

Ohio Senate Moves to Restrict Hemp Sales to Dispensaries

Ohio Senate Unanimously Passes Bill to Restrict Hemp-Derived THC Sales to Licensed Dispensaries and Liquor Stores

Legislation Seeks to Eliminate Intoxicating Hemp Sales at Gas Stations and Smoke Shops Across the State

In a unanimous 33-0 vote on April 30, the Ohio Senate passed Senate Bill 86, aimed at significantly tightening state regulations on the sale of hemp-derived THC products. If enacted, the law would remove intoxicating hemp products—such as delta-8 THC gummies—from gas stations, vape stores, and convenience shops, and restrict their sales to licensed cannabis dispensaries or, in certain cases, retailers with liquor licenses.

Bill Defines Strict THC Limits and Closes Loopholes on Intoxicating Hemp Compounds

S.B. 86, introduced by Sen. Steve Huffman (R-Tipp City), outlines new thresholds for what qualifies as an “intoxicating hemp product.” Under the bill, any product containing more than 0.5 mg per serving or 2 mg per package of delta-9 THC, or any amount of synthetic THC like delta-8, will be regulated.

Further, the legislation includes provisions to restrict THCA loopholes by classifying products with more than 0.5 mg of total non-delta-9 THC per package as intoxicating hemp items. These products would be banned from open retail sales and reserved only for state-licensed dispensaries.

Infused Beverages With Low THC May Be Sold at Liquor-Licensed Retailers Under New Guidelines

While intoxicating hemp products must be sold in dispensaries, the bill creates narrow exceptions for drinkable cannabinoid products, permitting their sale at retailers with state liquor licenses—so long as the beverages meet strict compositional limits.

These THC-infused drinks must contain:

No more than **0.3% THC overall**

No more than **0.42 mg of THC per fluid ounce**

No more than **0.5 mg delta-9 THC per serving**

No more than **2 mg delta-9 THC per container**

No more than **48 fluid ounces total per package**

No synthetic cannabinoids or delta-8 THC

Lawmakers Cite Public Safety Risks and Criminal Cases Involving Smoke Shops

Sen. Huffman pointed to recent law enforcement actions as evidence for the bill's necessity, including a March 2025 raid of a VIP Smoke Shop in Norwood, where two brothers operating over 100 such stores were indicted on 60 criminal charges. Huffman emphasized that such businesses mislead consumers into believing they are purchasing legal, regulated cannabis when they are not.

"These types of places are becoming more and more prevalent, causing confusion and putting public safety at risk," Huffman said.

New Bill Imposes Taxes, Packaging Rules, Testing Standards, and Criminal Penalties

In an effort to bring hemp-derived THC products under the same scrutiny as state-legal cannabis, the bill proposes:

A **10% excise tax** on intoxicating hemp products

A **\$3.50 per gallon tax** on THC-infused drinks sold by manufacturers

Packaging, labeling, and lab testing standards

Mandatory age verification, limiting access to those **21 and older**

Violations of these regulations could result in a first-degree misdemeanor on the first offense and a fifth-degree felony for repeat offenders.

Supporters Aim to Protect Youth from Unregulated THC; Critics Warn of Overregulation

Co-sponsor Sen. Shane Wilkin (R–Hillsboro) said the bill's primary goal is to protect children from products that are often packaged like candy or cereal and marketed to youth.

However, Sen. Bill DeMora (D–Columbus), who supported the bill, urged the House to revisit its strict limitations on infused beverages, warning that small businesses in his district could be disproportionately affected.

What Comes Next: Bill Moves to the Ohio House Amid Ongoing Cannabis Reform Efforts

With Senate passage complete, S.B. 86 now heads to the Ohio House, where lawmakers may consider amendments. The bill comes as Ohio continues to build out its adult-use cannabis program following voter approval in 2023, and underscores growing efforts by state leaders to draw clear regulatory lines between cannabis, hemp, and synthetic cannabinoids.

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