

Ohio Plans Restrictions on Hemp THC and Out of State Cannabis

Ohio Poised to Criminalize Out-of-State Marijuana and Restrict Hemp THC Under New Bill

Cannabis legally purchased out of state or even carried in a Ziploc bag could soon be illegal in Ohio if Senate Bill 56 (SB 56) is signed into law by Gov. Mike DeWine. The bill, approved by the state Senate on a 22-7 party-line vote, also limits hemp-derived THC to state-licensed marijuana stores and imposes strict new rules on THC beverages, according to the *Ohio Capital Journal*.

SB 56 Limits THC Beverages, Caps Adult-Use Stores, and Tightens Packaging Rules

Under the proposed legislation, THC-infused drinks will be restricted to 5 milligrams of THC per container and will only remain legal through 2026. SB 56 also:

- Caps the total number of adult-use marijuana stores in Ohio at 400
- Limits THC potency to 35% for flower and 70% for concentrates
- Prohibits smoking cannabis in most public areas
- Bans possession of cannabis outside of original packaging
- Requires motorists to store cannabis in the trunk while driving

These measures come as lawmakers aim to rewrite rules for Ohio's recently legalized adult-use market, which became law in November 2023, making Ohio the 24th state in the U.S. to legalize adult-use cannabis.

Lawmakers Respond to Hemp THC and Longstanding Regulatory Concerns

SB 56 is both a reaction to federal restrictions on hemp THC, including the ban signed by President Donald Trump, and part of a broader effort to curb aspects of Ohio's voter-approved cannabis law.

Ahead of Congress' Farm Bill loophole closure, DeWine issued an executive order on Oct. 9 banning hemp THC, which was blocked in the courts. If SB 56 becomes law, hemp-derived THC products will be restricted to licensed cannabis stores by March, tightening control over the previously accessible market.

Cannabis Industry Faces New Challenges Amid Market Growth

Ohio's legal cannabis market is rapidly expanding, with annual sales projected to exceed \$1 billion, according to Headset data. Yet cannabis businesses continue to face strict advertising and product-naming rules carried over from the medical cannabis framework, leading some operators to file lawsuits claiming the regulations are unfairly burdensome.

The new legislation reflects a continuing push by the state to limit market growth, regulate product potency, and enforce strict compliance, signaling that operators and consumers alike will need to navigate a more restrictive legal landscape.

Enforcement and Compliance Questions Remain

While SB 56 would criminalize out-of-state cannabis and impose new product restrictions, questions remain about how the state will enforce these measures. Lawmakers and regulators will need to ensure that both consumers and businesses understand and comply with the new framework while managing a market projected to grow beyond \$1 billion annually.

If enacted, Ohio would join a growing number of states tightening control over hemp THC and cannabis possession, further differentiating local adult-use markets from more permissive jurisdictions.

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