



ENACTMENT SUMMARY

Senate Bill 56

Revise marijuana laws

Effective March 18, 2026

On December 19, 2025, Governor DeWine signed into law Senate Bill 56 (Sen. Huffman), which modifies the statutes pertaining to adult-use marijuana approved by voters as Issue 2 in November of 2023. Much of the bill deals with regulatory, commerce, and tax-related provisions. Below is a description of items in the bill relevant to courts.

Scope and definitions

Prior law defines “adult-use cannabis” as “marijuana” as defined in R.C. 3719.01: “all parts of a plant of the genus cannabis, whether growing or not; the seeds of a plant of that type; the resin extracted from a part of a plant of that type; and every compound, manufacture, salt, derivative, mixture, or preparation of a plant of that type or of its seeds or resin.”

The bill amends the definition of “adult-use marijuana” to mean “marijuana that is cultivated, processed, dispensed, or tested for, or possessed or used by, an adult-use consumer, **in accordance with [Chapter 37 of the Revised Code]**” Similarly, the bill amends the definition of “medical marijuana” to mean “marijuana that is cultivated, processed, dispensed, tested, possessed, or used for a medical purpose **in accordance with [Chapter 37 of the Revised Code]**.” Because the regulations established in the bill speak specifically to “adult-use,” “medical,” and “homegrown” marijuana, the effect of the bolded text above would be to limit the legality of marijuana products and use only to those products produced and sold in accordance with Chapter 37, effectively prohibiting any out-of-state product, regardless of the legal status of the product in the state where it was purchased or produced.

Expungement of marijuana/hashish possession convictions

The bill allows a person who, prior to the bill’s effective date, was convicted of or pleaded guilty to, or was the defendant named in a dismissed information, indictment, or complaint, to apply to the sentencing court for the expungement of the records pertaining to, the following charges:

- Minor misdemeanor possession of marijuana (R.C. 2925.11(C)(3)(a))
- Minor misdemeanor and M4 possession of hashish (R.C. 2925.11(C)(7)(a) and (b)).
- F5 possession of hashish (R.C. 2925.11(C)(7)(c)) when the amount of possession was not more than 15 grams
- F3 possession of hashish (R.C. 2925.11(C)(7)(d)) when the amount of possession was not more than 15 grams

Home grow provisions

Prior law, unchanged by the bill, permits an adult over the age of 21 to cultivate and possess up to six marijuana plants at the person's residence, provided that no more than 12 plants are cultivated and grown at a single residence. The bill adds some additional restrictions, including a prohibition on home-grow at a residence that is a Type A or Type B family child care home, or a halfway house, community residential center, or other facility similarly licensed by the division of parole and community services under R.C. 2967.14.

Additionally, the bill prohibits knowingly consuming homegrown marijuana at a location other than the person's personal residence.

The bill provides that any violation of the Code's home-grow provisions constitutes illegal cultivation of marijuana under R.C. 2925.04

Transport of marijuana or paraphernalia in a motor vehicle

The bill prohibits knowingly transporting marijuana other than medical, adult-use, or home-grown marijuana in a motor vehicle. A violation of this prohibition is a minor misdemeanor.

When transporting medical or adult-use marijuana, the bill requires that the marijuana be in the original, unopened packaging in which it was sold. If previously opened, the product must be stored in the vehicle's trunk or, if the vehicle does not have a trunk, behind the last upright seat, or in an area not normally occupied by the driver or passengers and not easily accessible by the driver. A violation of this provision is a minor misdemeanor.

When transporting homegrown marijuana, the bill requires that the marijuana be stored in the vehicle's trunk or, if the vehicle does not have a trunk, behind the last upright seat, or in an area not normally occupied by the driver or passengers and not easily accessible by the driver. A violation of this provision is a minor misdemeanor.

The bill similarly prohibits the transporting of marijuana paraphernalia, unless the paraphernalia is in the original, unopened packaging in which it was sold, or, if previously opened, stored in the vehicle's trunk. If the vehicle does not have a trunk, it must be stored behind the last upright seat, or in an area not normally occupied by the driver or passengers and not easily accessible by the driver. A person who violates this provision is guilty of illegal use or possession of marijuana drug paraphernalia, in violation of R.C. 2925.141.

Locations for use

The bill prohibits knowingly consuming marijuana (medical, adult use, or homegrown) at any location other than privately owned real property that is used primarily for residential or agricultural purposes. A violation of this section is a minor misdemeanor. A person who violates this provision as the operator of a vehicle, streetcar, trackless trolley, watercraft, or aircraft is subject to R.C. 1547.11, 4511.19, 4511.194, or 4561.15 of the Revised Code, as applicable. If the person violates this provision as the passenger of a

vehicle, trackless trolley, watercraft, or aircraft when the operator is operating or has physical control, the violation is an M3.

The bill additionally prohibits knowingly smoking, combusting, or vaporizing marijuana at any of the following locations:

- A Type A or Type B family child care home (minor misdemeanor)
- A halfway house, community residential center, or other facility similarly licensed by the division of parole and community services under R.C. 2967.14 (minor misdemeanor)
- A residential premises that is subject to a lease agreement that prohibits the smoking, combustion, or vaporizing of marijuana
- A public place or place of employment, as defined in R.C. 3794.01 (minor misdemeanor)

Providing marijuana to persons under age 21

The bill prohibits knowingly giving, selling, or distributing adult-use or home-grown marijuana to anyone under the age of 21. A violation of this prohibition is an M1 on a first offense, and F5 on a second and subsequent offenses.

Actions constituting trafficking in marijuana

The bill establishes that the following actions constitute trafficking in marijuana under R.C. 2925.04:

- Violations of the licensing requirements for marijuana cultivators and retail dispensaries established in existing law and also expanded in the bill
- A retail dispensary knowingly dispensing or selling more than the amount of adult-use marijuana that may be legally possessed by an individual
- A person, other than a license holder, knowingly giving, selling, or transferring adult-use or homegrown marijuana, unless all of the following apply:
 - The transfer is without remuneration
 - The transfer occurs on private residential or agricultural property
 - The amount transferred does not exceed 2.5 ounces of plant material or 15 grams of extract

The bill was passed by the Ohio Senate on February 26, 2025 by a vote of 23-9, and the House of Representatives on October 22, 2025 by a vote of 87-8. The Conference Committee Report was adopted by the House on November 19, 2025 by a vote of 52-34, and the Senate similarly acted on December 9, 2025 by a vote of 22-7. It was signed into law on December 19 and takes effect on March 18, 2026.