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Sub. S. B. No. 57

Senators Hill, Huffman, S.

Cosponsors: Senators O'Brien, Uecker, Eklund, Schuring, Hackett, Brenner, Fedor, Antonio, Hoagland, Coley, Craig, Dolan, Gavarone, Huffman, M., Kunze, Lehner, Manning, Peterson, Sykes, Thomas, Williams, Wilson, Yuko

A BILL

To amend sections 924.01, 3719.01, and 3719.41, to 1
enact sections 924.212, 928.01, 928.02, 928.03, 2
928.04, 928.05, 928.06, 928.07, and 928.99 of 3
the Revised Code, and to amend the versions of 4
sections 3719.01 and 3719.41 of the Revised Code 5
that are scheduled to take effect on March 22, 6
2020, to decriminalize hemp and hemp products, 7
to establish a hemp cultivation and processing 8
licensing program, and to establish a hemp 9
marketing program. 10

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 924.01, 3719.01, and 3719.41 be 11
amended and sections 924.212, 928.01, 928.02, 928.03, 928.04, 12
928.05, 928.06, 928.07, and 928.99 of the Revised Code be 13
enacted to read as follows: 14

Sec. 924.01. As used in sections 924.01 to 924.16 and 15
924.40 to 924.55 of the Revised Code: 16

(A) "Agricultural commodity" means any food, fiber, feed, animal, or plant, or group of foods, fibers, feeds, animals, or plants that the director of agriculture determines to be of the same nature, in either a natural or a processed state.

"Agricultural commodity" does not include ~~grain~~ any of the following:

(1) Grain, as defined in section 924.20 of the Revised Code ~~or soybeans;~~

(2) Soybeans;

(3) Hemp, as defined in section 928.01 of the Revised Code.

(B) "Distributor" means any person who sells, offers for sale, markets, or distributes an agricultural commodity that the person has purchased or acquired directly from a producer, or that the person markets on behalf of a producer.

(C) "Handler" means any person who is in the business of packing, grading, selling, offering for sale, or marketing any agricultural commodity in commercial quantities as defined in a marketing program.

(D) "Marketing program" means a program that is established by order of the director pursuant to this chapter, to improve or expand the market for an agricultural commodity.

(E) "Operating committee" means a committee established to administer a marketing program for an agricultural commodity.

(F) "Person" means any natural person, partnership, sole proprietorship, limited liability company, corporation, society, agricultural cooperative as defined in section 1729.01 of the Revised Code, association, or fiduciary.

(G) "Processor" means any person who is in the business of 45
grading, packaging, packing, canning, freezing, dehydrating, 46
fermenting, distilling, extracting, preserving, grinding, 47
crushing, juicing, or in any other way preserving or changing 48
the form of any agricultural commodity. 49

(H) "Producer" means any person who is in the business of 50
producing, or causing to be produced, any agricultural commodity 51
for commercial sale, except that when used in reference to 52
nursery stock, "producer" also means a distributor, processor, 53
handler, or retailer of nursery stock. 54

Sec. 924.212. (A) There is hereby established the hemp 55
marketing program. Except as provided under divisions (B) and 56
(C) of this section, the procedures, requirements, and other 57
provisions that are established under sections 924.20 to 924.30 58
of the Revised Code and rules that apply to the grain marketing 59
program shall apply to the hemp marketing program. For purposes 60
of that application, references in those sections to "grain" are 61
deemed to be replaced with references to "hemp." 62

(B) The hemp marketing program operating committee shall 63
consist of eighteen members. Fourteen of those members shall be 64
elected in accordance with section 924.22 of the Revised Code. 65
The director of agriculture shall appoint the remaining four 66
members. The appointed members of the board shall be voting 67
members of the committee. 68

(C) With regard to the levying of assessments under 69
section 924.26 of the Revised Code, the assessment on hemp shall 70
be one-half of one per cent of the value of hemp seed, fiber, or 71
flower at the first point of sale. 72

Sec. 928.01. As used in this chapter: 73

(A) "Cannabidiol" means the cannabidiol compound, 74
containing a delta-9 tetrahydrocannabinol concentration of not 75
more than three-tenths per cent, derived from hemp. 76

(B) "Hemp" means the plant Cannabis sativa L. and any part 77
of that plant, including the seeds thereof and all derivatives, 78
extracts, cannabinoids, isomers, acids, salts, and salts of 79
isomers, whether growing or not, with a delta-9 80
tetrahydrocannabinol concentration of not more than three-tenths 81
per cent on a dry weight basis. 82

(C) "Hemp cultivation license" means a license to 83
cultivate hemp issued under section 928.02 of the Revised Code. 84

(D) "Hemp processing license" means a license to process 85
hemp to produce cannabidiol issued under section 928.02 of the 86
Revised Code. 87

(E) "Hemp product" means any product, containing a delta-9 88
tetrahydrocannabinol concentration of not more than three-tenths 89
per cent, that is made with hemp. "Hemp product" includes 90
cosmetics, personal care products, dietary supplements or food 91
intended for animal or human consumption, cloth, cordage, fiber, 92
fuel, paint, paper, particleboard, and any other product 93
containing one or more cannabinoids derived from hemp, including 94
cannabidiol. 95

(F) "Marihuana" has the same meaning as in section 3719.01 96
of the Revised Code. 97

(G) "Medical marijuana" has the same meaning as in section 98
3796.01 of the Revised Code. 99

(H) "University" means a state university as defined in 100
section 3345.011 of the Revised Code and a private nonprofit 101
institution with a certificate of authorization issued pursuant 102

to Chapter 1713. of the Revised Code. 103

(I) "USDA" means the United States department of 104
agriculture. 105

Sec. 928.02. (A) (1) The director of agriculture shall 106
establish a program to monitor and regulate hemp cultivation and 107
processing in this state. Under the program, the director shall 108
issue hemp cultivation licenses and hemp processing licenses in 109
accordance with rules adopted under section 928.03 of the 110
Revised Code. 111

(2) As authorized by the director, the department of 112
agriculture or a university may cultivate or process hemp 113
without a hemp cultivation license or hemp processing license 114
for research purposes. 115

(B) Except as authorized under division (A) (2) of this 116
section, any person that wishes to cultivate hemp shall apply 117
for and obtain a hemp cultivation license from the director in 118
accordance with rules adopted under section 928.03 of the 119
Revised Code and any person that wishes to process hemp to 120
produce cannabidiol shall apply for and obtain a hemp processing 121
license from the director in accordance with those rules. Such 122
licenses are valid for three years unless earlier suspended or 123
revoked by the director. 124

(C) The department, a university, or any person may, 125
without a hemp cultivation license or hemp processing license, 126
do any of the following: 127

(1) Possess, buy, or sell hemp or a hemp product; 128

(2) Except for processing hemp to produce cannabidiol, 129
process hemp into a hemp product, including by the addition of 130
one or more cannabinoids derived from hemp, including 131

<u>cannabidiol, to a product to produce a hemp product.</u>	132
<u>(D) Notwithstanding any other provision of the Revised</u>	133
<u>Code to the contrary, the addition of hemp or cannabinoids</u>	134
<u>derived from hemp, including cannabidiol, to any product does</u>	135
<u>not adulterate that product.</u>	136
<u>Sec. 928.03. The director of agriculture, in consultation</u>	137
<u>with the governor and attorney general, shall adopt rules in</u>	138
<u>accordance with Chapter 119. of the Revised Code establishing</u>	139
<u>standards and procedures for the regulation of hemp cultivation</u>	140
<u>and processing. The rules shall include all of the following:</u>	141
<u>(A) The form of an application for a hemp cultivation</u>	142
<u>license and hemp processing license and the information required</u>	143
<u>to be included in each license application;</u>	144
<u>(B) The amount of the application fee that must be</u>	145
<u>submitted with each hemp cultivation license and hemp processing</u>	146
<u>license application;</u>	147
<u>(C) Requirements and procedures concerning background</u>	148
<u>investigations of each applicant for a hemp cultivation license</u>	149
<u>and each applicant for a hemp processing license;</u>	150
<u>(D) Procedures and requirements for the issuance, renewal,</u>	151
<u>denial, suspension, and revocation of a hemp cultivation license</u>	152
<u>and hemp processing license, including providing for a hearing</u>	153
<u>under Chapter 119. of the Revised Code with regard to such a</u>	154
<u>denial, suspension, or revocation;</u>	155
<u>(E) Grounds for the denial, suspension, and revocation of</u>	156
<u>a hemp cultivation license and of a hemp processing license;</u>	157
<u>(F) A requirement that the director shall not issue a hemp</u>	158
<u>cultivation license or hemp processing license to any person who</u>	159

has pleaded guilty to or been convicted of a felony relating to 160
a controlled substance in the ten years immediately prior to the 161
submission of the application for a license; 162

(G) A requirement that any person that materially 163
falsifies information in an application for a hemp cultivation 164
license or hemp processing license is ineligible to receive 165
either license; 166

(H) A practice for maintaining relevant information 167
regarding land on which hemp is cultivated by hemp cultivation 168
licensees, including a legal description of the land, in 169
accordance with applicable federal law; 170

(I) Requirements prohibiting a hemp cultivation licensee 171
and a hemp processing licensee from cultivating or processing 172
marihuana; 173

(J) A procedure for testing, using post-decarboxylation or 174
other similarly reliable methods, delta-9 tetrahydrocannabinol 175
concentration levels of hemp and hemp products; 176

(K) Requirements and procedures for the administration and 177
enforcement of corrective action plans issued under this 178
chapter; 179

(L) A procedure for conducting annual inspections of, at a 180
minimum, a random sample of hemp cultivation license holders to 181
verify that hemp is not being cultivated in violation of this 182
chapter; 183

(M) A procedure for conducting annual inspections of, at a 184
minimum, a random sample of hemp processing license holders to 185
verify that hemp is not being processed to produce cannabidiol 186
in violation of this chapter; 187

<u>(N) A procedure for complying with enforcement procedures</u>	188
<u>required under federal law;</u>	189
<u>(O) A procedure for the effective disposal of both of the</u>	190
<u>following:</u>	191
<u>(1) Plants, whether growing or not, cultivated in</u>	192
<u>violation of this chapter;</u>	193
<u>(2) Products derived from plants cultivated in violation</u>	194
<u>of this chapter.</u>	195
<u>(P) Procedures for sharing information regarding hemp</u>	196
<u>cultivation license holders with the secretary of the USDA;</u>	197
<u>(Q) A setback distance requirement that specifies the</u>	198
<u>distance that a hemp cultivation license holder must locate hemp</u>	199
<u>plants from a location where medical marijuana is being</u>	200
<u>cultivated. However, the requirement shall not apply to a hemp</u>	201
<u>cultivation license holder with regard to a medical marijuana</u>	202
<u>cultivator that locates medical marijuana within the established</u>	203
<u>setback distance requirement after the hemp cultivation license</u>	204
<u>holder begins operation.</u>	205
<u>(R) Annual reporting requirements and procedures for hemp</u>	206
<u>cultivation license holders and hemp processing license holders;</u>	207
<u>(S) Recordkeeping and documentation maintenance</u>	208
<u>requirements and procedures for hemp cultivation license holders</u>	209
<u>and hemp processing license holders;</u>	210
<u>(T) Fees for the laboratory testing of hemp and hemp</u>	211
<u>products;</u>	212
<u>(U) Standards for the testing and labeling of hemp and</u>	213
<u>hemp products;</u>	214

(V) Any other requirements or procedures necessary to 215
administer and enforce this chapter. 216

Sec. 928.04. (A) Except as authorized under division (A) 217
(2) of section 928.02 of the Revised Code, no person shall 218
cultivate hemp without a hemp cultivation license or process 219
hemp to produce cannabidiol without a hemp processing license 220
issued by the director of agriculture under this chapter. 221

(B) No person who holds a hemp cultivation license or hemp 222
processing license shall violate this chapter or rules adopted 223
under it. 224

(C) No person subject to a corrective action plan issued 225
by the director of agriculture under section 928.05 of the 226
Revised Code shall fail to comply with the plan. 227

Sec. 928.05. (A) The director of agriculture shall issue a 228
corrective action plan to any person that the director 229
determines has negligently violated section 928.04 of the 230
Revised Code. The director shall include in the corrective 231
action plan both of the following: 232

(1) A reasonable date by which the person must correct the 233
violation; 234

(2) A requirement that the person report to the director 235
regarding the person's compliance with the requirements of this 236
chapter, rules adopted under it, and the corrective action plan 237
for two calendar years immediately following the date of the 238
violation. 239

(B) If the director determines that a person negligently 240
violated section 928.04 of the Revised Code three or more times 241
in any five-year period, the director shall revoke the person's 242
hemp cultivation license or hemp processing license, if any, and 243

shall refuse to issue a hemp cultivation license or hemp 244
processing license to that person for a period of five years 245
beginning on the date that the director determines that the 246
person committed the most recent violation. 247

(C) The director shall report a person who the director 248
determines has violated section 928.04 of the Revised Code with 249
a culpable mental state greater than negligence to the attorney 250
general, the United States attorney general, and the applicable 251
county prosecutor. 252

Sec. 928.06. There is hereby created in the state treasury 253
the hemp program fund. The fund shall consist of all hemp 254
cultivation license application fees, hemp processing license 255
application fees, and fees for laboratory testing of hemp and 256
hemp products collected under rules adopted under section 928.03 257
of the Revised Code; money appropriated to the fund; and any 258
other money received from gifts or federal grants. All 259
investment earnings of the fund shall be credited to the fund. 260
The director of agriculture shall use money in the fund to 261
administer and enforce this chapter and rules adopted under it. 262

Sec. 928.07. (A) The director of agriculture may enter at 263
reasonable times upon any public or private property at which 264
hemp is being cultivated or processed to produce cannabidiol for 265
the purpose of determining compliance with this chapter and 266
rules adopted under it. The director may apply for and any judge 267
of an appropriate court of record may issue a search warrant, 268
necessary to achieve the purposes of this chapter within the 269
court's territorial jurisdiction. 270

(B) In addition to any other available remedies, the 271
director of agriculture, the attorney general, or a county 272
prosecutor may apply to a court of common pleas in the county 273

where any provision of section 928.04 of the Revised Code is 274
being violated for an injunction restraining any person from 275
continuing the violation. 276

Sec. 928.99. (A) Whoever recklessly violates section 277
928.04 of the Revised Code is guilty of the following: 278

(1) For a first offense, a minor misdemeanor; 279

(2) For each subsequent offense, a misdemeanor of the 280
fourth degree. 281

The court shall order an offender who is convicted of or 282
pleads guilty to a third or subsequent offense ineligible to 283
receive a hemp cultivation license or hemp processing license 284
under this chapter. The court shall provide written notice of 285
that order to the director of agriculture. Upon receipt of the 286
notice, the director shall revoke any hemp cultivation license 287
or hemp processing license that the offender holds and shall 288
refuse to issue a hemp cultivation license or hemp processing 289
license to the offender beginning on the date of the court 290
order. 291

(B) The prosecuting attorney of the applicable county or 292
the attorney general may prosecute an action under this section. 293

Sec. 3719.01. As used in this chapter: 294

(A) "Administer" means the direct application of a drug, 295
whether by injection, inhalation, ingestion, or any other means 296
to a person or an animal. 297

(B) "Drug enforcement administration" means the drug 298
enforcement administration of the United States department of 299
justice or its successor agency. 300

(C) "Controlled substance" means a drug, compound, 301

mixture, preparation, or substance included in schedule I, II,	302
III, IV, or V.	303
(D) "Dangerous drug" has the same meaning as in section	304
4729.01 of the Revised Code.	305
(E) "Dispense" means to sell, leave with, give away,	306
dispose of, or deliver.	307
(F) "Distribute" means to deal in, ship, transport, or	308
deliver but does not include administering or dispensing a drug.	309
(G) "Drug" has the same meaning as in section 4729.01 of	310
the Revised Code.	311
(H) "Drug abuse offense," "felony drug abuse offense,"	312
"cocaine," and "hashish" have the same meanings as in section	313
2925.01 of the Revised Code.	314
(I) "Federal drug abuse control laws" means the	315
"Comprehensive Drug Abuse Prevention and Control Act of 1970,"	316
84 Stat. 1242, 21 U.S.C. 801, as amended.	317
(J) "Hospital" means an institution for the care and	318
treatment of the sick and injured that is certified by the	319
department of health and approved by the state board of pharmacy	320
as proper to be entrusted with the custody of controlled	321
substances and the professional use of controlled substances.	322
(K) "Hypodermic" means a hypodermic syringe or needle, or	323
other instrument or device for the injection of medication.	324
(L) "Isomer," except as otherwise expressly stated, means	325
the optical isomer.	326
(M) "Laboratory" means a laboratory approved by the state	327
board of pharmacy as proper to be entrusted with the custody of	328

controlled substances and the use of controlled substances for 329
scientific and clinical purposes and for purposes of 330
instruction. 331

(N) "Manufacturer" means a person who manufactures a 332
controlled substance, as "manufacture" is defined in section 333
3715.01 of the Revised Code. 334

(O) "Marihuana" means all parts of a plant of the genus 335
cannabis, whether growing or not; the seeds of a plant of that 336
type; the resin extracted from a part of a plant of that type; 337
and every compound, manufacture, salt, derivative, mixture, or 338
preparation of a plant of that type or of its seeds or resin. 339
"Marihuana" does not include the mature stalks of the plant, 340
fiber produced from the stalks, oils or cake made from the seeds 341
of the plant, or any other compound, manufacture, salt, 342
derivative, mixture, or preparation of the mature stalks, except 343
the resin extracted from the mature stalks, fiber, oil or cake, 344
or the sterilized seed of the plant that is incapable of 345
germination. "Marihuana" does not include hemp or a hemp 346
product. 347

(P) "Narcotic drugs" means coca leaves, opium, 348
isonipecaïne, amidone, isoamidone, ketobemidone, as defined in 349
this division, and every substance not chemically distinguished 350
from them and every drug, other than cannabis, that may be 351
included in the meaning of "narcotic drug" under the federal 352
drug abuse control laws. As used in this division: 353

(1) "Coca leaves" includes cocaine and any compound, 354
manufacture, salt, derivative, mixture, or preparation of coca 355
leaves, except derivatives of coca leaves, that does not contain 356
cocaine, ecgonine, or substances from which cocaine or ecgonine 357
may be synthesized or made. 358

(2) "Isonipecaïne" means any substance identified 359
chemically as 1-methyl-4-phenyl-piperidine-4-carboxylic acid 360
ethyl ester, or any salt thereof, by whatever trade name 361
designated. 362

(3) "Amidone" means any substance identified chemically as 363
4-4-diphenyl-6-dimethylamino-heptanone-3, or any salt thereof, 364
by whatever trade name designated. 365

(4) "Isoamidone" means any substance identified chemically 366
as 4-4-diphenyl-5-methyl-6-dimethylaminohexanone-3, or any salt 367
thereof, by whatever trade name designated. 368

(5) "Ketobemidone" means any substance identified 369
chemically as 4-(3-hydroxyphenyl)-1-methyl-4-piperidyl ethyl 370
ketone hydrochloride, or any salt thereof, by whatever trade 371
name designated. 372

(Q) "Official written order" means an order written on a 373
form provided for that purpose by the director of the United 374
States drug enforcement administration, under any laws of the 375
United States making provision for the order, if the order forms 376
are authorized and required by federal law. 377

(R) "Opiate" means any substance having an addiction- 378
forming or addiction-sustaining liability similar to morphine or 379
being capable of conversion into a drug having addiction-forming 380
or addiction-sustaining liability. "Opiate" does not include, 381
unless specifically designated as controlled under section 382
3719.41 of the Revised Code, the dextrorotatory isomer of 3- 383
methoxy-N-methylmorphinan and its salts (dextro-methorphan). 384
"Opiate" does include its racemic and levoratory forms. 385

(S) "Opium poppy" means the plant of the species papaver 386
somniferum L., except its seeds. 387

(T) "Person" means any individual, corporation,	388
government, governmental subdivision or agency, business trust,	389
estate, trust, partnership, association, or other legal entity.	390
(U) "Pharmacist" means a person licensed under Chapter	391
4729. of the Revised Code to engage in the practice of pharmacy.	392
(V) "Pharmacy" has the same meaning as in section 4729.01	393
of the Revised Code.	394
(W) "Poison" means any drug, chemical, or preparation	395
likely to be deleterious or destructive to adult human life in	396
quantities of four grams or less.	397
(X) "Poppy straw" means all parts, except the seeds, of	398
the opium poppy, after mowing.	399
(Y) "Licensed health professional authorized to prescribe	400
drugs," "prescriber," and "prescription" have the same meanings	401
as in section 4729.01 of the Revised Code.	402
(Z) "Registry number" means the number assigned to each	403
person registered under the federal drug abuse control laws.	404
(AA) "Sale" includes delivery, barter, exchange, transfer,	405
or gift, or offer thereof, and each transaction of those natures	406
made by any person, whether as principal, proprietor, agent,	407
servant, or employee.	408
(BB) "Schedule I," "schedule II," "schedule III,"	409
"schedule IV," and "schedule V" mean controlled substance	410
schedules I, II, III, IV, and V, respectively, established	411
pursuant to section 3719.41 of the Revised Code, as amended	412
pursuant to section 3719.43 or 3719.44 of the Revised Code.	413
(CC) "Wholesaler" means a person who, on official written	414
orders other than prescriptions, supplies controlled substances	415

that the person has not manufactured, produced, or prepared 416
personally and includes a "wholesale distributor of dangerous 417
drugs" as defined in section 4729.01 of the Revised Code. 418

(DD) "Animal shelter" means a facility operated by a 419
humane society or any society organized under Chapter 1717. of 420
the Revised Code or a dog pound operated pursuant to Chapter 421
955. of the Revised Code. 422

(EE) "Terminal distributor of dangerous drugs" has the 423
same meaning as in section 4729.01 of the Revised Code. 424

(FF) "Category III license" means a license issued to a 425
terminal distributor of dangerous drugs as set forth in section 426
4729.54 of the Revised Code. 427

(GG) "Prosecutor" has the same meaning as in section 428
2935.01 of the Revised Code. 429

(HH) (1) "Controlled substance analog" means, except as 430
provided in division (HH) (2) of this section, a substance to 431
which both of the following apply: 432

(a) The chemical structure of the substance is 433
substantially similar to the structure of a controlled substance 434
in schedule I or II. 435

(b) One of the following applies regarding the substance: 436

(i) The substance has a stimulant, depressant, or 437
hallucinogenic effect on the central nervous system that is 438
substantially similar to or greater than the stimulant, 439
depressant, or hallucinogenic effect on the central nervous 440
system of a controlled substance in schedule I or II. 441

(ii) With respect to a particular person, that person 442
represents or intends the substance to have a stimulant, 443

depressant, or hallucinogenic effect on the central nervous 444
system that is substantially similar to or greater than the 445
stimulant, depressant, or hallucinogenic effect on the central 446
nervous system of a controlled substance in schedule I or II. 447

(2) "Controlled substance analog" does not include any of 448
the following: 449

(a) A controlled substance; 450

(b) Any substance for which there is an approved new drug 451
application; 452

(c) With respect to a particular person, any substance if 453
an exemption is in effect for investigational use for that 454
person pursuant to federal law to the extent that conduct with 455
respect to that substance is pursuant to that exemption; 456

(d) Any substance to the extent it is not intended for 457
human consumption before the exemption described in division 458
(HH) (2) (b) of this section takes effect with respect to that 459
substance. 460

(II) "Benzodiazepine" means a controlled substance that 461
has United States food and drug administration approved labeling 462
indicating that it is a benzodiazepine, benzodiazepine 463
derivative, triazolobenzodiazepine, or triazolobenzodiazepine 464
derivative, including the following drugs and their varying salt 465
forms or chemical congeners: alprazolam, chlordiazepoxide 466
hydrochloride, clobazam, clonazepam, clorazepate, diazepam, 467
estazolam, flurazepam hydrochloride, lorazepam, midazolam, 468
oxazepam, quazepam, temazepam, and triazolam. 469

(JJ) "Opioid analgesic" means a controlled substance that 470
has analgesic pharmacologic activity at the opioid receptors of 471
the central nervous system, including the following drugs and 472

their varying salt forms or chemical congeners: buprenorphine, 473
butorphanol, codeine (including acetaminophen and other 474
combination products), dihydrocodeine, fentanyl, hydrocodone 475
(including acetaminophen combination products), hydromorphone, 476
meperidine, methadone, morphine sulfate, oxycodone (including 477
acetaminophen, aspirin, and other combination products), 478
oxymorphone, tapentadol, and tramadol. 479

(KK) "Emergency facility" means a hospital emergency 480
department or any other facility that provides emergency care. 481

(LL) "Hemp" and "hemp product" have the same meanings as 482
in section 928.01 of the Revised Code. 483

Sec. 3719.41. Controlled substance schedules I, II, III, 484
IV, and V are hereby established, which schedules include the 485
following, subject to amendment pursuant to section 3719.43 or 486
3719.44 of the Revised Code. 487

SCHEDULE I 488

(A) Narcotics-opiates 489

Any of the following opiates, including their isomers, 490
esters, ethers, salts, and salts of isomers, esters, and ethers, 491
unless specifically excepted under federal drug abuse control 492
laws, whenever the existence of these isomers, esters, ethers, 493
and salts is possible within the specific chemical designation: 494

(1) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2- 495
phenethyl)-4-piperidinyl]-N-phenylacetamide); 496

(2) Acetylmethadol; 497

(3) Allylprodine; 498

(4) Alphacetylmethadol (except levo-alphacetylmethadol, 499

also known as levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM);	500 501
(5) Alphameprodine;	502
(6) Alphamethadol;	503
(7) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta- phenyl)ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2- phenylethyl)-4-(N-propanilido) piperidine);	504 505 506
(8) Alpha-methylthiofentanyl (N-[1-methyl-2-(2- thienyl)ethyl-4-piperidinyl]-N- phenylpropanamide);	507 508
(9) Benzethidine;	509
(10) Betacetylmethadol;	510
(11) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl-4- piperidinyl]-N- phenylpropanamide);	511 512
(12) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2- hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N- phenylpropanamide);	513 514 515
(13) Betameprodine;	516
(14) Betamethadol;	517
(15) Betaprodine;	518
(16) Clonitazene;	519
(17) Dextromoramide;	520
(18) Diampromide;	521
(19) Diethylthiambutene;	522
(20) Difenoxin;	523

(21) Dimenoxadol;	524
(22) Dimepheptanol;	525
(23) Dimethylthiambutene;	526
(24) Dioxaphetyl butyrate;	527
(25) Dipipanone;	528
(26) Ethylmethylthiambutene;	529
(27) Etonitazene;	530
(28) Etoxeridine;	531
(29) Furethidine;	532
(30) Hydroxypethidine;	533
(31) Ketobemidone;	534
(32) Levomoramide;	535
(33) Levophenacylmorphan;	536
(34) 3-methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N- phenylpropanamide);	537 538
(35) 3-methylthiofentanyl (N-[3-methyl-1-[2-(thienyl)ethyl]-4-piperidinyl]-N- phenylpropanamide);	539 540
(36) Morpheridine;	541
(37) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);	542
(38) Noracymethadol;	543
(39) Norlevorphanol;	544
(40) Normethadone;	545
(41) Norpipanone;	546

(42) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl]propanamide;	547 548
(43) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine;	549
(44) Phenadoxone;	550
(45) Phenampromide;	551
(46) Phenomorphan;	552
(47) Phenoperidine;	553
(48) Piritramide;	554
(49) Proheptazine;	555
(50) Properidine;	556
(51) Propiram;	557
(52) Racemoramide;	558
(53) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide;	559 560
(54) Tilidine;	561
(55) Trimeperidine.	562
(56) Except as otherwise provided in this section, any compound that meets all of the following fentanyl pharmacophore requirements to bind at the mu receptor, as identified by a report from an established forensic laboratory:	563 564 565 566
(a) A chemical scaffold consisting of both of the following:	567 568
(i) A five, six, or seven member ring structure containing a nitrogen, whether or not further substituted;	569 570

(ii) An attached nitrogen to the ring, whether or not that nitrogen is enclosed in a ring structure, including an attached aromatic ring or other lipophilic group to that nitrogen;	571 572 573
(b) A polar functional group attached to the chemical scaffold, including but not limited to, a hydroxyl, ketone, amide, or ester;	574 575 576
(c) An alkyl or aryl substitution off the ring nitrogen of the chemical scaffold; and	577 578
(d) The compound has not been approved for medical use by the United States food and drug administration.	579 580
(B) Narcotics-opium derivatives	581
Any of the following opium derivatives, including their salts, isomers, and salts of isomers, unless specifically excepted under federal drug abuse control laws, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:	582 583 584 585 586
(1) Acetorphine;	587
(2) Acetyldihydrocodeine;	588
(3) Benzylmorphine;	589
(4) Codeine methylbromide;	590
(5) Codeine-n-oxide;	591
(6) Cyprenorphine;	592
(7) Desomorphine;	593
(8) Dihydromorphine;	594
(9) Drotebanol;	595

(10) Etorphine (except hydrochloride salt);	596
(11) Heroin;	597
(12) Hydromorphenol;	598
(13) Methyldesorphine;	599
(14) Methyldihydromorphine;	600
(15) Morphine methylbromide;	601
(16) Morphine methylsulfonate;	602
(17) Morphine-n-oxide;	603
(18) Myrophine;	604
(19) Nicocodeine;	605
(20) Nicomorphine;	606
(21) Normorphine;	607
(22) Pholcodine;	608
(23) Thebacon.	609
(C) Hallucinogens	610
Any material, compound, mixture, or preparation that	611
contains any quantity of the following hallucinogenic	612
substances, including their salts, isomers, and salts of	613
isomers, unless specifically excepted under federal drug abuse	614
control laws, whenever the existence of these salts, isomers,	615
and salts of isomers is possible within the specific chemical	616
designation. For the purposes of this division only, "isomer"	617
includes the optical isomers, position isomers, and geometric	618
isomers.	619
(1) Alpha-ethyltryptamine (some trade or other names:	620

etryptamine; Monase; alpha-ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole; alpha-ET; and AET);	621 622
(2) 4-bromo-2,5-dimethoxyamphetamine (some trade or other names: 4-bromo-2,5-dimethoxy-alpha-methylphenethylamine; 4-bromo-2,5-DMA);	623 624 625
(3) 4-bromo-2,5-dimethoxyphenethylamine (some trade or other names: 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-desmethyl DOB; 2C-B, Nexus);	626 627 628
(4) 2,5-dimethoxyamphetamine (some trade or other names: 2,5-dimethoxy-alpha-methylphenethylamine; 2,5-DMA);	629 630
(5) 2,5-dimethoxy-4-ethylamphetamine (some trade or other names: DOET);	631 632
(6) 4-methoxyamphetamine (some trade or other names: 4-methoxy-alpha-methylphenethylamine; paramethoxyamphetamine; PMA);	633 634 635
(7) 5-methoxy-3,4-methylenedioxy-amphetamine;	636
(8) 4-methyl-2,5-dimethoxy-amphetamine (some trade or other names: 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine; "DOM" and "STP");	637 638 639
(9) 3,4-methylenedioxy amphetamine (MDA);	640
(10) 3,4-methylenedioxymethamphetamine (MDMA);	641
(11) 3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl MDA, MDE, MDEA);	642 643 644
(12) N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine and N-hydroxy MDA);	645 646 647

(13) 3,4,5-trimethoxy amphetamine;	648
(14) Bufotenine (some trade or other names: 3-(beta-dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-N, N-dimethyltryptamine; mappine);	649 650 651 652
(15) Diethyltryptamine (some trade or other names: N, N-diethyltryptamine; DET);	653 654
(16) Dimethyltryptamine (some trade or other names: DMT);	655
(17) Ibogaine (some trade or other names: 7-ethyl-6,6beta,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano-5H-pyrido[1',2':1,2] azepino [5, 4-b] indole; tabernanthe iboga);	656 657 658
(18) Lysergic acid diethylamide;	659
(19) Marihuana;	660
(20) Mescaline;	661
(21) Parahexyl (some trade or other names: 3-hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran; synhexyl);	662 663 664
(22) Peyote (meaning all parts of the plant presently classified botanically as "Lophophora williamsii Lemaire," whether growing or not, the seeds of that plant, any extract from any part of that plant, and every compound, manufacture, salts, derivative, mixture, or preparation of that plant, its seeds, or its extracts);	665 666 667 668 669 670
(23) N-ethyl-3-piperidyl benzilate;	671
(24) N-methyl-3-piperidyl benzilate;	672
(25) Psilocybin;	673

(26) Psilocyn;	674
(27) Tetrahydrocannabinols (synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis, sp. and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as the following: delta-1-cis or trans tetrahydrocannabinol, and their optical isomers; delta-6-cis or trans tetrahydrocannabinol, and their optical isomers; delta-3,4-cis or trans tetrahydrocannabinol, and its optical isomers. (Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions, are covered.)), <u>excluding tetrahydrocannabinols found in hemp and hemp products;</u>	675 676 677 678 679 680 681 682 683 684 685 686 687
(28) Ethylamine analog of phencyclidine (some trade or other names: N-ethyl-1-phenylcyclohexylamine; (1-phenylcyclohexyl)ethylamine; N-(1-phenylcyclohexyl)ethylamine; cyclohexamine; PCE);	688 689 690 691
(29) Pyrrolidine analog of phencyclidine (some trade or other names: 1-(1-phenylcyclohexyl)pyrrolidine; PCPy; PHP);	692 693
(30) Thiophene analog of phencyclidine (some trade or other names: 1-[1-(2-thienyl)-cyclohexyl]-piperidine; 2-thienyl analog of phencyclidine; TPCP; TCP);	694 695 696
(31) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine;	697
(32) Hashish;	698
(33) Salvia divinorum;	699
(34) Salvinorin A;	700
(35) (1-pentylindol-3-yl)-(2,2,3,3-	701

tetramethylcyclopropyl)methanone (UR-144);	702
(36) 1-pentyl-3-(1-adamantoyl)indole (AB-001);	703
(37) N-adamantyl-1-pentylindole-3-carboxamide;	704
(38) N-adamantyl-1-pentylindazole-3-carboxamide (AKB48);	705
(39) 2-ethylamino-2-(3-methoxyphenyl)cyclohexanone (methoxetamine);	706 707
(40) N,N-diallyl-5-methoxytryptamine (5MeO-DALT);	708
(41) [1-(5-fluoropentylindol-3-yl)]-(2,2,3,3- tetramethylcyclopropyl)methanone (5-fluoropentyl-UR-144; XLR11);	709 710
(42) [1-(5-chloropentylindol-3-yl)]-(2,2,3,3- tetramethylcyclopropyl)methanone (5-chloropentyl-UR-144);	711 712
(43) [1-(5-bromopentylindol-3-yl)]-(2,2,3,3- tetramethylcyclopropyl)methanone (5-bromopentyl-UR-144);	713 714
(44) {1-[2-(4-morpholinyl)ethyl]indol-3-yl}-(2,2,3,3- tetramethylcyclopropyl) methanone (A-796,260);	715 716
(45) 1-[(N-methylpiperidin-2-yl)methyl]-3-(1- adamantoyl)indole (AM1248);	717 718
(46) N-adamantyl-1-(5-fluoropentylindole)-3-carboxamide;	719
(47) 5-(2-aminopropyl)benzofuran (5-APB);	720
(48) 6-(2-aminopropyl)benzofuran (6-APB);	721
(49) 5-(2-aminopropyl)-2,3-dihydrobenzofuran (5-APDB);	722
(50) 6-(2-aminopropyl)-2,3-dihydrobenzofuran (6-APDB);	723
(51) Benzothiophenylcyclohexylpiperidine (BTCP);	724
(52) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E);	725

(53) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D);	726
(54) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C);	727
(55) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I);	728
(56) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-2);	729 730
(57) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-4);	731 732
(58) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H);	733
(59) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (2C-N);	734
(60) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P);	735 736
(61) 4-methoxymethamphetamine (PMMA);	737
(62) 5,6 - Methylenedioxy-2-aminoindane (MDAI);	738
(63) 5-iodo-2-aminoindane (5-IAI);	739
(64) 2-(4-iodo-2,5-dimethoxyphenyl)-N- [(2-methoxyphenyl)methyl]ethanamine (25I-NBOMe);	740 741
(65) Diphenylprolinol (diphenyl(pyrrolidin-2-yl)methanol, D2PM);	742 743
(66) Desoxypipradrol (2-benzhydrylpiperidine);	744
(67) Synthetic cannabinoids - unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of a synthetic cannabinoid found to be in any of the following chemical groups or any of those groups which contain any synthetic cannabinoid salts, isomers, or salts of isomers, whenever the existence of such salts, isomers, or salts of	745 746 747 748 749 750 751

isomers is possible within the specific chemical groups: 752

(a) Naphthoylindoles: any compound containing a 3-(1- 753
naphthoyl)indole structure with or without substitution at the 754
nitrogen atom of the indole ring by an alkyl, haloalkyl, 755
alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin- 756
2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, 757
(tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, 758
or 2-(4-morpholinyl)ethyl group, whether or not further 759
substituted on the indole ring to any extent or whether or not 760
substituted on the naphthyl group to any extent. 761
Naphthoylindoles include, but are not limited to, 1-[2-(4- 762
morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-200); 1-(5- 763
fluoropentyl)-3-(1-naphthoyl)indole (AM2201), 1-pentyl-3-(1- 764
naphthoyl)indole (JWH-018), and 1-butyl-3-(1-naphthoyl)indole 765
(JWH-073). 766

(b) Naphthylmethylinindoles: any compound containing a 1H- 767
indol-3-yl-(1-naphthyl)methane structure with or without 768
substitution at the nitrogen atom of the indole ring by an 769
alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 770
(N-methylpiperidin-2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin- 771
2-yl)methyl, (tetrahydropyran-4-yl)methyl, ((N-methyl)-3- 772
morpholinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or 773
not further substituted on the indole ring to any extent or 774
whether or not substituted on the naphthyl group to any extent. 775
Naphthylmethylinindoles include, but are not limited to, (1- 776
pentylinindol-3-yl)(1-naphthyl)methane (JWH-175). 777

(c) Naphthoylpyrroles: any compound containing a 3-(1- 778
naphthoyl)pyrrole structure with or without substitution at the 779
nitrogen atom of the pyrrole ring by an alkyl, haloalkyl, 780
alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin- 781

2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, 782
(tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, 783
or 2-(4-morpholinyl)ethyl group, whether or not further 784
substituted on the pyrrole ring to any extent or whether or not 785
substituted on the naphthyl group to any extent. 786
Naphthoylpyrroles include, but are not limited to, 1-hexyl-2- 787
phenyl-4-(1-naphthoyl)pyrrole (JWH-147). 788

(d) Naphthylmethylindenes: any compound containing a 789
naphthylmethylideneindene structure with or without substitution 790
at the 3-position of the indene ring by an alkyl, haloalkyl, 791
alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin- 792
2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, 793
(tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, 794
or 2-(4-morpholinyl)ethyl group, whether or not further 795
substituted on the indene group to any extent or whether or not 796
substituted on the naphthyl group to any extent. 797
Naphthylmethylindenes include, but are not limited to, (1-[(3- 798
pentyl)-1H-inden-1-ylidene)methyl]naphthalene (JWH-176). 799

(e) Phenylacetylindoles: any compound containing a 3- 800
phenylacetylindole structure with or without substitution at the 801
nitrogen atom of the indole ring by an alkyl, haloalkyl, 802
alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin- 803
2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, 804
(tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, 805
or 2-(4-morpholinyl)ethyl group, whether or not further 806
substituted on the indole ring to any extent or whether or not 807
substituted on the phenyl group to any extent. 808
Phenylacetylindoles include, but are not limited to, 1-pentyl-3- 809
(2-methoxyphenylacetyl)indole (JWH-250), and 1-(2- 810
cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole (RCS-8); 1- 811
pentyl-3-(2-chlorophenylacetyl)indole (JWH-203). 812

(f) Cyclohexylphenols: any compound containing a 2-(3-hydroxycyclohexyl)phenol structure with or without substitution at the 5-position of the phenolic ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, (tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the cyclohexyl group to any extent. Cyclohexylphenols include, but are not limited to, 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (some trade or other names: CP-47,497) and 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (some trade or other names: cannabicyclohexanol; CP-47,497 C8 homologue).

(g) Benzoylindoles: any compound containing a 3-(1-benzoyl)indole structure with or without substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, (tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the indole ring to any extent or whether or not substituted on the phenyl group to any extent. Benzoylindoles include, but are not limited to, 1-pentyl-3-(4-methoxybenzoyl)indole (RCS-4), 1-[2-(4-morpholinyl)ethyl]-2-methyl-3-(4-methoxybenzoyl)indole (Pravadoline or WIN 48, 098).

(D) Depressants 838

Any material, compound, mixture, or preparation that contains any quantity of the following substances having a depressant effect on the central nervous system, including their salts, isomers, and salts of isomers, unless specifically

excepted under federal drug abuse control laws, whenever the 843
existence of these salts, isomers, and salts of isomers is 844
possible within the specific chemical designation: 845

(1) Mecloqualone; 846

(2) Methaqualone. 847

(E) Stimulants 848

Unless specifically excepted or unless listed in another 849
schedule, any material, compound, mixture, or preparation that 850
contains any quantity of the following substances having a 851
stimulant effect on the central nervous system, including their 852
salts, isomers, and salts of isomers: 853

(1) Aminorex (some other names: aminoxaphen; 2-amino-5- 854
phenyl-2-oxazoline; or 4,5-dihydro-5-phenyl-2-oxazolamine); 855

(2) Fenethylline; 856

(3) (+/-)cis-4-methylaminorex ((+/-)cis-4,5-dihydro-4- 857
methyl-5-phenyl-2-oxazolamine); 858

(4) N-ethylamphetamine; 859

(5) N,N-dimethylamphetamine (also known as N,N-alpha- 860
trimethyl-benzeneethanamine; N,N-alpha-trimethylphenethylamine); 861

(6) N-methyl-1-(thiophen-2-yl) propan-2-amine 862
(Methiopropamine); 863

(7) Substituted cathinones - any compound except bupropion 864
or compounds listed under a different schedule, structurally 865
derived from 2-aminopropan-1-one by substitution at the 1- 866
position with either phenyl, naphthyl, or thiophene ring 867
systems, whether or not the compound is further modified in any 868
of the following ways: 869

(a) By substitution in the ring system to any extent with alkyl, alkylenedioxy, alkoxy, haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring system by one or more other univalent substituents;

(b) By substitution at the 3-position with an acyclic alkyl substituent;

(c) By substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or methoxybenzyl groups;

(d) By inclusion of the 2-amino nitrogen atom in a cyclic structure.

Examples of substituted cathinones include, but are not limited to, methylone (3,4-methylenedioxy-methcathinone), MDPV (3,4-methylenedioxy-pyrovalerone), mephedrone (4-methylmethcathinone), 4-methoxymethcathinone, 4-fluoromethcathinone, 3-fluoromethcathinone, Pentadrone (2-(methylamino)-1-phenyl-1-pentanone), pentylone (1-(1,3-benzodioxol-5-yl)-2-(methylamino)-1-pentanone), 2-(1-pyrrolidinyl)-1-(4-methylphenyl)-1-propanone, alpha-PVP (1-phenyl-2-(1-pyrrolidinyl)-1-pentanone), cathinone (2-amino-1-phenyl-1-propanone), and methcathinone (2-(methylamino)-propiofenone).

SCHEDULE II

(A) Narcotics-opium and opium derivatives

Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin, independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) Opium and opiate, and any salt, compound, derivative,	899
or preparation of opium or opiate, excluding apomorphine,	900
thebaine-derived butorphanol, dextrorphan, nalbuphine,	901
nalmefene, naloxone, and naltrexone, and their respective salts,	902
but including the following:	903
(a) Raw opium;	904
(b) Opium extracts;	905
(c) Opium fluid extracts;	906
(d) Powdered opium;	907
(e) Granulated opium;	908
(f) Tincture of opium;	909
(g) Codeine;	910
(h) Ethylmorphine;	911
(i) Etorphine hydrochloride;	912
(j) Hydrocodone;	913
(k) Hydromorphone;	914
(l) Metopon;	915
(m) Morphine;	916
(n) Oxycodone;	917
(o) Oxymorphone;	918
(p) Thebaine.	919
(2) Any salt, compound, derivative, or preparation thereof	920
that is chemically equivalent to or identical with any of the	921
substances referred to in division (A) (1) of this schedule,	922

except that these substances shall not include the isoquinoline	923
alkaloids of opium;	924
(3) Opium poppy and poppy straw;	925
(4) Coca leaves and any salt, compound, derivative, or	926
preparation of coca leaves (including cocaine and ecgonine,	927
their salts, isomers, and derivatives, and salts of those	928
isomers and derivatives), and any salt, compound, derivative, or	929
preparation thereof that is chemically equivalent to or	930
identical with any of these substances, except that the	931
substances shall not include decocainized coca leaves or	932
extraction of coca leaves, which extractions do not contain	933
cocaine or ecgonine;	934
(5) Concentrate of poppy straw (the crude extract of poppy	935
straw in either liquid, solid, or powder form that contains the	936
phenanthrene alkaloids of the opium poppy).	937
(B) Narcotics-opiates	938
Unless specifically excepted under federal drug abuse	939
control laws or unless listed in another schedule, any of the	940
following opiates, including their isomers, esters, ethers,	941
salts, and salts of isomers, esters, and ethers, whenever the	942
existence of these isomers, esters, ethers, and salts is	943
possible within the specific chemical designation, but excluding	944
dextrorphan and levopropoxyphene:	945
(1) Alfentanil;	946
(2) Alphaprodine;	947
(3) Anileridine;	948
(4) Bezitramide;	949

(5) Bulk dextropropoxyphene (non-dosage forms);	950
(6) Carfentanil;	951
(7) Dihydrocodeine;	952
(8) Diphenoxylate;	953
(9) Fentanyl;	954
(10) Isomethadone;	955
(11) Levo-alpha-acetylmethadol (some other names: levo- alpha-acetylmethadol; levomethadyl acetate; LAAM);	956 957
(12) Levomethorphan;	958
(13) Levorphanol;	959
(14) Metazocine;	960
(15) Methadone;	961
(16) Methadone-intermediate, 4-cyano-2-dimethylamino-4,4- diphenyl butane;	962 963
(17) Moramide-intermediate, 2-methyl-3-morpholino-1,1- diphenylpropane-carboxylic acid;	964 965
(18) Pethidine (meperidine);	966
(19) Pethidine-intermediate-A, 4-cyano-1-methyl-4- phenylpiperidine;	967 968
(20) Pethidine-intermediate-B, ethyl-4-phenylpiperidine-4- carboxylate;	969 970
(21) Pethidine-intermediate-C, 1-methyl-4- phenylpiperidine-4-carboxylic acid;	971 972
(22) Phenazocine;	973

(23) Piminodine;	974
(24) Racemethorphan;	975
(25) Racemorphan;	976
(26) Remifentanil;	977
(27) Sufentanil.	978
(C) Stimulants	979
Unless specifically excepted under federal drug abuse	980
control laws or unless listed in another schedule, any material,	981
compound, mixture, or preparation that contains any quantity of	982
the following substances having a stimulant effect on the	983
central nervous system:	984
(1) Amphetamine, its salts, its optical isomers, and salts	985
of its optical isomers;	986
(2) Methamphetamine, its salts, its isomers, and salts of	987
its isomers;	988
(3) Methylphenidate;	989
(4) Phenmetrazine and its salts;	990
(5) Lisdexamfetamine, its salts, isomers, and salts of its	991
isomers.	992
(D) Depressants	993
Unless specifically excepted under federal drug abuse	994
control laws or unless listed in another schedule, any material,	995
compound, mixture, or preparation that contains any quantity of	996
the following substances having a depressant effect on the	997
central nervous system, including their salts, isomers, and	998
salts of isomers, whenever the existence of these salts,	999

isomers, and salts of isomers is possible within the specific	1000
chemical designation:	1001
(1) Amobarbital;	1002
(2) Gamma-hydroxy-butyrate;	1003
(3) Glutethimide;	1004
(4) Pentobarbital;	1005
(5) Phencyclidine (some trade or other names: 1-(1-phenylcyclohexyl)piperidine; PCP);	1006
	1007
(6) Secobarbital;	1008
(7) 1-aminophenylcyclohexane and all N-mono-substituted	1009
and/or all N-N-disubstituted analogs including, but not limited	1010
to, the following:	1011
(a) 1-phenylcyclohexylamine;	1012
(b) (1-phenylcyclohexyl) methylamine;	1013
(c) (1-phenylcyclohexyl) dimethylamine;	1014
(d) (1-phenylcyclohexyl) methylethylamine;	1015
(e) (1-phenylcyclohexyl) isopropylamine;	1016
(f) 1-(1-phenylcyclohexyl) morpholine.	1017
(E) Hallucinogenic substances	1018
(1) Nabilone (another name for nabilone: (+)-trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,6-dimethyl-9H-dibenzo[b,d]pyran-9-one).	1019
	1020
	1021
(F) Immediate precursors	1022
Unless specifically excepted under federal drug abuse	1023

control laws or unless listed in another schedule, any material, 1024
compound, mixture, or preparation that contains any quantity of 1025
the following substances: 1026

(1) Immediate precursor to amphetamine and 1027
methamphetamine: 1028

(a) Phenylacetone (some trade or other names: phenyl-2- 1029
propanone; P2P; benzyl methyl ketone; methyl benzyl ketone); 1030

(2) Immediate precursors to phencyclidine (PCP): 1031

(a) 1-phenylcyclohexylamine; 1032

(b) 1-piperidinocyclohexanecarbonitrile (PCC). 1033

SCHEDULE III 1034

(A) Stimulants 1035

Unless specifically excepted under federal drug abuse 1036
control laws or unless listed in another schedule, any material, 1037
compound, mixture, or preparation that contains any quantity of 1038
the following substances having a stimulant effect on the 1039
central nervous system, including their salts, their optical 1040
isomers, position isomers, or geometric isomers, and salts of 1041
these isomers, whenever the existence of these salts, isomers, 1042
and salts of isomers is possible within the specific chemical 1043
designation: 1044

(1) All stimulant compounds, mixtures, and preparations 1045
included in schedule III pursuant to the federal drug abuse 1046
control laws and regulations adopted under those laws; 1047

(2) Benzphetamine; 1048

(3) Chlorphentermine; 1049

(4) Clortermine; 1050

(5) Phendimetrazine.	1051
(B) Depressants	1052
Unless specifically excepted under federal drug abuse	1053
control laws or unless listed in another schedule, any material,	1054
compound, mixture, or preparation that contains any quantity of	1055
the following substances having a depressant effect on the	1056
central nervous system:	1057
(1) Any compound, mixture, or preparation containing	1058
amobarbital, secobarbital, pentobarbital, or any salt of any of	1059
these drugs, and one or more other active medicinal ingredients	1060
that are not listed in any schedule;	1061
(2) Any suppository dosage form containing amobarbital,	1062
secobarbital, pentobarbital, or any salt of any of these drugs	1063
and approved by the food and drug administration for marketing	1064
only as a suppository;	1065
(3) Any substance that contains any quantity of a	1066
derivative of barbituric acid or any salt of a derivative of	1067
barbituric acid;	1068
(4) Chlorhexadol;	1069
(5) Ketamine, its salts, isomers, and salts of isomers	1070
(some other names for ketamine: (+/-)-2-(2-chlorophenyl)-2-	1071
(methylamino)-cyclohexanone);	1072
(6) Lysergic acid;	1073
(7) Lysergic acid amide;	1074
(8) Methyprylon;	1075
(9) Sulfondiethylmethane;	1076
(10) Sulfonethylmethane;	1077

(11) Sulphonmethane;	1078
(12) Tiletamine, zolazepam, or any salt of tiletamine or zolazepam (some trade or other names for a tiletamine-zolazepam combination product: Telazol); (some trade or other names for tiletamine: 2-(ethylamino)-2-(2-thienyl)-cyclohexanone); (some trade or other names for zolazepam: 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo-[3, 4-e][1,4]-diazepin-7(1H)-one; flupyrazapon).	1079 1080 1081 1082 1083 1084 1085
(C) Narcotic antidotes	1086
(1) Nalorphine.	1087
(D) Narcotics-narcotic preparations	1088
Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:	1089 1090 1091 1092 1093 1094
(1) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;	1095 1096 1097
(2) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;	1098 1099 1100 1101
(3) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium;	1102 1103 1104 1105

(4) Not more than 300 milligrams of dihydrocodeinone per 1106
100 milliliters or not more than 15 milligrams per dosage unit, 1107
with one or more active, nonnarcotic ingredients in recognized 1108
therapeutic amounts; 1109

(5) Not more than 1.8 grams of dihydrocodeine per 100 1110
milliliters or not more than 90 milligrams per dosage unit, with 1111
one or more active, nonnarcotic ingredients in recognized 1112
therapeutic amounts; 1113

(6) Not more than 300 milligrams of ethylmorphine per 100 1114
milliliters or not more than 15 milligrams per dosage unit, with 1115
one or more active, nonnarcotic ingredients in recognized 1116
therapeutic amounts; 1117

(7) Not more than 500 milligrams of opium per 100 1118
milliliters or per 100 grams or not more than 25 milligrams per 1119
dosage unit, with one or more active, nonnarcotic ingredients in 1120
recognized therapeutic amounts; 1121

(8) Not more than 50 milligrams of morphine per 100 1122
milliliters or per 100 grams, with one or more active, 1123
nonnarcotic ingredients in recognized therapeutic amounts. 1124

(E) Anabolic steroids 1125

Unless specifically excepted under federal drug abuse 1126
control laws or unless listed in another schedule, any material, 1127
compound, mixture, or preparation that contains any quantity of 1128
the following substances, including their salts, esters, 1129
isomers, and salts of esters and isomers, whenever the existence 1130
of these salts, esters, and isomers is possible within the 1131
specific chemical designation: 1132

(1) Anabolic steroids. Except as otherwise provided in 1133
division (E) (1) of schedule III, "anabolic steroids" means any 1134

drug or hormonal substance that is chemically and 1135
pharmacologically related to testosterone (other than estrogens, 1136
progestins, and corticosteroids) and that promotes muscle 1137
growth. "Anabolic steroids" does not include an anabolic steroid 1138
that is expressly intended for administration through implants 1139
to cattle or other nonhuman species and that has been approved 1140
by the United States secretary of health and human services for 1141
that administration, unless a person prescribes, dispenses, or 1142
distributes this type of anabolic steroid for human use. 1143
"Anabolic steroid" includes, but is not limited to, the 1144
following: 1145

- (a) Boldenone; 1146
- (b) Chlorotestosterone (4-chlortestosterone); 1147
- (c) Clostebol; 1148
- (d) Dehydrochlormethyltestosterone; 1149
- (e) Dihydrotestosterone (4-dihydrotestosterone); 1150
- (f) Drostanolone; 1151
- (g) Ethylestrenol; 1152
- (h) Fluoxymesterone; 1153
- (i) Formebolone (formebolone); 1154
- (j) Mesterolone; 1155
- (k) Methandienone; 1156
- (l) Methandranone; 1157
- (m) Methandriol; 1158
- (n) Methandrostenolone; 1159

(o) Methenolone;	1160
(p) Methyltestosterone;	1161
(q) Mibolerone;	1162
(r) Nandrolone;	1163
(s) Norethandrolone;	1164
(t) Oxandrolone;	1165
(u) Oxymesterone;	1166
(v) Oxymetholone;	1167
(w) Stanolone;	1168
(x) Stanozolol;	1169
(y) Testolactone;	1170
(z) Testosterone;	1171
(aa) Trenbolone;	1172
(bb) Any salt, ester, isomer, or salt of an ester or isomer of a drug or hormonal substance described or listed in division (E) (1) of schedule III if the salt, ester, or isomer promotes muscle growth.	1173 1174 1175 1176
(F) Hallucinogenic substances	1177
(1) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a United States food and drug administration approved drug product (some other names for dronabinol: (6aR-trans)-6a,7,8,10a-tetrahydro- 6,6,9-trimethyl- 3-pentyl-6H-dibenzo[b,d]pyran-1-ol, or (-)-delta-9-(trans)- tetrahydrocannabinol).	1178 1179 1180 1181 1182 1183
SCHEDULE IV	1184

(A) Narcotic drugs	1185
Unless specifically excepted by federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:	1186 1187 1188 1189 1190 1191
(1) Not more than one milligram of difenoxin and not less than 25 micrograms of atropine sulfata per dosage unit;	1192 1193
(2) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,2-diphenyl-3-methyl-2-propionoxybutane)[final dosage forms].	1194 1195
(B) Depressants	1196
Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances, including their salts, isomers, and salts of isomers, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:	1197 1198 1199 1200 1201 1202 1203
(1) Alprazolam;	1204
(2) Barbital;	1205
(3) Bromazepam;	1206
(4) Camazepam;	1207
(5) Chloral betaine;	1208
(6) Chloral hydrate;	1209
(7) Chlordiazepoxide;	1210

(8) Clobazam;	1211
(9) Clonazepam;	1212
(10) Clorazepate;	1213
(11) Clotiazepam;	1214
(12) Cloxazolam;	1215
(13) Delorazepam;	1216
(14) Diazepam;	1217
(15) Estazolam;	1218
(16) Ethchlorvynol;	1219
(17) Ethinamate;	1220
(18) Ethyl loflazepate;	1221
(19) Fludiazepam;	1222
(20) Flunitrazepam;	1223
(21) Flurazepam;	1224
(22) Halazepam;	1225
(23) Haloxazolam;	1226
(24) Ketazolam;	1227
(25) Loprazolam;	1228
(26) Lorazepam;	1229
(27) Lormetazepam;	1230
(28) Mebutamate;	1231
(29) Medazepam;	1232

(30) Meprobamate;	1233
(31) Methohexital;	1234
(32) Methylphenobarbital (mephobarbital);	1235
(33) Midazolam;	1236
(34) Nimetazepam;	1237
(35) Nitrazepam;	1238
(36) Nordiazepam;	1239
(37) Oxazepam;	1240
(38) Oxazolam;	1241
(39) Paraldehyde;	1242
(40) Petrichloral;	1243
(41) Phenobarbital;	1244
(42) Pinazepam;	1245
(43) Prazepam;	1246
(44) Quazepam;	1247
(45) Temazepam;	1248
(46) Tetrazepam;	1249
(47) Triazolam;	1250
(48) Zaleplon;	1251
(49) Zolpidem.	1252
(C) Fenfluramine	1253
Any material, compound, mixture, or preparation that	1254
contains any quantity of the following substances, including	1255

their salts, their optical isomers, position isomers, or 1256
geometric isomers, and salts of these isomers, whenever the 1257
existence of these salts, isomers, and salts of isomers is 1258
possible within the specific chemical designation: 1259

(1) Fenfluramine. 1260

(D) Stimulants 1261

Unless specifically excepted under federal drug abuse 1262
control laws or unless listed in another schedule, any material, 1263
compound, mixture, or preparation that contains any quantity of 1264
the following substances having a stimulant effect on the 1265
central nervous system, including their salts, their optical 1266
isomers, position isomers, or geometric isomers, and salts of 1267
these isomers, whenever the existence of these salts, isomers, 1268
and salts of isomers is possible within the specific chemical 1269
designation: 1270

(1) Cathine ((+)-norpseudoephedrine); 1271

(2) Diethylpropion; 1272

(3) Fencamfamin; 1273

(4) Fenproporex; 1274

(5) Mazindol; 1275

(6) Mefenorex; 1276

(7) Modafinil; 1277

(8) Pemoline (including organometallic complexes and 1278
chelates thereof); 1279

(9) Phentermine; 1280

(10) Pipradrol; 1281

(11) Sibutramine;	1282
(12) SPA [(-)-1-dimethylamino-1,2-diphenylethane].	1283
(E) Other substances	1284
Unless specifically excepted under federal drug abuse	1285
control laws or unless listed in another schedule, any material,	1286
compound, mixture, or preparation that contains any quantity of	1287
the following substances, including their salts:	1288
(1) Pentazocine;	1289
(2) Butorphanol (including its optical isomers).	1290
SCHEDULE V	1291
(A) Narcotic drugs	1292
Unless specifically excepted under federal drug abuse	1293
control laws or unless listed in another schedule, any material,	1294
compound, mixture, or preparation that contains any of the	1295
following narcotic drugs, and their salts, as set forth below:	1296
(1) Buprenorphine.	1297
(B) Narcotics-narcotic preparations	1298
Narcotic drugs containing non-narcotic active medicinal	1299
ingredients. Any compound, mixture, or preparation that contains	1300
any of the following narcotic drugs, or their salts calculated	1301
as the free anhydrous base or alkaloid, in limited quantities as	1302
set forth below, and that includes one or more nonnarcotic	1303
active medicinal ingredients in sufficient proportion to confer	1304
upon the compound, mixture, or preparation valuable medicinal	1305
qualities other than those possessed by narcotic drugs alone:	1306
(1) Not more than 200 milligrams of codeine per 100	1307
milliliters or per 100 grams;	1308

(2) Not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 grams;	1309 1310
(3) Not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams;	1311 1312
(4) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit;	1313 1314
(5) Not more than 100 milligrams of opium per 100 milliliters or per 100 grams;	1315 1316
(6) Not more than 0.5 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.	1317 1318
(C) Stimulants	1319
Unless specifically exempted or excluded under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances having a stimulant effect on the central nervous system, including their salts, isomers, and salts of isomers:	1320 1321 1322 1323 1324 1325
(1) Ephedrine, except as provided in division (K) of section 3719.44 of the Revised Code;	1326 1327
(2) Pyrovalerone.	1328
(D) Approved <u>United States food and drug administration</u> <u>approved</u> cannabidiol drugs	1329 1330
Unless specifically exempted or excluded under federal drug abuse control laws or unless listed in another schedule, any drug product in finished dosage formulation that has been approved by the United States food and drug administration that contains cannabidiol (2-[1R-3-methyl-6R-(1-methylethenyl)-2-	1331 1332 1333 1334 1335

cyclohexen-1-yl]-5-pentyl-1,3-benzenediol) derived from cannabis 1336
and not more than 0.1 per cent (w/w) residual 1337
tetrahydrocannabinols. 1338

Section 2. That existing sections 924.01, 3719.01, and 1339
3719.41 of the Revised Code are hereby repealed. 1340

Section 3. That the versions of sections 3719.01 and 1341
3719.41 of the Revised Code that are scheduled to take effect on 1342
March 22, 2020, be amended to read as follows: 1343

Sec. 3719.01. As used in this chapter: 1344

(A) "Administer" means the direct application of a drug, 1345
whether by injection, inhalation, ingestion, or any other means 1346
to a person or an animal. 1347

(B) "Drug enforcement administration" means the drug 1348
enforcement administration of the United States department of 1349
justice or its successor agency. 1350

(C) "Controlled substance" means a drug, compound, 1351
mixture, preparation, or substance included in schedule I, II, 1352
III, IV, or V. 1353

(D) "Dangerous drug" has the same meaning as in section 1354
4729.01 of the Revised Code. 1355

(E) "Dispense" means to sell, leave with, give away, 1356
dispose of, or deliver. 1357

(F) "Distribute" means to deal in, ship, transport, or 1358
deliver but does not include administering or dispensing a drug. 1359

(G) "Drug" has the same meaning as in section 4729.01 of 1360
the Revised Code. 1361

(H) "Drug abuse offense" and "felony drug abuse offense" 1362

have the same meanings as in section 2925.01 of the Revised Code. 1363
1364

(I) "Federal drug abuse control laws" means the 1365
"Comprehensive Drug Abuse Prevention and Control Act of 1970," 1366
84 Stat. 1242, 21 U.S.C. 801, as amended. 1367

(J) "Hospital" means a facility registered as a hospital 1368
with the department of health under section 3701.07 of the 1369
Revised Code. 1370

(K) "Hypodermic" means a hypodermic syringe or needle, or 1371
other instrument or device for the injection of medication. 1372

(L) "Manufacturer" means a person who manufactures a 1373
controlled substance, as "manufacture" is defined in section 1374
3715.01 of the Revised Code, and includes a "manufacturer of 1375
dangerous drugs" as defined in section 4729.01 of the Revised 1376
Code. 1377

(M) "Marihuana" means all parts of a plant of the genus 1378
cannabis, whether growing or not; the seeds of a plant of that 1379
type; the resin extracted from a part of a plant of that type; 1380
and every compound, manufacture, salt, derivative, mixture, or 1381
preparation of a plant of that type or of its seeds or resin. 1382
"Marihuana" does not include the mature stalks of the plant, 1383
fiber produced from the stalks, oils or cake made from the seeds 1384
of the plant, or any other compound, manufacture, salt, 1385
derivative, mixture, or preparation of the mature stalks, except 1386
the resin extracted from the mature stalks, fiber, oil or cake, 1387
or the sterilized seed of the plant that is incapable of 1388
germination. "Marihuana" does not include hemp or a hemp 1389
product. 1390

(N) "Narcotic drugs" means coca leaves, opium, 1391

isonipecaïne, amidone, isoamidone, ketobemidone, as defined in 1392
this division, and every substance not chemically distinguished 1393
from them and every drug, other than cannabis, that may be 1394
included in the meaning of "narcotic drug" under the federal 1395
drug abuse control laws. As used in this division: 1396

(1) "Coca leaves" includes cocaine and any compound, 1397
manufacture, salt, derivative, mixture, or preparation of coca 1398
leaves, except derivatives of coca leaves, that does not contain 1399
cocaine, ecgonine, or substances from which cocaine or ecgonine 1400
may be synthesized or made. 1401

(2) "Isonipecaïne" means any substance identified 1402
chemically as 1-methyl-4-phenyl-piperidine-4-carboxylic acid 1403
ethyl ester, or any salt thereof, by whatever trade name 1404
designated. 1405

(3) "Amidone" means any substance identified chemically as 1406
4-4-diphenyl-6-dimethylamino-heptanone-3, or any salt thereof, 1407
by whatever trade name designated. 1408

(4) "Isoamidone" means any substance identified chemically 1409
as 4-4-diphenyl-5-methyl-6-dimethylaminohexanone-3, or any salt 1410
thereof, by whatever trade name designated. 1411

(5) "Ketobemidone" means any substance identified 1412
chemically as 4-(3-hydroxyphenyl)-1-methyl-4-piperidyl ethyl 1413
ketone hydrochloride, or any salt thereof, by whatever trade 1414
name designated. 1415

(6) "Cocaine" has the same meaning as in section 2925.01 1416
of the Revised Code. 1417

(0) "Official written order" means an order written on a 1418
form provided for that purpose by the director of the United 1419
States drug enforcement administration, under any laws of the 1420

United States making provision for the order, if the order forms 1421
are authorized and required by federal law. 1422

(P) "Person" means any individual, corporation, 1423
government, governmental subdivision or agency, business trust, 1424
estate, trust, partnership, association, or other legal entity. 1425

(Q) "Pharmacist" means a person licensed under Chapter 1426
4729. of the Revised Code to engage in the practice of pharmacy. 1427

(R) "Pharmacy" has the same meaning as in section 4729.01 1428
of the Revised Code. 1429

(S) "Poison" means any drug, chemical, or preparation 1430
likely to be deleterious or destructive to adult human life in 1431
quantities of four grams or less. 1432

(T) "Licensed health professional authorized to prescribe 1433
drugs," "prescriber," and "prescription" have the same meanings 1434
as in section 4729.01 of the Revised Code. 1435

(U) "Sale" includes delivery, barter, exchange, transfer, 1436
or gift, or offer thereof, and each transaction of those natures 1437
made by any person, whether as principal, proprietor, agent, 1438
servant, or employee. 1439

(V) "Schedule I," "schedule II," "schedule III," "schedule 1440
IV," and "schedule V" mean controlled substance schedules I, II, 1441
III, IV, and V, respectively, as established by rule adopted 1442
under section 3719.41 of the Revised Code, as amended pursuant 1443
to section 3719.43 or 3719.44 of the Revised Code, or as 1444
established by emergency rule adopted under section 3719.45 of 1445
the Revised Code. 1446

(W) "Wholesaler" means a person who, on official written 1447
orders other than prescriptions, supplies controlled substances 1448

that the person has not manufactured, produced, or prepared 1449
personally and includes a "wholesale distributor of dangerous 1450
drugs" as defined in section 4729.01 of the Revised Code. 1451

(X) "Animal shelter" means a facility operated by a humane 1452
society or any society organized under Chapter 1717. of the 1453
Revised Code or a dog pound operated pursuant to Chapter 955. of 1454
the Revised Code. 1455

(Y) "Terminal distributor of dangerous drugs" has the same 1456
meaning as in section 4729.01 of the Revised Code. 1457

(Z) (1) "Controlled substance analog" means, except as 1458
provided in division (Z) (2) of this section, a substance to 1459
which both of the following apply: 1460

(a) The chemical structure of the substance is 1461
substantially similar to the structure of a controlled substance 1462
in schedule I or II. 1463

(b) One of the following applies regarding the substance: 1464

(i) The substance has a stimulant, depressant, or 1465
hallucinogenic effect on the central nervous system that is 1466
substantially similar to or greater than the stimulant, 1467
depressant, or hallucinogenic effect on the central nervous 1468
system of a controlled substance in schedule I or II. 1469

(ii) With respect to a particular person, that person 1470
represents or intends the substance to have a stimulant, 1471
depressant, or hallucinogenic effect on the central nervous 1472
system that is substantially similar to or greater than the 1473
stimulant, depressant, or hallucinogenic effect on the central 1474
nervous system of a controlled substance in schedule I or II. 1475

(2) "Controlled substance analog" does not include any of 1476

the following: 1477

(a) A controlled substance; 1478

(b) Any substance for which there is an approved new drug application; 1479
1480

(c) With respect to a particular person, any substance if an exemption is in effect for investigational use for that person pursuant to federal law to the extent that conduct with respect to that substance is pursuant to that exemption; 1481
1482
1483
1484

(d) Any substance to the extent it is not intended for human consumption before the exemption described in division (Z) (2) (b) of this section takes effect with respect to that substance. 1485
1486
1487
1488

(AA) "Benzodiazepine" means a controlled substance that has United States food and drug administration approved labeling indicating that it is a benzodiazepine, benzodiazepine derivative, triazolobenzodiazepine, or triazolobenzodiazepine derivative, including the following drugs and their varying salt forms or chemical congeners: alprazolam, chlordiazepoxide hydrochloride, clobazam, clonazepam, clorazepate, diazepam, estazolam, flurazepam hydrochloride, lorazepam, midazolam, oxazepam, quazepam, temazepam, and triazolam. 1489
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(BB) "Opioid analgesic" means a controlled substance that has analgesic pharmacologic activity at the opioid receptors of the central nervous system, including the following drugs and their varying salt forms or chemical congeners: buprenorphine, butorphanol, codeine (including acetaminophen and other combination products), dihydrocodeine, fentanyl, hydrocodone (including acetaminophen combination products), hydromorphone, meperidine, methadone, morphine sulfate, oxycodone (including 1498
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acetaminophen, aspirin, and other combination products), 1506
oxymorphone, tapentadol, and tramadol. 1507

(CC) "Outsourcing facility," "repackager of dangerous 1508
drugs," and "third-party logistics provider" have the same 1509
meanings as in section 4729.01 of the Revised Code. 1510

(DD) "Hemp" and "hemp product" have the same meanings as 1511
in section 928.01 of the Revised Code. 1512

Sec. 3719.41. (A) For purposes of administration, 1513
enforcement, and regulation of the manufacture, distribution, 1514
dispensing, and possession of controlled substances, the state 1515
board of pharmacy shall adopt rules in accordance with Chapter 1516
119. of the Revised Code establishing schedule I, schedule II, 1517
schedule III, schedule IV, and schedule V incorporating the five 1518
schedules of controlled substances under the federal drug abuse 1519
control laws. 1520

The board may include in the schedules any compound, 1521
mixture, preparation, or substance that was included in the 1522
schedules immediately prior to ~~the effective date of this~~ 1523
~~amendment~~ March 22, 2020, as long as the inclusion does not have 1524
the effect of providing less stringent control of the compound, 1525
mixture, preparation, or substance than is provided under the 1526
federal drug abuse control laws or regulations adopted under 1527
those laws. 1528

(B) Except as provided in section 3719.45 of the Revised 1529
Code, the board periodically shall update the schedules by rule 1530
adopted in accordance with Chapter 119. of the Revised Code to 1531
correspond to any change in the federal drug abuse control laws 1532
or regulations adopted under those laws, any addition, transfer, 1533
or removal by congress or the attorney general of the United 1534

States as described in section 3719.43 of the Revised Code, and 1535
any addition, transfer, or removal by the board by rule adopted 1536
under section 3719.44 of the Revised Code. 1537

(C) Notwithstanding divisions (A) and (B) of this section, 1538
the board shall not adopt rules including hemp or a hemp product 1539
in a schedule as a controlled substance. 1540

(D) As used in this section, "hemp" and "hemp product" 1541
have the same meanings as in section 928.01 of the Revised Code. 1542

Section 4. That the existing versions of sections 3719.01 1543
and 3719.41 of the Revised Code that are scheduled to take 1544
effect on March 22, 2020, are hereby repealed. 1545

Section 5. Not later than one hundred and eighty days 1546
after the effective date of this section, the Director of 1547
Agriculture, in consultation with the Governor and Attorney 1548
General, shall submit a plan for the regulation of hemp 1549
cultivation to the Secretary of the United States Department of 1550
Agriculture for approval in accordance with the Agriculture 1551
Improvement Act of 2018, Pub. L. No. 115-334. 1552