



Ohio Cannabis Legalization Law Summary

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On November 7, 2023, voters approved Issue 2, making Ohio the 24th state to legalize, regulate, and tax cannabis for adults 21 and older. In 2025, the legislature eroded the voter-enacted law, recriminalizing innocuous conduct, removing non-discrimination protections, and removing funding allocations, including for social equity and impacted communities. A referendum campaign has been launched to try to overturn the changes, which [could also be challenged](#) in court.

Below is a summary of the law, as [revised](#) by the Ohio Legislature and Gov. DeWine.

Personal possession

- Adults 21 and older may:
 - Possess, purchase, and share with other adults up to 2.5 ounces of cannabis and up to 15 grams of concentrate; and
 - Cultivate up to six plants (with no more than 12 plants per residence).

New crimes created by the Legislature

In late 2025, the Ohio Legislature recriminalized innocuous conduct. In most cases, starting on March 19, 2026, the penalty will be a minor misdemeanor, punishable by up to a \$150 fine. The legislature:

- Re-criminalized cannabis obtained anywhere other than from an Ohio retailer or homegrown cannabis.
- Required edibles to be stored “in the original packaging at all times when the products are not actively in use.”
- Mandated that cannabis must be transported in its original, unopened packaging or be stored in a trunk or, if there is no trunk, “behind the last upright seat of the motor vehicle or in an area not normally occupied by the driver or passengers and not easily accessible by the driver.”
- Banned cannabis smoking or vaping anywhere other than some residential and agricultural areas with the owner’s permission.

Limitations

- Home cultivation must occur on the grounds of one’s primary residence, “within a secured closet, room, greenhouse, or other enclosed area” that prevents access by those under 21. It cannot be “visible by normal unaided vision from a public space.”
- Landlords may prohibit home cultivation, vaping, and the combustion of cannabis on leased property if the prohibition is in the lease.
- The Legislature prohibited smoking, vaping, and combustion of cannabis and the cultivation of cannabis in childcare homes (even when children are not present), halfway homes, and similar locations.
- Does not allow anyone to operate a vehicle, bike, boat, or aircraft while using or under the

influence of cannabis.

- Employers do not have to revise their employment practices, including zero-tolerance policies.

Adult-use cannabis market regulations

- The Division of Cannabis Control (DCC) regulates adult-use and medical cannabis businesses.
- Directs the DCC to establish detailed rules to promote public health and safety, including regulations related to packaging, labeling, product testing, and home delivery.
- Allows the DCC to adopt rules to prevent licensee advertisements that are false, misleading, targeted to minors, promote excessive use, or promote illegal activity.
- Creates a 500-foot buffer between cannabis businesses and sensitive locations.
- Requires limits on potency of no lower than 35% in plant material and 70% in extracts. (The legislature reduced the cap on extracts from 90% to 70%)
- Allows the following forms of cannabis: plant material, seeds, live plants, clones, extracts, drops, lozenges, oils, tinctures, edibles, patches, smoking or combustible products, vaporization of products, beverages, pills, capsules, suppositories, oral pouches, oral strips, oral and topical sprays, salves, lotions or similar cosmetic products, and inhalers.

Cannabis Business Licensing

- Licenses adult-use cannabis stores, laboratory testing facilities, and processor facilities.
- The Legislature capped dispensaries at 400 total and eliminated 50 licenses for social equity and jobs applicants — and eliminated the entire social equity program.
- The Legislature added a one-mile buffer between new dispensaries and existing ones.
- Voters created a three-tiered system for licensing cannabis cultivators, but the legislature removed the smallest tier, tier III.
- Allows existing medical cannabis businesses to apply to also be licensed for adult-use and to expand their operations..

Local control

- Prohibits municipalities from banning home grow or other state-legal activities.
- Allows municipalities to prohibit cannabis businesses within their jurisdiction or to limit their number.
- Allows existing medical cannabis businesses to petition for a voter referendum on prohibiting them from opening adult-use businesses.
- Prohibits municipalities from levying fees, charges, or taxes that are not applicable to other businesses.

Taxation and revenue allocation

- Imposes a 10% sales tax on cannabis, in addition to regular state sales taxes (5.75%), and local sales taxes (up to 2.25%).
- In 2025, the Legislature and governor changed the allocations, to:
 - 36% to communities hosting adult-use cannabis dispensaries; and
 - 64% to the General Fund

Issue 2 allocated 36% each to host communities, substance use disorder education and treatment, and the social equity and jobs programs, while reserving 3% for regulatory costs.

Miscellaneous

- Creates and funds a toll-free number for consumers, with information about adverse reactions to marijuana and available services and assistance.
- Provides that cannabis business contracts are enforceable. Directs the DCC to provide financial institutions that serve cannabis businesses information needed to have safe harbor under federal policy.