use cannabis operators.

(A) Notwithstanding any provision of Chapter 3796 of the Revised Code or Chapter 3796 of the Administrative Code, an adult use cannabis operator and an adult use testing laboratory licensed under this chapter shall conduct business under their license at the same location where the adult use cannabis operator or adult use testing laboratory, or the same owners of the adult use cannabis operator or adult use testing laboratory, also have been issued a certificate of operation, unless the adult use cannabis operator or adult use testing laboratory relocates all or a portion of their facility and business if authorized under this chapter and rules adopted by the division of cannabis control.

(B) All other applicants who do not have a certificate of operation shall conduct business at a facility consistent with this chapter and as approved by the division of cannabis control.

Section 3780.10. Adult use cannabis operator and adult use testing laboratory licenses.

(A) No person shall operate as an adult use cannabis operator or adult use testing laboratory without a license issued pursuant to this chapter.

(B) The following licenses shall be issued by the division of cannabis control within nine months of the effective date of this section if the license applicant is in compliance with section 3780.11 of the Revised Code and this chapter, and the license applicant, or the same owners of the license applicant, have a certificate of operation or medical provisional license issued as of the effective date of this section:

(1) A dispensary issued a certificate of operation or medical provisional license shall be issued an adult use dispensary license under this chapter for the current location of the dispensary;

(2) A level I cultivator issued a certificate of operation or medical provisional license shall be issued under this chapter three adult use dispensary licenses at locations designated in a license application, and one level I adult use cultivator license for the current location of the level I cultivation facility;

(3) A level II cultivator issued a certificate of operation or medical provisional license shall be issued under this chapter one adult use dispensary license at a location designated in the license application, and one level II adult use cultivator license for the current location of the level II cultivation facility;

(4) A dispensary issued a certificate of operation or medical provisional license shall be issued under this chapter one adult use dispensary license at a different location as designated in the license application if the dispensary does not have any common ownership or control with any level I adult use cultivator, level II adult use cultivator, or adult use processor license applicant or licensee;

(5) A processor issued a certificate of operation or medical provisional license shall be issued under this chapter one adult use processor license for the current location of the processor; and

(6) A testing laboratory issued a certificate of operation shall be issued under this chapter one adult use testing laboratory license for the current location of the testing laboratory.

Notwithstanding anything in this section, a license shall not be issued pursuant to division (B) of this section to a license applicant holding only a related medical provisional license unless the medical provisional license holder is issued a certificate of operation within two years of the effective date of this section.

(C) The division of cannabis control shall issue up to forty level III adult use cultivator licenses consistent with this chapter with preference provided to applicants who have been certified as cannabis social equity and jobs program participants under the cannabis social equity and jobs program pursuant to 3780.19 of this chapter. No person may have any ownership or control in more than one level III adult use cultivator license under this chapter. No adult use cultivator or adult use processor may have any ownership or control in a level III adult use cultivator license.

(D) The division of cannabis control shall issue up to fifty additional adult use dispensary licenses in conformity with this chapter with preference provided to applicants who have been certified as cannabis social equity and jobs program participants under the cannabis social equity and jobs program.

(E) Following twenty-four months from the first date of issuance of an adult use operator license, the division of cannabis control shall review the number of adult use cannabis operator licenses on a biannual basis and may authorize additional licenses after considering:

(1) The current and anticipated market growth and consumer demand, including the number of adult use consumers seeking adult use cannabis;

(2) The current and projected supply of adult use cannabis produced by licensed adult use cultivators, level III adult use cultivators, and adult use processors; and

(3) The geographic distribution of adult use dispensary sites in an effort to ensure adult use customer access to adult use cannabis.

(F)(1) The division of cannabis control shall provide a report and recommendation within ninety days of the conclusion of the requirements in division (E) of this section to the director for consideration.

(2) The division of cannabis control may adopt rules as necessary to implement this division.

(3) The division of cannabis control shall adopt a rule regarding the number of licenses a license holder may hold for each type of license consistent with this chapter. As of the effective date of this section, and notwithstanding any other provision of this chapter, no person shall be issued more than eight adult use dispensary licenses, and not more than one adult use cultivator license, and not more than one adult use processor license at any time, unless authorized by the division of cannabis control after an analysis supporting the licensing pursuant to rule.

(C) The division of cannabis control may authorize additional adult use testing laboratory licenses at any time.

Section 3780.11. Application requirements for adult use cannabis operators and adult use testing laboratories.

(A) An adult use cannabis operator and adult use testing laboratory license applicant authorized to file an application may file an application for licensure with the division of cannabis control. Each application shall be submitted in accordance with rules adopted under section 3780.03 of the Revised Code and in conformity with this chapter. Initial applications shall be made available to adult use operators and adult use testing laboratory within six months of the effective date of this section and license applicants shall comply with all requirements of this chapter and related rules prior to the issuance of a license.

(B) The division of cannabis control shall issue a license to an applicant if all of the following conditions are met:

(1) The report of the criminal records check conducted pursuant to section 3780.08 of the Revised Code with respect to the application demonstrates the following:

(a) The criminal offenses for which an applicant will be disqualified from licensure; and

(b) The criminal offenses that will not disqualify an applicant from licensure if the applicant was convicted of or pleaded guilty to the offense more than five years before the date the application for licensure is filed.

(2) The adult use cannabis operator applicant demonstrates that it does not have an ownership or investment interest in or compensation arrangement with any of the following:

(a) An adult use testing laboratory licensed under this chapter; or

(b) An applicant for a license to conduct adult use laboratory testing.

(3) The adult use cannabis operator applicant demonstrates that it does not share any corporate officers or employees with any of the following:

(a) An adult use testing laboratory licensed under this chapter; or

(b) An applicant for a license to conduct adult use laboratory testing.

(4) The adult use testing laboratory applicant demonstrates that it does not have an ownership or investment interest in or compensation arrangement with any of the following:

(a) An adult use cannabis operator licensed under this chapter; or

(b) An applicant for a license to conduct adult use cannabis operations.

(5) The adult use testing laboratory applicant

demonstrates that it does not share any corporate officers or employees with any of the following:

(a) An adult use cannabis operator licensed under this chapter; or

(b) An applicant for a license to conduct adult use cannabis operations.

(6) The applicant demonstrates that the operations will not be located within five hundred feet of a prohibited facility consistent with this chapter unless the prohibited facility was located within five hundred feet after the applicant filed the application with the division of cannabis control, or after the applicant, or the applicant owners, was operating under Chapter 3796 of the Revised Code at the same location, or unless otherwise authorized in this chapter.

(7) The information provided to the division of cannabis control pursuant to section 3780.06 of the Revised Code demonstrates that the applicant is in compliance with the applicable tax laws of this state.

(8) The applicant meets all other license eligibility conditions established in rules adopted under section 3780.03 of the Revised Code.

(9) The applicant is not employed by a regulatory body of a governmental unit of this state and in that capacity has significant influence or control, as determined by the division of cannabis control, over the ability of the applicant to conduct business in this state.

(C) A license expires according to the renewal schedule established in rules adopted under section 3780.03 of the Revised Code and may be renewed in accordance with the procedures established in those rules. A license shall be automatically renewed by the division of cannabis control unless good cause is otherwise shown.

Section 3780.12. Level I and level II adult use cultivator license.

(A) Notwithstanding any conflicting provision of the Revised Code and except as provided in division (B) of this section, the holder of a current and valid level I or level II adult use cultivator license issued under this chapter may do either of the following:

(1) Cultivate adult use cannabis;

(2) Distribute, transfer, and sell adult use cannabis to other adult use cannabis operators; and

(3) Acquire seeds, clones, plants, and other genetic material.

(B) A level I or level II adult use cultivator license holder shall not cultivate any adult use cannabis for personal, family, or household use under the license.

Section 3780.13. Level III adult use cultivator license.

(A) Notwithstanding any conflicting provision of the Revised Code, and except as provided in division (B) of this section, the holder of a current and valid level III adult use cultivator license issued under this chapter may do any of the following:

(1) Cultivate adult use cannabis;

(2) Distribute, transfer, and sell adult use cannabis to other adult use cannabis operators; and

(3) Acquire seeds, clones, plants, and other genetic material.

(B) A level III adult use cultivator license holder shall not cultivate any adult use cannabis for personal, family, or household use under the license.

Section 3780.14. Adult use processor license.

(A) Notwithstanding any conflicting provision of the Revised Code, the holder of a current and valid adult use processor license issued under this chapter may do any of the following:

(1) Obtain cannabis from adult use cannabis operators;

(2) Subject to the rules adopted pursuant to this section, process adult use cannabis obtained from adult use cannabis operators into a form authorized under this chapter; and

(3) Distribute, transfer, and sell processed adult use cannabis to adult use cannabis operators.

Section 3780.15. Adult use dispensary license.

(A) Notwithstanding any conflicting provision of the Revised Code, the holder of a current and valid adult use dispensary license issued under this chapter may do the following:

(1) Obtain adult use cannabis from adult use processors, adult use cultivators, level III adult use cultivators, and other adult use dispensaries;

(2) Distribute, transfer, or sell adult use cannabis to adult use cannabis operators;

(3) Provide delivery of adult use cannabis and cannabis paraphernalia to patrons as established in rules adopted under section 3780.03 of the Revised Code; and

(4) Dispense or sell adult use cannabis in accordance with division (B) of this section and sell paraphernalia.

(B) When dispensing or selling adult use cannabis, a licensed adult use dispensary shall do all of the following:

(1) Dispense or sell adult use cannabis only to those adult use consumers who present a current, valid identification

card demonstrating proof that the adult use consumer is twenty-one years of age or older;

(2) Only accept adult use cannabis from a licensed adult use cannabis operator that has been prepackaged and labeled in compliance with chapter 3780 of the Revised Code and the rules adopted under 3780.03 of the Revised Code; and

(3) Not dispense or sell adult use cannabis to adult use consumers per day in amounts that exceed the possession limits in 3780.36(B)(1) of the Revised Code.

(C) When operating a licensed adult use dispensary, an adult use dispensary shall:

(1) Only use licensed individuals who have met the training requirements established in rules adopted under section 3780.03 of the Revised Code; and

(2) Maintain addiction services information materials available at the adult use consumer's request.

Section 3780.16. Adult use testing laboratory license.

(A) Notwithstanding any conflicting provision of the Revised Code, the holder of a current and valid adult use testing laboratory license issued under this chapter may do both of the following:

(1) Obtain adult use cannabis from one or more adult use cannabis operators licensed under this chapter for testing purposes only; and

(2) Conduct cannabis testing, research and operations in the manner specified in rules adopted under section 3780.03 of the Revised Code.

Section 3780.17. Licensure of individuals.

(A) The division of cannabis control may issue a license to an individual applicant required to be licensed related to an adult use cannabis operator or adult use testing laboratory after it has determined that the applicant is eligible for a license under rules adopted by the division of cannabis control and after the applicant has paid any applicable fees.

(B) To be eligible for a license, an applicant shall be at least twenty-one years of age.

(C) Each application for a license shall be on a form prescribed by the division of cannabis control and shall contain all information required by the division of cannabis control.

(D) Each applicant shall submit with each application, on a form provided by the division of cannabis control, two sets of the applicant's fingerprints and a photograph as required by rule consistent with this chapter. The division of cannabis control shall charge each applicant an application fee to cover all actual regulatory costs generated by each licensee and all background checks.

(E) A license issued under this section is portable and may be used at any adult use cannabis operator or adult use testing laboratory as long as such licensee is registered with the division of cannabis control for each location where the licensee works or is employed.

Section 3780.18. Purpose of cannabis social equity and jobs program.

(A) Additional efforts are needed to reduce barriers to ownership and opportunities within the adult use cannabis industry for individuals and communities most adversely impacted by the enforcement of marijuana-related laws.

(B) In the interest of establishing an adult cannabis industry that is equitable and accessible to those most adversely impacted by the enforcement of marijuana-related laws in this State, the cannabis social equity and jobs program should be established.

(C) Individuals who have been arrested or incarcerated due to drug laws suffer long-lasting negative consequences, including impacts to employment, business ownership, housing, health, and long-term financial well-being.

(D) Family members, especially children, and communities of those who have been arrested or incarcerated due to drug laws, suffer from emotional, psychological, and financial harms as a result of such arrests or incarcerations.

(E) Certain communities have disproportionately suffered the harms of enforcement of marijuana-related laws. Those communities face greater difficulties accessing traditional banking systems and capital for establishing businesses.

(F) Individuals who have resided in areas of high poverty suffer negative consequences, including barriers to entry in employment, business ownership, housing, health, and long-term financial well-being.

(G) Promotion of business ownership and employment by individuals who have resided in areas of high poverty and high enforcement of marijuana-related laws furthers an equitable cannabis industry.

(H) Therefore, in the interest of remedying the harms resulting from the disproportionate enforcement of marijuana-related laws, a cannabis social equity and jobs program shall provide financial assistance and license application support to individuals most directly and adversely impacted by the enforcement of marijuana-related laws who are interested in starting or working in cannabis business entities.

Section 3780.19. Cannabis social equity and jobs program.

(A) As used in this section, "cannabis social equity and jobs program participant" means a person certified as a participant in the cannabis social equity program by the department of development under this section of the Revised Code.

(B) The department of development shall establish a business assistance program known as the cannabis social equity and jobs program funded by the cannabis social equity and jobs fund, and shall adopt rules in accordance with Chapter 119 of the Revised Code to administer the program including the following:

(1) Establish procedures by which a person may apply for certification under the cannabis social equity and jobs program;

(2) Establish a system of certifying cannabis social equity and jobs program applicants based on a requirement that the business owner or owners show both social and economic disadvantage based on the following, as determined to be sufficient by the department of development:

(a) Wealth of the business seeking certification as well as the personal wealth of the owner or owners of the business.

(b) Social disadvantage based on any of the following:

(i) The business owner or owners demonstrate membership in a racial minority group or show personal disadvantage due to color, ethnic origin, gender, physical disability, or long-term residence in an area of high unemployment;

(ii) The owner or owners, or their spouse, child, or parent, have been arrested for, convicted of, or adjudicated delinquent for a marijuana related offense as determined by rule by the department of development prior to the effective date of this section.

(c) Economic disadvantage based on economic and business size thresholds and eligibility criteria designed to stimulate economic development through license awards to businesses located in qualified census tracts.

(3) Establish standards to determine when a cannabis social equity and jobs program participant no longer qualifies for cannabis social equity program certification;

(4) Develop a process for evaluating and adjusting goals established by this section to determine what adjustments are necessary to achieve participation goals established by the department of development;

(5) Implement an outreach program to educate potential participants about the cannabis social equity and jobs program;

(6) Implement a system of self-reporting by cannabis social equity and jobs program participants on compliance, as well as an on-site inspection process to validate the qualifications of a cannabis social equity program;

(7) Establish a process for when there is a transfer of a license from a certified cannabis social equity and jobs program participant to a person or entity that does not qualify as a participant to the cannabis social equity and jobs program, which process shall not undermine the policy goals of the program;

(8) Provide financial assistance, loans, grants, and technical assistance to persons certified by the department under the cannabis social equity and jobs program pursuant to rules adopted under this section. Notwithstanding any other law to the contrary, the cannabis social equity and jobs program fund is not subject to budgetary sweeps, administrative charge-backs, or any other fiscal or budgetary maneuver that would in any way transfer any amounts from the cannabis social equity and jobs program fund into any other fund of the state;

(9) Encourage employment practices, in which an adult use cannabis operator can demonstrate a plan of action to inform, hire, and educate minorities, women, veterans, and persons with disabilities, engage in fair labor practices, and provide worker protections;

(10) Study and fund judicial and criminal justice reform including bail, parole, sentencing reform, expungement and sealing of records, legal aid, and community policing related to marijuana;

(11) Study and propose policy reforms to address the social and economic impacts of the enforcement of marijuana laws and to track and prevent underage use of marijuana;

(12) Fund direct investment in disproportionately impacted communities to enhance education, entrepreneurship, legal aid, youth development, violence prevention, and the arts related to the program; and

(13) Utilize the cannabis social equity and jobs fund exclusively for the purposes of this section and for the implementation of this section.

(C) For certified cannabis social equity and jobs program participants, the division of cannabis control shall waive at least fifty percent of any license or application fees associated with a license holder's application or license.

(D) Any business or personal financial information, or trade secrets submitted by a cannabis social equity and jobs program applicant to the department of development pursuant to this section are not public records for purposes of section 149.43 of the Revised Code, unless the

division of cannabis control or department of development is required to present the financial information or trade secrets at a public hearing or public proceeding regarding the applicant's eligibility to participate in the program in which case the agency shall only disclose any required information.

(E) Any license or other preference to persons certified under the cannabis social equity and jobs program under this section shall be based on substantiated evidence that the preference is needed to address the goals of cannabis social equity and jobs program under this chapter.

(F) The department of development shall create a cannabis social equity and jobs program advisory group promulgated through rule in accordance with Chapter 119 of the Revised Code. The advisory group may develop and submit to the department of development on any recommendations related to the cannabis social equity and jobs program under sections 3780.18 and 3780.19 of the Revised Code.

Section 3780.20. Operations.

(A) Adult use cannabis operators and adult use testing laboratories shall adopt operating procedures and comply with operation requirements required by rules under 3780.03 of the Revised Code, which include, but are not limited to, the following as applicable:

(1) Quality assurance;

(2) Package and labeling;

(3) Waste disposal;

(4) Inventory control and storage;

(5) Monitoring, surveillance and security requirements;

(6) Laboratory testing;

(7) Records and reporting requirements;

(8) Hours of operation and procedures when location is closed;

(9) Receipt of adult use cannabis;

(10) Dispensing errors reporting and review;

(11) Destruction and disposal of adult cannabis;

(12) Recall procedures; and

(13) Transportation of adult use cannabis.

(B) No adult use cannabis operator may sell or dispense adult use cannabis without remuneration unless authorized under rule pursuant to 3780.03 of this chapter.

(C) The division of cannabis control may adopt other operation rules as necessary consistent with this chapter.

Section 3780.21. Advertising.

(A) The division of cannabis control may adopt rules regulating advertisements of license holders to prevent advertisements that are false, misleading, targeted to minors, promote excessive use, or that promote illegal activity.

(B) Rules adopted by the division of cannabis control pursuant to section (A) of this chapter shall not require preapproval and shall not overly burden the legitimate commercial speech of adult use cannabis operators in communicating with adult use consumers. Notwithstanding, the division of cannabis control may adopt narrowly tailored time and place restrictions preventing advertising targeted to minors.

(C) The division of cannabis control at any time may conduct an audit of license holder's published advertisements to ensure it complies with section (A) of this chapter and the rules adopted pursuant to this chapter.

(D) The division of cannabis control may require a license holder to stop using an advertisement if the division of cannabis control finds the license holder violated rules adopted pursuant to division (A) of this section.

Section 3780.22. Tax levied on adult use consumers.

(A) For the purpose of supporting social equity issues, providing funds to support jobs and economic development, providing funding for host communities who have adult use dispensaries in their jurisdiction to support these communities, funding education and treatment for individuals with cannabis and other addiction issues, and defraying the costs of regulation and administering the tax, there shall be an adult use tax on the sale of adult use cannabis by adult use dispensaries to adult use consumers in accordance with this chapter.

(B) The rate of the adult use tax shall be ten per cent. The adult use tax applies and is collectable when the sale is made, regardless of the time when the price is paid, or when the adult use cannabis is delivered.

(C) The adult use tax is in addition to the tax levied or collected under Chapter 5739 of the Revised Code on adult use cannabis sales by adult use dispensaries to adult use consumers.

(D) The tax authorized under division (A) shall be collected consistent with Chapter 5739 of the Revised Code, but the tax commissioner shall adopt rules the commissioner deems necessary to administer the adult use tax including the licensure, filing, collection, distribution, refund, assessment, bad debt, liability of unpaid taxes, recordkeeping, and any penalty related to the adult use tax consistent with this chapter.

Section 3780.23. Funds created.

(A) For the purpose of receiving and distributing, and accounting for, revenue received from the adult use tax levied by section 3780.22 of the Revised Code, the following funds are created in the state treasury:

- (1) The adult use tax fund;
- (2) The cannabis social equity and jobs fund;
- (3) The host community cannabis fund;
- (4) The substance abuse and addiction fund; and
- (5) The division of cannabis control and tax commissioner fund.

(B) All monies collected from the tax levied under this chapter shall be deposited into the adult use tax fund.

(C) Unless otherwise authorized under this chapter or rule, the director of budget and management shall transfer amounts to each fund as follows:

- (1) Thirty-six per cent to the cannabis social equity and jobs fund to be used to implement the requirements of 3780.19 of the Revised Code;
- (2) Thirty-six per cent to the host community cannabis fund for the benefit of municipal corporations or townships that have adult use dispensaries, and the municipal corporations or townships may use such funds for any approved purpose. Distributions to municipal corporations or townships shall be based on the percentage of adult use tax attributable to each municipal corporation or township;
- (3) Twenty-five per cent to the substance abuse and addiction fund to support the efforts of the department of mental health and addiction services to alleviate substance and opiate abuse and related research in the state under section 3780.30 of the Revised Code; and
- (4) Three per cent to the division of cannabis control and tax commissioner fund to support the operations of the division of cannabis control and to defray the cost of the department of taxation for administering the tax levied under section 3780.22 of the Revised Code.

Payments under of this section shall be made by the end of the month following the end of each quarterly period. The tax commissioner shall make the data available to the director of the office of budget and management for this purpose and the director of budget and management shall transfer amounts the funds in this section as required. The tax commission may serve as agent of the municipal corporations or townships only for the purposes of division (C)(2) of this section as promulgated by rule.

Section 3780.24. Tax administration and enforcement.

The tax commissioner shall administer and enforce sections 3780.22 through 3780.23 of this chapter. In addition to any other powers conferred upon the tax commissioner by law, the tax commissioner may:

- (A) Prescribe all forms that are required to be filed under sections 3780.22 through 3780.23 of this chapter;
- (B) Adopt rules that are necessary and proper to carry out section 3780.22 through 3780.23 of this chapter; and
- (C) Appoint professional, technical, and clerical employees as are necessary to carry out the tax commissioner's duties under sections 3780.22 through 3780.23 of this chapter.

Section 3780.25. Local authority regarding adult use cannabis operators.

(A) The legislative authority of a municipal corporation may adopt an ordinance, or a board of township trustees may adopt a resolution, by majority vote to prohibit, or limit the number of adult use cannabis operators permitted under this chapter within the municipal corporation or within the unincorporated territory of the township, respectively.

(B) Notwithstanding division (A) above:

- (1) Existing cultivators, processors, or dispensaries who have a certificate of operation may not be prohibited or limited by a municipal corporation or township from operating under Chapter 3796 of the Revised Code and Chapter 3796 of the Administrative Code by a municipal corporation or township unless there is a revocation of the certificate of operation;
- (2) Adult use cultivators, adult use processors, and adult use dispensaries that are co-located on the same parcel or contiguous parcels with an adult use cultivator and an adult use processor, who are applicants or license holders under this chapter, and whose owners also have a certificate of operation at the same location as the effective date of this section, may not be prohibited or limited by any municipal corporation or township from operating as an adult use cultivator, adult use processor, or an adult use dispensary co-located with an adult use cultivator and an adult use processor under this chapter because of the significant capital investment in the facilities; and
- (3) Dispensaries, or the owners of dispensaries, who have a certificate of operation, and who are not co-located on the same parcel or contiguous parcels with a cultivator or processor that has a certificate of operation, as of the effective date of this section, shall also be authorized to operate as an adult use dispensary without any municipal or township prohibitions upon receiving a license from the division of cannabis control, unless a majority of the members of the legislative authority of a municipal corporation affirmatively pass an ordinance, or a majority of township trustees in a township

affirmatively pass a resolution, after the license is issued and within one hundred and twenty days from license issuance, prohibiting the operation of the adult use dispensary within the municipal corporation or within the unincorporated territory of the township, respectively.

(C) If a majority of the members of the legislative authority of a municipal corporation pass an ordinance, or a majority of township trustees in a township pass a resolution, prohibiting the adult use dispensary pursuant to division (B)(3) of this section, then the adult use dispensary license holder shall cease operations within sixty days, unless the adult use dispensary license holder files with the board of elections within the sixty day timeframe a petition prescribed by the secretary of state, and signed by the lessor of one hundred qualified electors or five per cent of the qualified electors of the municipal corporation or township, requesting that the issue, of whether the adult use dispensary shall remain open as long as the adult use dispensary is licensed pursuant to chapter 3780 of the Revised Code by the division of cannabis control and the municipal corporation or township is eligible to receive host community cannabis funding, be placed on the next general election ballot which election shall not occur less than ninety days from petition filing. If the required signatures and form of petition is verified by the board of election, the issue shall be placed on the next general election which is ninety days or greater away from the petition filing, and notwithstanding any provision of this chapter, the adult use dispensary license holder may continue to operate until the issue is decided at the next authorized general election. A board of elections may discontinue verifying signatures when the number of verified signatures on a petition equals the minimum number of qualified signatures. The secretary of state shall adopt rules in accordance with 119 of the Revised Code for the proper administration and implementation of divisions (C) and (D) of this section.

(D) The form of the ballot to be used at the election provided for in division (C) of this section shall be as follows:

"Shall the following adult use dispensary, _____ (here insert name of adult use dispensary), whose owners also have had a licensed medical marijuana dispensary at _____ (here insert address) since _____ (here insert the date of opening), remain open as long as the adult use dispensary is licensed pursuant to Chapter 3780 of the Revised Code by the Division of Cannabis Control under the Department of Commerce, and the _____ (here insert name of municipal corporation or township) is eligible to receive host community cannabis funding?

Yes for the Issue

No for the Issue

"

(E) If a majority of the voters at the general election vote yes for the issue, then the adult use dispensary may operate within the municipal corporation or township and the municipal corporation or township shall receive related host community cannabis funding as authorized under section 3780.23 of the Revised Code.

(F) If a majority of the voters at the general election vote no for the issue, then:

- (1) The dispensary with a certificate of operation at that location may continue to operate at its current address, or the dispensary may request to relocate the dispensary within ninety days of election certification consistent with the requirements of Chapter 3796 of the Revised Code, and related rules, which relocation request shall be approved regardless of the dispensary districts established by the board of pharmacy as long as the relocation request meets all other applicable requirements of Chapter 3796 of the Revised Code and related rules; and
- (2) The adult use dispensary must close within ninety days of election certification unless the adult use dispensary applies to the division of cannabis control for a request to relocate within ninety days of the election certification, and then the adult use dispensary may continue to operate until the request to relocate is approved by the division of cannabis control. The division of cannabis control shall review and approve a request to relocate timely once the request to relocate application is in compliance with this chapter and related rules.
- (G) A legislative authority of a municipal corporation or a board of township trustees is prohibited from:
 - (1) Adopting an ordinance or resolution limiting research related to marijuana conducted at a state university, academic medical center, or private research and development organization as part of a research protocol approved by an institutional review board or equivalent entity;
 - (2) Levying any tax, fee, or charge on adult use cannabis operators, their owners or their property which is not generally charged on other businesses in the municipal corporation or township;
 - (3) Prohibiting or limiting home grow otherwise authorized under this chapter; and
 - (4) Prohibiting or restricting an activity that is authorized by this chapter.

Section 3780.26. Enforcement authority of the division of cannabis control.

(A) The division of cannabis control shall enforce, or cause to be enforced, all sections of this chapter and the rules adopted thereunder. If the division of cannabis control has information that any provision of this chapter or that any rule adopted thereunder has been violated, it may investigate the matter and take any reasonable action as it considers appropriate.

(B) The division of cannabis control may do any of the following for any reason specified in rules adopted under section 3780.03 of the Revised Code:

- (1) Suspend, suspend without prior hearing upon finding clear and convincing evidence that continued distribution of adult use cannabis presents a danger of immediate and serious harm to others, revoke, restrict, or refuse to renew a license it issued under this chapter;
- (2) Refuse to issue a license unless a license is required in accordance with this chapter;
- (3) Inspect the premises of an adult use cannabis operator or an adult use testing laboratory without prior notice; or
- (4) Impose on a provisional license holder or license holder a civil penalty in an amount to be determined by the division of cannabis control through rule to be paid into the division of cannabis control and tax commissioner fund.

(C) If the division of cannabis control suspends, revokes, or refuses to renew any license issued under this chapter or determines that there is clear and convincing evidence of a danger of immediate and serious harm to any individual, the division of cannabis control may place under seal all adult use cannabis owned by or in the possession, custody, or control of the affected license holder. Except as provided in this section, the division of cannabis control shall not dispose of the adult use cannabis sealed under this section until the license holder exhausts all of the license holder's appeal rights under Chapter 119 of the Revised Code. The court involved in such an appeal may order the division of cannabis control, during the pendency of the appeal, to sell cannabis that is perishable. The division of cannabis control shall deposit the proceeds of the sale with the court.

(D) The division of cannabis control's enforcement actions under this section shall be taken in accordance with Chapter 119 of the Revised Code.

(E) Nothing in this chapter shall be construed to require the division of cannabis control to enforce minor violations of this chapter if the division of cannabis control determines that the public interest is adequately served by a notice or warning to the alleged offender.

Section 3780.27. Enforcement by the attorney general.

(A) Upon receiving a written request from the division of cannabis control, the Ohio attorney general may bring a cause of action to restrain a violation of this chapter. Such an action is a civil action, governed by the Rules of Civil Procedure.

(B) The court of common pleas of Franklin county shall give any claim filed under division (A) of this section priority over all other civil cases before the court, irrespective of position on the court's calendar, and shall make a determination on the claim expeditiously. A court of appeals shall give any appeal from a final order issued in a case brought under division (A) of this section priority over all other civil cases before the court, irrespective of position on the court's calendar, and shall make a determination on the appeal expeditiously.

(C) Any action filed under division (A) of this section does not preclude an administrative or criminal proceeding on the same facts.

Section 3780.28. Enforcement of chapter.

(A) If the division of cannabis control fails to adopt rules necessary to initially implement this chapter within nine months of the effective date of this chapter or fails to begin accepting license applications within six months of the effective date of this chapter as provided in section 3780.11 of the Revised Code, any citizen of the state of Ohio may commence an action in the court of common pleas of Franklin county, Ohio to compel the division of cannabis control to perform the actions mandated under this chapter.

(B) If the division of cannabis control fails to issue a license to an adult use cannabis operator, or send a notice of denial to an applicant, within three months after receiving a complete adult use cannabis operator application pursuant to section 3780.11 of the Revised Code, the applicant may:

- (1) Commence an action in the court of common pleas of Franklin county, Ohio to compel the division of cannabis control to perform the actions mandated under this chapter; and
- (2) Unless the division of cannabis control can demonstrate in writing that operating presents a danger of immediate and serious harm to others, operate under a temporary license, which shall be issued by the division of cannabis control, and in compliance with this chapter, until the division of cannabis control issues or denies the license. If this occurs, the adult use cannabis operator license applicant may only operate if the applicant:
 - (a) Is also operating at the application location under a corresponding certificate of operation issued under Chapter 3796 of the Revised Code and Chapter 3796 of the Administrative Code; and

(b) Complies with this chapter and any rules adopted by the division of cannabis control under this chapter.

(C) Nothing in this section shall be construed to authorize the operation of an adult use cannabis operator or a medical marijuana cultivator, processor, or dispensary whose license, certificate of operation or application has been suspended, revoked, or denied, including a suspension, revocation, or denial due to a determination by the division of cannabis control that the applicant or operator has violated this chapter or committed a disqualifying offense.

Section 3780.29. Home Grow.

(A) Except as otherwise provided in this chapter, and notwithstanding any other provision of the Revised Code, the following acts by an adult use consumer are lawful:

(1) Cultivating, growing, and possessing not more than six cannabis plants at the individual's primary residence, if all of the following apply:

(a) Not more than twelve cannabis plants are cultivated or grown at a single residence where two or more individuals who are at least twenty-one years of age reside at any one time; and

(b) Cultivation or growing of adult use cannabis only takes place within a secured closet, room, greenhouse, or other enclosed area in or on the grounds of the residence that prevents access by individuals less than twenty-one years of age, and which is not visible by normal unaided vision from a public space.

(2) Processing by manual or mechanical means adult use cannabis cultivated or grown in accordance with this section; or

(3) Transferring up to six cannabis plants to an adult use consumer as long as the transfer is without remuneration and not advertised or promoted to the public.

(B) An adult use consumer may store at their primary residence adult use cannabis that was purchased from an adult use dispensary licensed under this chapter or produced in compliance with this section.

(C) This section does not authorize an individual to:

(1) Cultivate, grow, or process adult use cannabis except at the individual's primary residence;

(2) Permit individuals less than twenty-one years of age to use, cultivate, process, transfer, or transport adult use cannabis;

(3) Process adult use cannabis by hydrocarbon-based extraction; or

(4) Sell, or profit from, adult use cannabis except as specifically authorized in this chapter.

(D) A landlord may prohibit conduct otherwise authorized under division (A) of this section so long as such prohibition is included in the applicable lease agreement.

(E) The division of cannabis control shall adopt rules setting forth a schedule of civil penalties that may be applied for violations of this section.

(F) If an individual cultivates or grows double the maximum number of cannabis plants permitted under division (A) of this section or transfers cannabis plants in violation of division (A)(3) of this section, division (F) of section 3780.99 of the Revised Code shall apply.

Section 3780.30. Cannabis addiction services; toll-free numbers.

(A) The division of cannabis control shall enter into an agreement with the department of mental health and addiction services under which the department shall provide a program for cannabis addiction services to be implemented on behalf of the division of cannabis control which includes best practices for education and treatment for individuals with addiction issues related to cannabis or other controlled substances including opioids.

(B) The department of mental health and addiction services shall establish, operate, and publicize an in-state, toll-free telephone number Ohio residents may call to obtain basic information about addiction services available to consumer, and options for an addicted consumer to obtain help. The telephone number shall be staffed twenty-four hours per day, seven days a week in order to respond to inquiries and provide that information. The costs of establishing, operating, and publicizing the telephone number shall be paid for with money in the substance abuse and addiction fund.

(C) The director of mental health and addiction services shall administer the substance abuse and addiction fund. The director shall use the money in the fund to support addiction services or other services that relate to addiction and substance abuse, and research that relates to addiction and substance abuse. Treatment and prevention services supported by money in the fund under this section shall be services that are certified by the department of mental health and addiction services.

(D) The director mental health and addiction services shall prepare an annual report describing the use of the fund for these purposes. The director shall submit the report to the director of the department of commerce, the speaker and minority leader of the house of representatives, the president and minority leader of the senate, and the governor.

(E) License holders shall provide informational resources for patrons related to cannabis addiction issues and services.

(F) License holders shall provide training for their employees regarding the cannabis addiction services resources for patrons related to this section.

Section 3780.31. Confidentiality.

(A) The following information submitted, collected, or gathered under this chapter is confidential and not subject to disclosure by any state agency or political subdivision as a public record under section 149.43 of the Revised Code:

(1) Social security numbers, passport numbers, or federal tax identification numbers;

(2) Home addresses and telephone numbers;

(3) Birth certificates;

(4) Driver's license numbers;

(5) Dates of birth;

(6) Places of birth;

(7) The personal financial information and records, including tax returns and information, and records of criminal proceedings;

(8) Any information concerning a victim of domestic violence, sexual assault, or stalking;

(9) Electronic mail addresses;

(10) Internet Protocol addresses or similar addresses;

(11) Any trade secret, and patents, or exclusive licenses;

(12) Client records and adult use consumer identifying information; and

(13) Security information, including risk prevention plans, detection and countermeasures, location of vaults or other money and/or cannabis storage areas, emergency management plans, security and surveillance plans, equipment and usage protocols, and theft and fraud prevention plans and countermeasures.

(B) Notwithstanding any other law, upon written request, the division of cannabis control shall provide the following information, except as provided in this chapter:

(1) The amount of tax paid to the state by any license holder; and

(2) A copy of a letter providing the reasons for the denial of an applicant's license, but with confidential information redacted.

(C) An individual who holds, held, or has applied for a license under this chapter may waive the confidentiality requirements of division (A) of this section.

(D) Confidential information received by the division of cannabis control from another jurisdiction relating to an individual who holds, held, or has applied for a license under this chapter is confidential and not subject to disclosure as a public record under section 149.43 of the Revised Code.

(E) After giving reasonable notice to the applicant, the current or former provisional license holder, or the current or former license holder, the division of cannabis control may share any information gathered pursuant to this chapter with, or disclose the information to, the inspector general, any appropriate prosecuting authority, any law enforcement agency, or any other appropriate governmental or licensing agency, but the agency that receives the information shall comply with the same requirements regarding confidentiality required under Ohio law.

(F) The division of cannabis control, and any entity under contract with the division of cannabis control, shall not make public any information reported to or collected by the division of cannabis control under this chapter that identifies or would tend to identify any adult use consumer, or tend to show any adult use consumer's purchase history.

Section 3780.32. Venue for court actions.

(A) Any action asserting that this chapter, any portion of this chapter, or any rule adopted thereunder, violates any provision of the Ohio Constitution or federal law shall be brought in the court of common pleas of Franklin county within ninety days after the effective date of the enactment of this chapter or within ninety days after the effective date of any rule adopted pursuant to this chapter, as applicable.

(B) Any claim asserting that any action taken by the division of cannabis control under this chapter violates any provision of the Ohio Constitution or any provision of the Revised Code shall be brought in the court of common pleas of Franklin county within ninety days after the action is taken.

(C) Divisions (A) and (B) of this section do not apply to any claim within the original jurisdiction of the Supreme Court of Ohio or any court of appeals under Article IV of the Ohio Constitution.

(D) The court of common pleas of Franklin county shall give any claim filed under (A) or (B) of this section priority over all other civil cases before the court, irrespective of position on the court's calendar, and shall make a determination on the claim expeditiously. A court of appeals shall give any appeal from a final order issued in a case brought under

divisions (A) or (B) of this section priority over all other civil cases before the court, irrespective of position on the court's calendar, and shall make a determination on the appeal expeditiously.

Section 3780.33. Liabilities and Immunities.

(A) The holder of a license, as defined in section 4776.01 of the Revised Code, or other license, certification, or registration issued by any professional board in the state of Ohio, or pursuant to 2923.125 of the Revised Code, are not subject to disciplinary action solely for engaging in professional or occupational activities related to adult use cannabis in accordance with this chapter, for owning or providing professional assistance to prospective or licensed adult use operators, adult use testing laboratories or to other individuals for activity in accordance with this chapter, or for obtaining, possessing, transporting, or using adult use cannabis in accordance with this chapter.

(B) Unless there is clear and convincing evidence that a child is unsafe, the use, possession, or administration of adult use cannabis in accordance with this chapter shall not be the sole or primary basis for any of the following:

(1) An adjudication under section 2151.28 of the Revised Code determining that a child is an abused, neglected, or dependent child;

(2) An allocation of parental rights and responsibilities under section 3109.04 of the Revised Code; or

(3) A parenting time order under section 3109.051 or 3109.12 of the Revised Code.

(C) Notwithstanding any conflicting provision of the Revised Code, the use or possession of adult use cannabis in accordance with this chapter shall not be used as a reason for disqualifying an individual from medical care or from including an individual on a transplant waiting list.

(D) Notwithstanding any conflicting provision of the Revised Code, the use, possession, administration, cultivation, processing, testing, dispensing, transporting, sale, delivery, or transferring of adult use cannabis in accordance with this chapter shall not be used as the sole or primary reason for taking action under any criminal or civil statute.

(E) Notwithstanding any conflicting provision of the Revised Code, when an adult use consumer engages in activities related to adult use cannabis in compliance with this chapter, such activities alone do not constitute sufficient basis for conducting a field sobriety test on the individual or for suspending the individual's driver's license. To conduct any field sobriety test, a law enforcement officer must have an independent, factual basis giving reasonable suspicion that the individual is operating a vehicle under the influence of adult use cannabis or with a prohibited concentration of marijuana in the person's whole blood, blood serum, plasma, breath, or urine.

(F) Notwithstanding any conflicting provision of the Revised Code, an individual's status as an adult use consumer shall not be used as the sole or primary basis for rejecting the individual as a tenant unless the rejection is required by federal law. Notwithstanding this division, a landlord may prohibit the consumption of cannabis by combustion so long as such prohibition is included in the applicable lease agreement.

(G) Notwithstanding any conflicting provision of the Revised Code, the use or possession of adult use cannabis in accordance with this chapter shall not be used as a reason for disqualifying an individual from a public benefit program administered by any state or local authority, or for otherwise denying an individual a public benefit administered by the state or any locality.

(H) This chapter does not do any of the following:

(1) Permit the use, possession, cultivation, processing, dispensing, or transportation of adult use cannabis other than as authorized by this chapter;

(2) Permit the cultivation, processing, and dispensing of adult use cannabis by any person unless licensed as an adult use cannabis operator by the division of cannabis control except as authorized under this chapter;

(3) Permit the use, cultivation, dispensing, or processing of adult use cannabis on federal, state, or locally owned land located in the state of Ohio;

(4) Require any public place to accommodate an individual's use of adult use cannabis;

(5) Prohibit any public place from accommodating an individual's use of adult use cannabis; or

(6) Restrict research related to cannabis at a state university, academic medical center, or private research and development organization as part of a research protocol approved by an institutional review board or equivalent entity.

(I) It is the public policy of the state of Ohio that contracts related to adult use cannabis operators and adult use cannabis testing laboratories are enforceable.

Section 3780.34. Financial institutions.

(A) As used in this section:

(1) "Financial institution" means any of the following:

(a) Any bank, trust company, savings and loan association, savings bank, or credit union or any affiliate, agent, or employee of a bank, trust company, savings and loan association, savings bank, or credit union;

(b) Any money transmitter licensed under sections 1315.01 to 1315.18 of the Revised Code or any affiliate, agent, or employee of such a licensee.

(2) "Financial services" means services that a financial institution is authorized to provide under Title XI, sections 1315.01 to 1315.18, or Chapter 1733 of the Revised Code, as applicable, including electronic payments to the extent not in conflict with other state law or federal law.

(B) A financial institution that provides financial services to any adult use cannabis operator, or testing laboratory licensed under this chapter shall be exempt from any criminal law of the state of Ohio an element of which may be proven by substantiating that a financial institution provides financial services to an individual or entity who cultivates, possesses, delivers, processes, or dispenses cannabis or cannabis derived products, including section 2925.05 of the Revised Code and sections 2923.01 and 2923.03 of the Revised Code as those sections apply to violations of Chapter 2925 of the Revised Code, if the adult use consumer, adult use cannabis operator or adult use testing laboratory is in compliance with this chapter and the applicable tax laws of the state of Ohio.

(C)(1) Notwithstanding section 149.43 of the Revised Code or any other public records law to the contrary, upon the request of a financial institution providing services to an adult use cannabis operator or adult use testing laboratory, the division of cannabis control shall provide to the financial institution all of the following information:

(a) Whether an individual or entity with whom the financial institution is seeking to do business is an adult use cannabis operator or adult use testing laboratory licensed under this chapter;

(b) The name of any other business or individual affiliated with the individual or entity;

(c) An unredacted copy of the application for a license under this chapter, and any supporting documentation, that was submitted by the individual or entity;

(d) If applicable, information relating to sales and volume of product sold by the individual or entity, except where prohibited by this chapter;

(e) Whether the individual or entity follows this chapter; and

(f) Any past or pending violation by the individual or entity of this chapter, and any penalty imposed on the individual or entity for such a violation.

(2) The division of cannabis control may charge a financial institution a reasonable fee to cover the administrative cost of providing the information.

(D) Information received by a financial institution under division (C) of this section is confidential. Except as otherwise licensed by other state law or federal law, a financial institution shall not make the information available to any individual other than the customer to whom the information applies and any trustee, conservator, guardian, personal representative, or agent of that customer.

Section 3780.35. Rights of employer.

(A) Nothing in this chapter does any of the following:

(1) Requires an employer to permit or accommodate an employee's use, possession, or distribution of adult use cannabis otherwise in compliance with this chapter;

(2) Prohibits an employer from refusing to hire, discharging, disciplining, or otherwise taking an adverse employment action against an individual with respect to hire, tenure, terms, conditions, or privileges of employment because of that individual's use, possession, or distribution of cannabis otherwise in compliance with this chapter;

(3) Prohibits an employer from establishing and enforcing a drug testing policy, drug-free workplace policy, or zero-tolerance drug policy;

(4) Interferes with any federal restrictions on employment, including the regulations adopted by the United States Department of Transportation in Title 49 of the Code of Federal Regulations, as amended;

(5) Permits an individual to commence a cause of action against an employer for refusing to hire, discharging, disciplining, discriminating, retaliating, or otherwise taking an adverse employment action against an individual with respect to hire, tenure, terms, conditions, or privileges of employment related to the individual's use of cannabis; or

(6) Affects the authority of the administrator of workers' compensation to grant rebates or discounts on premium rates to employers that participate in a drug-free workplace program established in accordance with rules adopted by the administrator under Chapter 4123 of the Revised Code.

(B) An individual who is discharged from employment because of that individual's use of cannabis shall be considered to have been discharged for just cause for purposes of division (D) of section 4141.29 of the Revised Code if the individual's use of cannabis was in violation of an employer's drug-free workplace policy, zero-tolerance policy, or other formal program or policy regulating the use of cannabis.

Section 3780.36 Limitations on conduct by individuals.

(A) Except as otherwise provided in this chapter and notwithstanding any conflicting provision of the Revised Code, an adult use consumer, may do the following:

(1) Use adult use cannabis;

(2) Possess, transfer without remuneration to another adult consumer, or transport adult use cannabis, subject to division (B) of this section; and

(3) Purchase adult use cannabis from an adult use dispensary per day in amounts that do not exceed the possession limits set forth in division (B)(1) of this section.

(B) Except as otherwise provided in chapter 3796 of the Revised Code:

(1) The amount of cannabis that may be possessed by an adult use consumer shall not exceed:

(a) Two and one-half ounces of adult use cannabis in any form except adult use extract; and

(b) Fifteen grams of adult use cannabis in the form of adult use extract.

(2) The amount of cannabis that may be transferred by an adult use consumer without remuneration and not advertised or promoted to the public shall not exceed:

(a) Two and one-half ounces of adult use cannabis in any form except adult use extract; and

(b) Fifteen grams of adult use cannabis in the form of adult use extract.

(3) The amount of cannabis that may be transported by an adult use consumer shall not exceed:

(a) Two and one-half ounces of adult use cannabis in any form except adult use extract; and

(b) Fifteen grams of adult use cannabis in the form of adult use extract.

(C) Except as otherwise provided in this chapter, an adult use consumer shall not be subject to arrest, criminal prosecution, or civil penalty for engaging in any of the activities authorized under this chapter, including:

(1) Obtaining, using, possessing, or transporting adult use cannabis;

(2) Performing conduct authorized under section 3780.29 of the Revised Code;

(3) Acquiring, possessing, using, purchasing, manufacturing, selling, or transporting paraphernalia; and

(4) Assisting another adult use consumer, or allowing property to be used, in any of the acts authorized by this chapter.

(D)(1) An individual is prohibited from operating a vehicle, motor vehicle, streetcar, trackless trolley, bike, watercraft, or aircraft while using adult use cannabis or while under the influence of adult use cannabis and is subject to section 4511.19 of the Revised Code for any violation of this division.

(2) An individual is prohibited from smoking, vaporizing, or using any other combustible adult use cannabis product while in a vehicle, motor vehicle, streetcar, trackless trolley, bike, watercraft, or aircraft and is subject to section 4511.19 of the Revised Code for any violation of this division.

(E) Except as otherwise provided in this chapter, no individual under twenty-one years of age shall knowingly show or give false information concerning the individual's name, age, or other identification for the purpose of purchasing adult use cannabis from an adult use dispensary licensed under this chapter.

(F) Nothing in this chapter is intended to permit the transfer or sale of adult use cannabis, with or without remuneration, to an individual under twenty-one years of age, or to allow an individual under twenty-one years of age to purchase, possess, use, process, transport, or cultivate cannabis except where authorized by Chapter 3796 of the Revised Code.

(G) It is unlawful for any parent or guardian to knowingly permit their residence, any other private property under their control, or any vehicle, conveyance, or watercraft under their control to be used by an invitee of the parent's child or the guardian's ward, if the invitee is under twenty-one years of age, in a manner that constitutes a violation of this chapter.

(1) A parent or guardian is deemed to have knowingly permitted their residence, any other private property under their control, or any vehicle, conveyance, or watercraft under their control to be used in violation of this chapter if they knowingly authorize or permit consumption of cannabis by underage invitees.

(2) Where the residence or other property has an owner and a tenant or lessee, the trier of fact may infer that the residence or other property is occupied only by the tenant or lessee.

R.C. 3780.90. Severability.

If any provision of this chapter or its application is held invalid, the invalidity does not affect other provisions or applications of this chapter that can be given effect without the invalid provision or application, and to this end the provisions of this chapter are severable.

Section 3780.99. Penalties.

(A) Except as otherwise provided in Chapter 3796 of the Revised Code, section 2925.11 of the Revised Code shall apply when an adult use consumer possesses an amount of cannabis greater than the limits set forth in division (B) (1) of section 3780.36 of the Revised Code.

(B) Except as otherwise provided in this chapter, an adult use consumer who uses adult use cannabis in public areas, or who violates division (D)(2) of section 3780.36 of the Revised Code as a passenger, is guilty of a minor misdemeanor.

(C)(1) An individual under twenty-one years of age who knowingly shows or gives false information concerning the individual's name, age, or other identification for the purpose of purchasing or otherwise obtaining adult use cannabis from an adult use dispensary licensed under this chapter is guilty of a misdemeanor of the first degree. If, in committing a first violation, the offender presented to an adult use dispensary licensed under this chapter a false, fictitious, or altered identification card, a false or fictitious driver's license purportedly issued by any state, or a driver's license issued by any state that has been altered, the offender is guilty of a misdemeanor of the first degree and shall be fined not less than two hundred fifty and not more than one thousand dollars, and may be sentenced to a term of imprisonment of not more than six months.

(2) On a second violation in which, for the second time, the offender presented to an adult use dispensary licensed under this chapter a false, fictitious, or altered identification card, a false or fictitious driver's license purportedly issued by any state, or a driver's license issued by any state that has been altered, the offender is guilty of a misdemeanor of the first degree and shall be fined not less than five hundred nor more than one thousand dollars, and may be sentenced to a term of imprisonment of not more than six months. The court also may impose a class seven suspension of the offender's driver's or commercial driver's license or permit or nonresident operating privilege from the range specified in division (A)(7) of section 4510.02 of the Revised Code. The court, in lieu of suspending the offender's temporary instruction permit, probationary driver's license, or driver's license, instead may order the offender to perform a determinate number of hours of community service, with the court determining the actual number of hours and the nature of the community service the offender shall perform.

(3) On a third or subsequent violation in which, for the third or subsequent time, the offender presented to an adult use dispensary licensed under this chapter a false, fictitious, or altered identification card, a false or fictitious driver's license purportedly issued by any state, or a driver's license issued by any state that has been altered, the offender is guilty of a misdemeanor of the first degree and shall be fined not less than five hundred nor more than one thousand dollars, and may be sentenced to a term of imprisonment of not more than six months. Except as provided in this division, the court also may impose a class six suspension of the offender's driver's or commercial driver's license or permit or nonresident operating privilege from the range specified in division (A) (6) of section 4510.02 of the Revised Code, and the court may order that the suspension or denial remain in effect until the offender attains the age of twenty-one years. The court, in lieu of suspending the offender's temporary instruction permit, probationary driver's license, or driver's license, instead may order the offender to perform a determinate number of hours of community service, with the court determining the actual number of hours and the nature of the community service the offender shall perform.

(D) An individual who is under twenty-one years of age and who solicits another individual to purchase adult use cannabis from an adult use dispensary licensed under this chapter is guilty of:

(1) For a first violation, a misdemeanor of the fourth degree; and

(2) For a second or subsequent violation, a misdemeanor of the second degree.

(E) An employee or agent of an adult use dispensary licensed under this chapter who knowingly sells cannabis to an individual under twenty-one years of age is guilty of a misdemeanor of the first degree.

(F) Any individual who violates division (A) of section 3780.10 of the Revised Code, or division (F) of 3780.29 of the Revised Code, is guilty of the illegal trafficking in drugs under section 2925.03 of the Revised Code and the illegal manufacture of drugs under section 2925.04 of the Revised Code.

(C) Any individual who violates divisions (B)(2) or (B)(3) of section 3780.36 of the Revised Code is guilty of the illegal trafficking in drugs under section 2925.03 of the Revised Code.

(H) Any individual who violates division (B) of section 3780.20 of the Revised Code is guilty of illegal dispensing of drug samples under section 2925.36 of the Revised Code.

(I)(1) An individual who violates division (C) of Section 3780.36 of the Revised Code is guilty of:

(a) For a first violation, a misdemeanor of the third degree; and

(b) For a second or subsequent violation, a misdemeanor of the first degree.

(2) If a violation of division (C) of Section 3780.36 of the Revised Code directly or indirectly results in great bodily harm or death to any individual, the individual violating this division is guilty of a felony of the fourth degree.

STATUS REPORT
TROY CITY COUNCIL

TO: Mr. Rozell, President of Council
FROM: Community & Economic Development Committee
SUBJECT: PROHIBITING ADULT USE CANNABIS OPERATORS & EXTENDING MORATORIUM ON APPLICATIONS FOR ADULT USE CANNABIS OPERATORS

DATE: November 13, 2024

SUMMARY REPORT: *(to be read at Council meeting)*

Committee members Snee and Schilling met November 13 regarding the recommendation of the Planning Commission that the Zoning Code be amended to prohibit Adult Use Cannabis Operators and to consider extending the current moratorium on such applications.

As discussed in the detailed report, there was no consensus of the two Committee members in attendance.

Staff was asked to ask the Planning Commission to convene, consider the information and comments that have been received, and to determine if the recommendation to Council may change in any way. It is hoped that a meeting of the Commission can be held in a timely manner so that this Committee would again meet November 25 and provide a recommendation to Council.

RECOMMENDATION:

To assure that there is a moratorium in place while this subject is further considered, it is the recommendation of this Committee that legislation be prepared extending by another 120 days the current moratorium of applications for Adult Use Cannabis Operators, and that the moratorium legislation be an emergency measure.

Respectfully submitted,

Samuel J. Pierce

Lynne B. Snee

Jeffrey A. Schilling, Chairman
Community & Economic Development Committee

DETAILED REPORT:

Committee members Snee and Schilling met November 13, 2024, regarding the recommendation of the Planning Commission that the Zoning Code be amended to prohibit Adult Use Cannabis Operators and to consider extending the current moratorium on such applications. The meeting was also attended by the Director of Law, Council Members Severt and Whidden, the Director of Public Service and Safety, citizens, and members of the City staff.

Following an October 14 meeting on this subject, this Committee asked that a public hearing about prohibiting Adult Use Cannabis Operators in the City of Troy be included as part of the November 4 Council Meeting and also encouraged residents to comment on the subject through the City's website.

It is noted that there was a state-wide vote on the Issue 2 subject of legalizing recreational marijuana and that ballot issue was supported by the electors of Ohio (as well as the electors of Troy). Therefore, what was recommended by the Planning Commission, and is before this Committee and Council IS NOT a discussion on the legality of the use of recreational marijuana within the City of Troy, but is only whether or not this Council will ban or limit the number of adult use cannabis operators within the City of Troy, which ban or limitation is specifically permitted by the same Issue 2 ballot language.

Attached is a memo that summarizes much of the discussions so far and the results of the public comments received at the Council meeting or by other communication to Council. From those submittals, currently there are 29 proponents for a total operator ban and 31 against a ban. Some useful information has been provided by proponents and opponents.

At the Committee Meeting, two citizens spoke, both proponents against a ban.

Committee and Council discussions included:

- If Council wished to permit an operator within the City, such operator(s) may be restricted to a specific zoning district or districts.
- The City would have no input regarding approving the license of a proposed operator, as that is solely the purview of the State.
- It is possible that if a ban were approved by Council, a referendum could be filed and how that impacts the process results in more questions than answers. However, if the current moratorium on someone filing for a permit sunsets during the process, it is possible that a license could be issued and any decisions as to appropriate zoning district(s) would then be the responsibility of the Zoning Administrator and not Council.
- If the City permitted an operator within the City, the consensus was that such operator should not be in the downtown area.
- Amending the recommendation of the Planning Commission would require a three-fourth vote of Council and amending the recommendation would add time to any process.
- The testing laboratory has a different definition than operator and is defined by the Ohio Revised Code. A testing laboratory cannot be prohibited by law, so assigning a zoning district to that category was included in the staff and Planning Commission recommendation.
- As only two members of the Committee were in attendance and there was not consensus, legislation cannot be prepared for Council to consider.
 - Committee Member Snee supported the recommendation of the Planning Commission.
 - Committee Chair Schilling did not support the Planning Commission recommendation, and submitted a statement on his opinion, which is also attached to this report.
- The other Council members in attendance expressed differing opinions on the subject.
- There was a discussion regarding the Planning Commission being asked to again review the subject and the information that has been received to this Committee to determine if the recommendation would be changed.

Staff was asked to ask the Planning Commission to convene, consider the information and comments that have been received, and to determine if the recommendation to Council may change in any way. It is hoped that a meeting of the Commission can be held in a timely manner so that this Committee would again meet November 25 and provide a recommendation to Council.

RECOMMENDATION:

To assure that there is a moratorium in place while this subject is further considered, it is the recommendation of this Committee that legislation be prepared extending by another 120 days the current moratorium of applications for Adult Use Cannabis Operators, and that the moratorium legislation be an emergency measure.

cc: Council, Mayor, Law Director, Auditor, Clerk, Director of Public Service & Safety, staff, media

encl.



MEMORANDUM

TO: Community & Economic Development Committee

FROM: Patrick E. J. Titterington *PET*

DATE: November 11, 2024

SUBJECT: PLANNING COMMISSION RECOMMENDATION REGARDING RECOMMENDED AMENDMENTS TO THE ZONING CODE SECTIONS 1149.15, 1139.02 AND 1143.19 (b) RELATED TO ADULT USE CANNABIS OPERATORS

BACKGROUND:

The attached recommendation of the Troy Planning Commission was assigned to the Community & Economic Development Committee.

The Community & Economic Development Committee met on October 14, 2024 and recommended deferring a recommendation to City Council until public comments could be solicited. A public hearing was conducted during the November 4th regular City Council meeting, during which 13 residents spoke. A draft summary of those comments is attached. Additionally, staff made an on-line survey available via our website, which garnered 47 written submittals. A copy of those submittals is also attached. From all of the public comments and on-line submittals, 29 proponents for a total operator ban and 31 against a ban were tallied.

A letter from members of the Miami County Drug-Free Coalition, including Troy Police Chief Shawn McKinney, Troy Fire Chief Matt Simmons, Mayor Robin Oda, Miami County Commissioner Greg Simmons, and Miami County Sheriff Dave Duchak was also submitted and is attached. At the public hearing, two residents provided information supporting their positions, which was emailed to members of Council and which is also attached. At least one presenter referred to a recent Dayton Daily News article regarding juvenile hospital interactions and a copy of that article is attached.

There was much discussion regarding revenue potential, as well as interpretations of the Issue 2 ballot language and the actual ballot question put to the voters. Regarding revenue potential, it would be extremely difficult to forecast what any increased revenue would be and, as such, inadvisable to depend on revenue estimates to fund future projects, programs or priorities, as suggested by several commenters. First, there were very limited licenses issued by the State of Ohio. Second, those licenses were prioritized to preexisting medical marijuana operators. Troy may or may not receive any licenses if a potential operator were to apply. Third, since Troy has prohibited medical marijuana dispensaries, without any documented history of income from those types of businesses to extrapolate future revenues from recreational operations.

Finally, attached is the actual ballot language approved on the November 7, 2023. The actual question on the ballot was whether or not "To enact Chapter 3780 of the Ohio Revised Code." The ballot language, as well as





the full text of proposed Chapter 3780 is also attached. It is important to note that in the text of Chapter 3780, specifically Section 3780.25 provides that “[T]he legislative authority of a municipal corporation may adopt an ordinance...by majority vote to **prohibit, or limit the number of adult use cannabis operators permitted under this chapter within the municipal corporation.**” (emphasis added) So, while Issue 2’s passage does allow recreational marijuana within the state of Ohio, the law leaves the question up to each municipality, including Troy, as to whether operators (dispensaries, processors, or cultivators) should be allowed and, if so, how many and in what locations.

REQUESTED ACTION:

That the Community & Economic Development Committee provide a recommendation to Council in response to the recommendation of the Troy Planning Commission.

attachments



CANNABIS DISPENSARIES, PROCESSORS AND CULTIVATORS

This committee has been tasked with recommending to Council whether or not recreational cannabis dispensaries should be permitted to operate within the City of Troy. This committee has also been asked to recommend to Council to approve amending the zoning code to provide for Adult Use Testing Laboratory as a permitted use in the M-3 General Industrial District. If a positive recommendation is made, then this committee should also recommend zoning locations and the number of cannabis dispensaries to be permitted to operate within the City. The legal use of cannabis in any form should not be considered by this committee. Under the guidelines established by the voter approved Ohio Constitutional Amendment and the established laws of the State of Ohio, the use of cannabis is legal in the City of Troy. Recreational use of cannabis is not legal under federal law.

The Impact to the Image of the City of Troy –

Troy has been described as a family friendly community with a small town vibe. Some feel this view of Troy may be altered or damaged if a dispensary is allowed to open anywhere in the City. There has been discussion on whether or not a dispensary should be allowed in the downtown historical area of Troy. Council should not allow a recreational cannabis dispensary to be located in the downtown, historical district. Under Ohio law, public consumption of cannabis is not allowed. A cannabis dispensary has a number of requirements for safety and security. Products sold by a dispensary cannot be displayed in the store's windows. The interior cannot be viewed from the outside. Dispensaries are permitted to operate drive-thru windows. Business signs are regulated by ordinance in the City of Troy and all signs must be approved by the Planning Commission. Cannabis operators are not permitted to advertise using billboards anywhere in the State of Ohio. A free standing location in the B-4 or M-2 zoning districts might be suitable for a dispensary. A B-4 zoning is near the interstate where other retail businesses are located. A dispensary would be more likely to blend in there. An M-2 zoning area is located away from residential areas and a dispensary would be less likely to be seen by visitors to Troy. The City of Troy has the authority to regulate the number of cannabis operators permitted within the city boundaries.

The Economic Impact -

The economic impact to the City of Troy is unknown. An additional tax of 10% is levied on every sale of cannabis. 3.6% of the tax (36%) will be directed to the City of Troy. The sales figures for recreational cannabis in the State of Ohio from August 2024 to the week ending November 4, 2024 totaled \$ 143 million. The total sales for medical cannabis from April 2019 to the week ending November 4, 2024 totaled over \$ 2 billion.

By the Numbers –

As several residents have stressed, the legal use of recreational cannabis, has been approved in a state wide election by a majority vote by the residents of Troy. I do not believe that this vote can be discounted.

Will Allowing Recreational Cannabis Dispensaries have a Negative Effect on our Children? –

The Miami County Drug Free Coalition submitted a letter to Council outlining the perils of drug addiction faced by our children. The Coalition talked about the “epidemic of increased marijuana (cannabis) usage” at Troy High School and the “difficulties of combating it.” Mr. and Mrs. Justice presented articles on how cannabis potency has increased over the years thus increasing the likelihood of addiction. What this information tells us is that our underage children and grandchildren have easy access to cannabis. Our children and grandchildren are buying cannabis from their friends and classmates. They are being supplied by their parents, siblings, other relatives or guardians. They are buying cannabis from local, neighborhood dealers. What they are not doing is purchasing cannabis from state supervised cannabis dispensaries. Under the laws of the State of Ohio, dispensaries are not permitted to sell cannabis to anyone under the age of 21. The presence of cannabis in Ohio has increased in recent years because possession of medical and recreational cannabis is now legal. Since the possession of cannabis was legalized in Ohio, \$ 2.1 billion dollars of cannabis sales have been taken off the streets and moved to dispensaries regulated by the State of Ohio. Currently, our children and grandchildren are more than likely using illegal, unregulated cannabis whose quality is unknown and whose content is unknown. Their suppliers are not concerned with the quality or content of what they are selling. Illegal drug use in the City of Troy is not a supply problem. It is a demand problem. As a country, we lost the war on drugs a long time ago. Our country has not discovered an effect way to control or reduce the supply of illegal drugs. Illegal drug use will not diminish until we, as a country, can figure out why our citizens demand and use illegal drugs and develop effective programs to reduce this demand.

If legal recreational cannabis dispensaries are readily available, will the adult family members who supply their children be more likely to use state dispensaries for their cannabis purchases rather than purchase cannabis on the Street? If your children or grandchildren or family members are using cannabis and you cannot persuade them not to use, where would you want their cannabis to come from? The Street or a regulated dispensary? Is it better and safer for legal, adult consumers of cannabis to purchase their drug of choice from a dispensary rather than the Street?

Questions for the Community and Economic Development Committee:

1. Does the Community and Economic Development Committee want to recommend to City Council to amend the City Zoning to prohibit Adult Use Cannabis Operators and prohibit Adult Use Laboratories as a permitted use in the M-3 General Industrial District?
2. If no to question number one, then does the Community and Economic Development Committee want to recommend to City Council to prohibit Adult Use Cannabis Processors and Cultivators but allow Adult Use Cannabis Dispensaries for Medical and Recreational Cannabis?
3. If no to question number one, does the Community and Economic Development Committee want to recommend the number of cannabis dispensaries, processors and cultivators allowed to operate within the City of Troy?
4. If no to question number one, does the Community and Economic Development Committee want to recommend the M-3 General Industrial District or choose other districts to allow Cannabis operations?



[HOME](#) › [MARIJUANA NEWS](#)

Report: Cannabis tied to alarming rise in cancer, birth defects, and accelerated aging



By [StudyFinds Staff](#) · Reviewed by [Chris Melore](#)

Research led by Albert Stuart Reece and Gary Kenneth Hulse, University of Western Australia

Nov 14, 2024 · [4 comments](#)

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CRAWLEY, Australia — A startling new paper highlights a disturbing connection between using cannabis and rising rates of various cancers and congenital abnormalities, as well as DNA damage. The research paints a sobering picture of the hidden health consequences of widespread cannabis consumption as more and more countries legalize its use recreationally.

Researchers from the University of Western Australia found that [cannabis exposure](#) was associated with significant increases in cancers, particularly breast, pancreatic, liver, thyroid, and testicular. Testicular cancer risk rose 2.6 times among cannabis users. The perspective, published in the journal [Addiction Biology](#) also discovered that cancers in users tend to develop much earlier and are more aggressive.

Beyond cancer, the scientists uncovered troubling [links to birth defects](#). Epidemiological data across Europe and the United States revealed elevated rates of severe developmental abnormalities, including missing limbs, heart problems, and chromosomal disorders. In other words, cannabis users appear to be passing on DNA mutations to their children in the womb.

“The link we’ve described between cannabis use and genotoxicity has far-reaching consequences. This new research shows how genetic damage from cannabis use can be passed down the generations,” notes co-author Dr. Stuart Reece in a media release. Reece believes this “should reframe the discussion surrounding [cannabis legalization](#).”



Researchers found cannabis users appear to be passing on DNA mutations to their children in the womb. (Credit: LightField Studios/Shutterstock)

The researchers attribute these health impacts to the cannabis plant's chemical composition, including compounds like [THC](#) and [CBD](#), which have been shown to cause genetic damage and disrupt normal cellular processes. Importantly, they point out that cannabis potency has skyrocketed in recent decades, with THC levels now commonly reaching 25-30% – a potential driver behind the [worsening outcomes](#).

At the heart of this research is a process called “micronuclear fragmentation.” Think of your cells' genetic material as a carefully organized library. Sometimes, small pieces of this library can break off and form tiny separate compartments called micronuclei. These micronuclei are like badly damaged satellite branches of your cellular library, and their formation often spells trouble.

Recent studies have shown that when cells are stressed – particularly when their power plants (mitochondria) are damaged – these micronuclei become even more fragile. When they rupture, it's like a paper shredder gone haywire in your genetic library, leading to widespread DNA damage and chaos in the cell.

Here's where cannabis enters the picture: All cannabinoids, including THC and CBD, have been shown to interfere with cellular power plants and promote micronuclei formation. The culprit appears to be a specific part of the cannabinoid molecule called the *olivetol nucleus*, meaning this isn't just about THC – it's about all cannabinoids.

While cannabis-related cancers may be relatively rare, the effects on aging and birth defects appear widespread and severe. Studies have shown **a 30% acceleration of cellular aging** in users as young as 30 and clusters of major birth defects in areas with high cannabis cultivation.

The authors urgently call for new epidemiological research to further investigate the modern health consequences of cannabis use, given the rise in potent products. They believe policymakers and the public can no longer ignore the mounting evidence of cannabis-related genotoxicity.

Paper Summary

Methodology

This paper is a perspective piece that synthesizes findings from multiple recent studies, particularly focusing on new research published in Science about micronuclear fragmentation. The authors reviewed and analyzed studies from various fields, including molecular biology, epidemiology, and clinical research, to build a comprehensive picture of cannabis's potential genetic impacts.

Results

The paper identifies three main areas of concern: increased cancer risk (with particularly strong evidence for testicular cancer), birth defects (especially affecting cardiovascular, neurological, and limb development), and accelerated aging (showing about 30% faster aging by age 30 in cannabis users). The research suggests these effects may be transmitted across generations through changes to reproductive cells.

Study Limitations

The paper acknowledges that some historical cannabis-cancer studies have shown conflicting results, which may be due to multiple exposures (like tobacco use), differences in study design,

and varying cannabis potencies. Additionally, many studies excluded high-level cannabis exposure, which may have limited their findings.

Discussion & Takeaways

The study's findings fundamentally challenge the prevailing narrative around the relative safety of cannabis use. The researchers emphasize that the data points to cannabis as a potent genotoxin, capable of causing widespread genetic damage and disrupting normal cellular processes.

This has dire implications not just for individual users but for the health of future generations. The transgenerational transmission of cannabis-related abnormalities is especially alarming and demands urgent attention from policymakers and public health officials.

The authors call for a major shift in how we approach cannabis, moving beyond simplistic discussions of personal liberties to focus on the solemn responsibility of protecting societal genomic integrity. They believe the mounting evidence is a “resounding clarion call to action” that cannot be ignored.

Funding & Disclosures

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Jason

[REPLY](#)

November 14, 2024 at 12:54 pm

There is a lot missing from the “study”. Such as is it only smokers that have health challenges? How much does one have to smoke daily/weekly/monthly for it to be the tipping point? What about edibles. Does it matter the quality of the soil that MJ is grown in, such as if the soil has pollutants like heavy metals? So many unanswered questions.

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Oveida Sinclair

[REPLY](#)

November 14, 2024 at 12:29 pm

The not so brights that I come across who smoke weed are under the impression that weed is good for you, after all it's called Medical Marijuana. These are the same people who would drink Cyanide if they put the word Medical in front of it. I'm convinced that half the people in this country are complete morons.

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Mark Breza

[REPLY](#)

November 14, 2024 at 12:39 pm

Willie Nelson ain't dead or stupid ?

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Jason

November 14, 2024 at 12:49 pm

You beat me to it.

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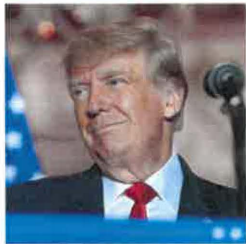
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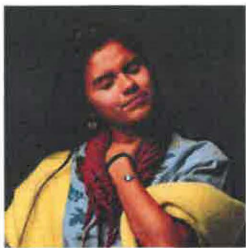
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