



Ohio Medical Cannabis Care LLC

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September 23, 2015

RECEIVED

SEP 24 2015

Ohio Attorney General
Constitutional Offices Section

Honorable Mike DeWine
Ohio Attorney General
30 E. Broad Street
Columbus, OH 43215

RE: "OHIO MEDICAL CANNABIS AMENDMENT" SUMMARY PETITION

Dear Attorney General De Wine:

I am hereby filing with your office on behalf of the Ohio Medical Cannabis Care LLC, and pursuant to R.C. §3519.01(A), a petition to approve a summary of a constitutional amendment to be proposed by initiative petition. The petition contains 3016 signatures of electors on 51 part-petitions and the summary with full text of the amendment to be proposed. A list of the number of part-petitions and signatures separated by counties is attached to this correspondence.

Please contact me if you have any questions. Thank you.

Very truly yours,

Sandra Kay Riggs
Chairwoman & Petitioner

Enclosures

Sandra Kay Riggs, Executive Director, 614-981-8243
Carlis E. McDermott, Director, 614-701-7590

Below is a list of the number of part-petitions and signatures, separated by counties, and the following are the numbers in each county.

County	Signatures
Summit	1
Ross	1
Marion	2
Madison	6
Pickaway	7
Delaware	25
Licking	15
Henry	1
Union	1
Stark	1
Fairfield	22
Franklin	2934
TOTAL	3016

Number _____

County _____

Issued to _____
(NAME OF SOLICITOR)

Date of Issuance _____

INITIATIVE PETITION

Amendment to the Constitution

Proposed by Initiative Petition

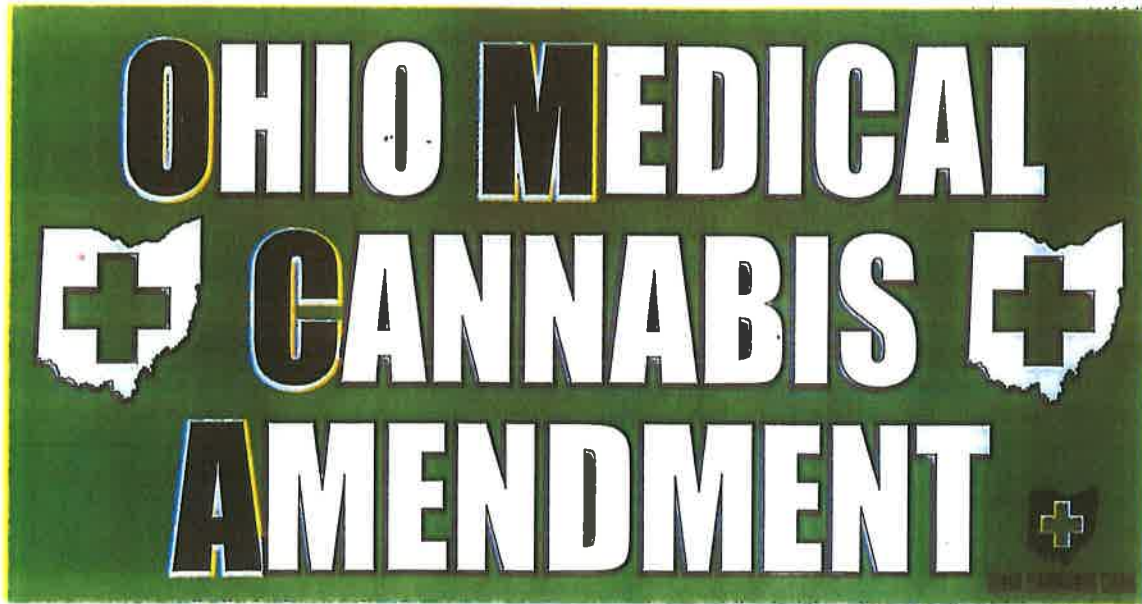
To be submitted directly to the electors

Amendment

RECEIVED

SEP 24 2015

Ohio Attorney General
Constitutional Offices Section



To the Attorney General of Ohio: Pursuant to Revised Code 3519.01 (A) the undersigned electors of the State of Ohio, numbering in excess of one-thousand (1,000), hereby submit to you our Summary and Full Text of a proposed Amendment to the Ohio Constitution.

INITIATIVE PETITION
Amendment to the Constitution
Proposed by Initiative Petition
To be Submitted Directly to the Electors

Amendment

Title: "Ohio Medical Cannabis Amendment"

SUMMARY

(A) The "Ohio Medical Cannabis Amendment" would add a new Section 12 to Article XV of the Constitution of the State of Ohio for the legalization of the use of cannabis for "Medical Purposes", to establish an Ohio Medical Cannabis Commission "OMCC" to regulate cannabis for the cultivation (growing), processing, testing, distribution, extraction, sales, to manufacture cannabis infused products, taxation of cannabis and products sold, regulate and license the use of medical cannabis and cannabis products; provide for the legalization to end the prohibition of cannabis for medical use, and to decriminalize the users and providers of medical cannabis. The Amendment would allow doctors and practitioners, during the course of a bona fide practitioner-patient relationship, to recommend cannabis to patients as a treatment for qualifying medical conditions and to allow patients to grow up to eight (8) flowering plants and up to 24 seedlings for their personal medical use, and a minor patient with medical conditions, to qualify for cannabis treatment with the recommendation from their doctor/practitioner and under the supervision of a parent or legal guardian. This Amendment protects patients and their providers from penalties or disciplinary action for the medical use of cannabis, establishes a registry and tracking program for law enforcement and the OMCC, and allows the State of Ohio to receive and redistribute funds generated through the Registry Program as a "Special Tax" toward the funding of law enforcement, safety resources, public education, diction education, medical services, State General Fund and the Ohio Medical Cannabis Commissions to enforcement this Amendment. The Commission is required to employ qualified persons, agents, and experts, and may employ third parties to help perform the duties and operations of the Amendment.

- 1) This Amendment does not allow a person to provide cannabis to a minor, expose a minor to second hand cannabis smoke, or smoke cannabis in any public place.
- 2) This Amendment shall not authorize any person to engage in, the medical use of cannabis in a school bus, on the grounds of any school, in any correctional facility, or when doing so would constitute professional negligence or malpractice and does not prevent the imposition of any civil, criminal, or other penalties for such use.
- 3) This Amendment does not allow operating any vehicle while under the influence of cannabis, except that a patient shall not be considered under the influence of cannabis solely because of the presence of metabolites or components of cannabis that appear in insufficient concentration to cause impairment.
- 4) This Amendment shall not require a government medical assistance program or a private health insurer to reimburse a person for costs associated with the medical use of cannabis, or require a property owner to allow a person to smoke or cultivate cannabis on that property.
- 5) This Amendment provides that all cannabis plants cultivated pursuant to this Amendment shall be kept in enclosed and locked facilities accessible only by cardholders, the Ohio Medical Cannabis Commission (OMCC) and law enforcement agencies.
- 6) This Amendment shall provide that agents, transporters, patients, visiting patients and minor patients acquire a registry card from the OMCC for cultivating cannabis for medical treatment. A person over the age of 21 or a corporation may own and operate a Dispensary or CCC.
- 7) This Amendment provides that a Commercial Cultivating Center (CCC), Testing Facility, Caregiver, and Dispensary of medical cannabis, and/or cannabis products must acquire a registry card and registry certificate (license) from the OMCC.

8) All persons making an application shall include name, address, e-mail, date of birth, and proof of Ohio residency, background check, physical address of site, photo (of the person), and what the application is for and payment of the applicable fee. If the application is not approved the fee will be returned.

9) This Amendment provides for the appointment of OMCC board members by the Petitioners and the Governor of the State of Ohio as the administrator of this Amendment.

10) There shall be no limit to the number of Patients who can apply for a registry card. Each County of Ohio will be allowed one Caregiver per 1,000 residents. Each County will be allowed one Dispensary per 50,000 residents in the County. Each County (or group of adjoining Counties in cases where a County has less than 100,000 residents) will be allowed one CCC per 100,000 residents, but no more than three per County. Five testing facilities will be allowed in the State of Ohio. These numbers are subject to change based on the needs of Ohioans. No individual or corporation shall be licensed for more than three CCCs or dispensaries in the State of Ohio.

B) This Amendment allows for the appointment of the Ohio Medical Cannabis Commission (OMCC) to provide for registry cards/registry certificates (licensing), to regulate the growth, cultivation, production, testing, processing, manufacturing, taxation and retail sale for medical cannabis and infused solid/liquid products. The OMCC will provide rules and regulations for accounting practices, applications for registration, OMCC law enforcement and the administration of the OMCC for this Amendment.

C) The Ohio Medical Cannabis Commission shall have seven members (Commissioners). Five (5) members shall be appointed by the Petitioners, and two (2) by the Governor of the State of Ohio. Commissioners shall include a Doctor or Practitioner, a medical cannabis patient, a member of law enforcement, members of each political party, a person with a background in farming, and a person employed with the Department of Commerce.

D) The legalization of medical cannabis is for medical use only and to provide for the decriminalization for qualified patients and their providers of medical cannabis.

E) Duties, Powers and Responsibilities of the OMCC.

a) Within ninety (90) days after the approval of this Amendment, the Petitioners and Governor of Ohio shall appoint the Commissioners for the OMCC.

b) Within 120 days after the appointment of the Commission, the Commission shall have established rules and duties of operation to administer, regulate, oversee and enforce this Amendment shall provide for application forms for registry cards/registry certificates and/or renewals, and shall provide the address, phone and fax numbers of the OMCC. All forms shall be made available to applicants by mail or internet.

c) Applications shall be approved or denied within 120 days of receipt for the first year and within 90 days thereafter. Applications may be denied for giving incomplete information, not allowing a criminal background check, not having a qualified medical condition, not having a recommendation from their doctor, or for attempting to renew after having a serious violation. The OMCC may revoke a registry card or certificate for a disqualifying offense or conviction, for not providing accurate information to the OMCC or State Department of Taxation, or multiple acts outside the limitations of the OMCC requirements. If revoked, the applicant will be notified of the reasons for revocation.

d) A Corporation or Company must be registered with the Secretary of the State of Ohio as doing business in Ohio.

e) The OMCC may confirm a card holder's status, with their permission, to their land lord, employer, school, medical professional, Court, or law enforcement. The OMCC may inspect locations of CCCs and dispensaries, and testing facilities.

F) Suspension, Revocation and Judicial Review. The Commission may suspend or revoke a registry certificate or registry card for serious or multiple or acts outside the limitations and requirements within this Amendment or for acts not authorized by this Amendment, and may deny an application that does not meet the requirements set forth in this Amendment. The suspension, revocation, denial of registry card/registry certificate by the OMCC may be subject to filing a review by the applicant with the Franklin County Court of Common Pleas.

G) A qualified medical condition for the purposes of this Amendment includes symptoms of the following: cachexia, or wasting syndrome, severe nausea, severe pain, or severe and persistent muscle spasms including but not limited to those characteristics of multiple sclerosis, and the following diseases and conditions: post-traumatic stress disorder, glaucoma, Parkinson's Disease, sickle cell anemia, cancer, HIV or AIDS, Crohn's Disease, or any

additional disease or condition added by the OMCC, such as epilepsy, autism, seizures, Tourette's or other neurological disease.

H) Provide that it is lawful for a person twenty-one years of age or older to possess and use cannabis so long as they have a qualifying medical condition, a recommendation for the use of cannabis products for medical treatment from their doctor and a valid registration card from the OMCC. Minor patients under the age of twenty one years old must have the supervision and guidance of his/her parent or legal guardian. A parent or legal guardian shall have the right to obtain the minor's medical cannabis products from a caregiver or dispensary, and shall not be criminalized for administering cannabis products to the minor patient. A person may obtain their cannabis from a "caregiver" if the person has specified a caregiver with the OMCC at the time he/she obtains a registry card. Each person may use up to two hundred forty (240) grams of cannabis over a twenty one (21) day period and may cultivate (grow) up to eight (8) flowering plants and up to twenty four (24) seedlings. Any person with a registry card and a doctor/practitioner recommendation may purchase their medical cannabis from a "registered dispensary", and may purchase up to two hundred forty (240) grams of cannabis solids or liquid or up to two hundred forty (240) grams of concentrate, solids or liquid infused products of cannabis over a twenty-one (21) day period, unless additional is recommended by his/her doctor/practitioner. Visiting patients from outside the State of Ohio may purchase up to 240 grams of their cannabis product through a dispensary in Ohio with approval of the OMCC registration card but may not take the product outside the State of Ohio.

I) Persons who have been issued a registry card are deemed "cardholders". Cardholders are comprised of the following categories: individual patients, visiting patients, minor patients, caregivers, Commercial Cultivating Centers (CCC), Dispensaries, and Testing Facilities. After the passage of this Amendment and the appointment of the Commission, the Commission shall establish a verification system that allows OMCC agents to identify that a person is a patient, caregiver, or CCC agent, and to determine what amount of usable cannabis the OMCC may legally provide to a specific patient within a given time frame through a care giver. A medical patient, visiting patient or minor patient shall be required to have a registry card, while a caregiver, cultivating center, dispensary, or testing facility shall be required to have a registry card and a registry certificate (license). Any person with a qualified medical condition and a recommendation from their doctor/practitioner may purchase cannabis/cannabis products including cannabis seedlings from a dispensary.

J) Caregivers, Dispensaries, and Medical Testing Facilities.

A Caregiver may have no more than five patients and shall be allowed to possess up to eight flowering plants, 24 seedlings, and 240 grams of cannabis product per patient per 21 day period. A Caregiver may also be a patient in addition to the five other patients. Caregivers must comply with zoning restrictions and have a valid registry card and license to grow cannabis.

A Dispensary may possess and sell an unlimited amount of cannabis products, accessories and supplies. Such items shall be labeled and approved by a testing facility to insure the item is qualified for sale, and items must be obtained from an approved CCC. A dispensary shall sell cannabis products and accessories to qualified medical patients.

The OMCC shall license Testing Facilities that shall test for potency, chemicals and other contents of all cannabis sold through retail stores. A list of contents will be on all cannabis products sold. All retail products under this Amendment to be sold at Dispensaries shall be tested and labeled in accordance with this Amendment. Testing facilities shall not sell products to the public.

Zoning for Dispensaries, CCCs and Testing facilities shall be industrial, commercial or agricultural; however, a change in zoning shall not eliminate the above. Dispensaries, CCCs and Testing Facilities shall not be located within 1000 feet of a pre-existing school, recreational center, place of worship, or drug and alcohol rehab facility; shall be accessible to employees of OMCC and law enforcement agencies; shall not allow for cannabis products to be smoked or ingested on the property; shall not have more than three physical locations within the State of Ohio.

K) When transporting cannabis products on behalf of a Commercial Cultivation Center, CCC Agents must have documentation specifying the amount of cannabis products being transported, the date of transportation, a contact number for their respective CCC, and a valid CCC registry card.

L) There shall be no cannabis or cannabis paraphernalia signage displayed on any cannabis entity; however, a leaf and/or cross is acceptable. All cannabis providers shall keep their place of growing cannabis inaccessible to minors and anyone else except for OMCC and law enforcement agencies.

M) Provides for annual registry card/registry certificate for (an individual patient, minor patient and/or visiting patient) the applicant fee will be One-Hundred Fifty (\$150.00) Dollars per year. A caregiver registry card/registry certificate fee will be seven hundred- fifty (\$750.00) Dollars. A Dispensary fee shall be Ten Thousand (\$10,000.00) Dollars. A Commercial Cultivation Center fee shall be Fifty Thousand (\$50,000.00) Dollars. Testing Facility fee will be Seven Thousand Five-Hundred (\$7,500.00).Dollars. All annual renewal fees will be the same as their individual annual registrations fees.

N) Provides that the OMCC shall establish a fund for qualifying patients that cannot afford to pay the full cost of cannabis or cannabis products from the dispensary. The OMCC may pay part of the costs for a patient, but no insurance company or government agency shall be required to pay for any patient's purchases of cannabis for medical treatments.

O) This Amendment provides for a Special Tax of fourteen (14%) percent on all gross revenues from every Commercial Cultivation Center "CCC" and four (4%) percent on all gross revenue from each retail cannabis store. Each shall pay all other State and local tax. Forty (40%) per cent of the Special Tax shall be paid into the State General Fund and forty five (45%) percent shall be paid to the State Department of taxation, or a special fund as designated by the State Auditor, and distributed to municipalities, counties, townships and villages and city governments on a *per capita* basis. Such payments will be used for police, fire/emergency services, roads/repairs public health, mental health, and addiction education. The remaining fifteen (15%) percent shall be paid to the OMCC for operational costs, with unused funds being paid to the State.

P) Provides that a Doctor, Practitioner, Parent, or Guardian shall not be subject to arrest, prosecution, penalty, or denied any right or privilege including but not limited to civil penalty or discipline action by a city, county or law enforcement agencies for providing cannabis and cannabis products for medical purposes to a patient or person with a medical condition as recommended by their doctor/practitioner, or for providing a cannabis treatment in good faith to persons diagnosed with a qualified condition during the course of a bona fide doctor/practitioner patient relationship.

Q) Confidentiality. All information and records kept on any person or entity under this Amendment shall be kept confidential and exempt from the Freedom of Information Act, except to authorized persons, the Commission, and law enforcement officials pursuant to this Amendment.

R) Petitioners Duties and Support. The petitioners shall perform all requirements as provided in this proposed Amendment and may use the service of a third party/parties to obtain the signatures (petitions) needed for the Ohio ballot, campaign funds and organizational experience. These third parties shall not be prohibited from obtaining a registry card/registry certificate or license from the OMCC.

S) General Protection: A Commercial Cultivation Center, Medical Patient, Visiting Patient, Minor Patient, Caregiver, Dispensary and Testing Facility with a registry card/registry certificate engaging in medical cannabis as allowed under this Amendment shall not be subject to disciplinary action, arrest or face any penalty or be denied any rights or privileges for being in possession of cannabis and or transporting cannabis, cannabis products, cannabis plants, or paraphernalia to a facility, business or residence.

T) Persons applying for a registry card/registry certificate with the OMCC shall not become a registered cardholder under this Amendment if they have committed a violent offense or a financial felony within the past five (5) years. However the applicant may reapply after five years after their conviction. All applicants for a registry card/registry certificate, shall allow the OMCC to do a background check to verify that the requirements of the OMCC are met for the applications. No medical patient under twenty one (21) years of age or older shall be arrested, incarcerated or fined for having in their possession up to two hundred forty (240) grams or less of usable medical cannabis while transporting from one facility or another and/or residence.

U) Severability. If any section or subsection of this Amendment is held invalid, the remainder of this Amendment shall not be affected and shall continue in full force and effect where otherwise set forth in this text and shall supersede all conflicting state and local law regulations. Nothing in this text shall require the violation of Federal laws. This Amendment shall be voted on by the Ohio electorate in the next General Election (after the approval of the petitioners signatures by the Secretary of State). If approved, this Amendment shall become effective upon the certification of the electorate vote by the Secretary of the State.

END OF SUMMARY

COMMITTEE REPRESENTING PETITIONERS

These persons will represent the petitioners in all matters including obtaining the signatures for the ballot.

The following persons are designated as a Committee to represent the petitioners in all matters relating to the petition or its circulation.

PETITIONER	PETITIONER	PETITIONER	PETITIONER	PETITIONER
Sandra Kay Riggs 571 Winchester Pike Canal Winchester, OH 43110	Tonya D. Davis 4524 Croftshire Dr. Kettering, OH 45440	Maryella R. Carpenter 571 Winchester Pike Canal Winchester, OH 43110	Carlis E. McDerment, Jr. 1933 Surrey Rd. Blacklick, OH 43004	Eric Richard Young 215 Eastmoor Av. Circleville, OH 43113

NOTICE: Whoever knowingly signs this petition more than once; except as provided within section 3501.382 of the Revised Code, signs a name other than one's own on this petition; or signs this petition when not a qualified voter, is liable for prosecution.

(Sign with ink. Your Name, Residence, and Date of signing must be given.)

Signature	Township	County	Rural Route or Other Post Office Address	Month/ Day/Year
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(Voters who do not live in a municipal corporation should fill in the information called for by headings printed above.)
 (Voters who reside in municipal corporations should fill in the information called for by headings printed below.)

Signature		County	City or Village	Street and Number	Ward/Precinct/Township	Month/ Day/Year
1. Signature		Print First Name		Print Last Name		M. Initial
		Address on file with the Board of Election				
Ward/Precinct/Township	City	County		Zipcode	Date of Signing	
2. Signature		Print First Name		Print Last Name		M. Initial
		Address on file with the Board of Election				
Ward/Precinct/Township	City	County		Zipcode	Date of Signing	
3. Signature		Print First Name		Print Last Name		M. Initial
		Address on file with the Board of Election				
Ward/Precinct/Township	City	County		Zipcode	Date of Signing	
4. Signature		Print First Name		Print Last Name		M. Initial
		Address on file with the Board of Election				
Ward/Precinct/Township	City	County		Zipcode	Date of Signing	
5. Signature		Print First Name		Print Last Name		M. Initial
		Address on file with the Board of Election				
Ward/Precinct/Township	City	County		Zipcode	Date of Signing	
Signature	County	City or Village	Street and Number	Ward/Precinct/Township	Month/ Day/Year	
6. Signature		Print First Name		Print Last Name		M. Initial
		Address on file with the Board of Election				
Ward/Precinct/Township	City	County		Zipcode	Date of Signing	
7. Signature		Print First Name		Print Last Name		M. Initial
		Address on file with the Board of Election				
Ward/Precinct/Township	City	County		Zipcode	Date of Signing	
8. Signature		Print First Name		Print Last Name		M. Initial
		Address on file with the Board of Election				
Ward/Precinct/Township	City	County		Zipcode	Date of Signing	

STATEMENT OF CIRCULATOR

I, _____, declare under penalty of election falsification that I am the circulator of the foregoing petition containing the signatures of _____ electors, that the signatures appended hereto were made and appended in my presence on the date set opposite each respective name, and are the signatures of the persons whose names they purport to be or of attorneys in fact acting pursuant to section 3501.382 of the Revised Code, and the electors signing this petition did so with knowledge of the contents of same. I am the circulator of this petition for the **Ohio Medical Cannabis Amendment "Petitioners"**, 571 Winchester Pike, Canal Winchester, OH 43110.

I further declare under penalty of election falsification in accordance with section 3501.38 of the Revised Code that I witnessed the affixing of every signature to the foregoing petition paper, that all signers were to the best of my knowledge and belief the signature of the person whose signature purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

(Circulator's Signature) _____

(Address of circulator's permanent residence in this state) _____

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE.

PETITIONER	PETITIONER	PETITIONER	PETITIONER	PETITIONER
Sandra Kay Riggs 571 Winchester Pike Canal Winchester, OH 43110	Tonya D. Davis 4524 Croftshire Dr. Kettering, OH 45440	Maryella R. Carpenter 571 Winchester Pike Canal Winchester, OH 43110	Carlis E. McDerment, Jr. 1933 Surrey Rd. Blacklick, OH 43004	Eric Richard Young 215 Eastmoor Av. Circleville, OH 43113

FULL TEXT OF AMENDMENT

Be it resolved by the people of the State of Ohio that "Article XV" of the Ohio Constitution is hereby amended to add the following Section:

Legalization, Regulation, and Taxation of Medical Use of Cannabis

(Ohio Medical Cannabis Amendment Text)

(A) The "Ohio Medical Cannabis Amendment" would add a new Section 12 to Article XV of the Constitution of the State of Ohio for the legalization for the use of cannabis for "Medical Purposes", only, to establish an Ohio Medical Cannabis Commission "OMCC" to regulate cannabis for the cultivation, (growing), processing, testing, distribution, extraction, sales, to manufacture cannabis infused products, taxation of cannabis and products sold, regulate and license the use of medical cannabis and cannabis products; provide for the legalization to end the prohibition of cannabis for medical use and to decriminalize the users and providers of medical cannabis. The Amendment would allow doctors and practitioners, during the course of a bona fide practitioner-patient relationship, to recommend cannabis to patients as a treatment for qualifying medical conditions and to allow patients twenty-one (21) or older and minor patients under twenty-one (21) to grow up to eight (8) flowering plants and up to 24 seedlings for their personal medical use. Minor patients, with medical conditions, to qualify for cannabis treatment with the recommendation from their doctor/practitioner, and with the supervision of parents, grandparents, guardian and/or state institutions. Furthermore, this Amendment protects patients and their providers from penalties or disciplinary action for the medical use of cannabis, establishes a registry and tracking program for law enforcement and the Commission to distinguish who is a registered user for medical cannabis and allows the State of Ohio to receive and redistribute fund generated through the Registry Program as "A Special Tax" toward the funding of law enforcement, public education, safety resources, medical services, addiction education, State General Fund and the Ohio Medical Cannabis Commissions to enforcement this Amendment. The Commission is required to employ qualified persons, agents, experts and may employ third parties to help perform the duties and operations of the Amendment.

- 1) This Amendment does not allow a person to provide cannabis to a minor, a person to expose a minor to second hand cannabis smoke, or a person to smoke cannabis in any public place.
- 2) This Amendment shall not authorize any person to engage in, and does not prevent the imposition of any civil, criminal, or other penalties for possessing cannabis, or otherwise engaging in the medical use of cannabis in a school bus, on the grounds of any school, in any correctional facility, or when doing so would constitute professional negligence or malpractice.
- 3) This Amendment does not allow operating, navigating, or controlling any motor vehicle, aircraft, or motorboat while under the influence of cannabis is not protected under this Amendment, except that a patient or a visiting patient shall not be considered under the influence of cannabis solely because of the presence of metabolites or components of cannabis that appear in insufficient concentration to cause impairment.
- 4) This Amendment shall not require a government medical assistance program or a private health insurer to reimburse a person for costs associated with the medical use of cannabis, or require any person or establishment in lawful possession of property to allow a person to smoke or cultivate cannabis on that property.
- 5) This Amendment provides that all cannabis plants cultivated pursuant to this Amendment shall be kept in enclosed and locked facilities accessible only by registered cardholders at locations as disclosed in the application to the Ohio Medical Cannabis Commission, herein referred to as "OMCC" and law enforcement agencies.
- 6) This Amendment shall provide agents, transporters, patients, visiting patients and minor patients who cultivate or use cannabis for medical treatment must first acquire a registry card from the Commission.
- 7) This Amendment provide that a Commercial Cultivating Center "CCC", Testing Facilities, Caregivers, and Dispensaries of medical cannabis, and/or cannabis products must acquire a registry card and registry certificate (license) from "OMCC." A person of 21 years of age or older, or Corporation may own and operate a Dispensary or a Commercial Cultivating Center.
- 8) This Amendment provides for the appointment of the Ohio Medical Cannabis Commission "OMCC" by the Petitioners and the Governor of the State of Ohio as the administrator of this Amendment.

(B) Provide for persons with a "Medical Condition" to use Cannabis as a medical treatment. Persons twenty-one (21) years old or older, and minor persons under the age of twenty-one (21), that have been diagnosed as having a qualified medical condition, that qualifies for cannabis treatment. "Medical Condition" means a disease or a condition or its treatment that produces one or more of the following: (a) cachexia or wasting syndrome, (b) severe nausea, (c) severe pain, or (d) severe and persistent muscle spasms including but not limited to those characteristics of multiple sclerosis, or the following diseases and conditions: (e) posttraumatic stress disorder, (f) glaucoma, (g) Parkinson's Disease, (h) sickle cell anemia, (i) cancer, (j) HIV or AIDS, (k) Crohn's Disease, or (l) any additional disease or condition added by the Commission, like epilepsy, autism, seizures, Tourette's or other neurological disease.

Persons with a qualified medical condition must have a recommendation, for the use of cannabis and cannabis products from his/her professional and licensed doctor/practitioner and have a valid registration card from the Commission. In addition, a minor patient must have the supervision and guidance of his/her parents, grandparents, guardian or state institution. A person may obtain their cannabis from a "Caregiver" if that person (patient) has specified a caregiver with the Commission at the time he/she obtains a registry card. Each person twenty-one (21) years old or older and/or a minor under twenty-one (21) years of age may use up to two hundred forty (240) grams of cannabis over a twenty-one (21) day period, and may cultivate (grow) up to eight (8) flowering plants and up to twenty four (24) seedlings. Patients, with a registry card and a doctor/practitioner's recommendation, in addition minor shall have the guidance of his parents, grandparents, guardian and/or state institution may purchase their medical cannabis from a registered "Dispensary" each may purchase up to two hundred forty (240) grams of Cannabis/cannabis products, solids, liquids and concentrates over a twenty-one (21) day period. A person may purchase any part of the cannabis/solids/liquids and/or concentrate to make up the total of two hundred forty (240) grams, but NO more than two hundred forty (240) grams of cannabis products over a twenty-one (21) day period.

(C) Medical Patient shall have the Right to Possess

1) A medical patient is twenty-one (21) years old or older and possess a valid patient registry card, and has been diagnosed as having a qualified condition from their doctor/practitioner, has the right to possess up to two-hundred forty (240) grams of usable cannabis during a twenty-one (21) day period. All medical patients twenty-one years of age or older shall possess the right to grow medical cannabis in their home, their property or rental, in a secured indoor area away from public view and inaccessible to minors. Medical patients shall not grow more than eight (8) flowering plants and twenty four (24) seedlings at any one time.

2) No patient shall have more than two hundred forty (240) grams of usable medical cannabis within a twenty-one (21) day period, in his or her possession, or grow more than eight (8) cannabis flowering plants, and have up to twenty-four (24) seedling plants at any one time.

3) A medical patient may only grow cannabis for medical use for him or herself in their home or on their property and at only one location, shall not sell to any person or persons, shall keep in a secured/locked indoor area away from the public view and inaccessible to minors and any unauthorized person.

(D) Minor Medical Patients

1) Shall be a person under the age of twenty-one (21) years, having a medical condition and must be supervised and under the guidance of mother/father, guardian, grandmother/grandfather and or institution; and none shall be criminalized for administering cannabis or cannabis related products to a minor. The minor patient must have a recommendation for the use of medical cannabis from a licensed doctor or a practitioner. A minor patient shall have the right to obtain all the minor's medical cannabis products from a caregiver or a dispensary. A minor patient may be a resident of the State of Ohio or any other State, but must obtain a registry card from the Commission.

(E) A Visiting Medical Patient or Individual Patient

1) Person who is at least twenty-one (21) years of age, possess a valid patient registry card and has been diagnosed as having a qualified condition with a recommendation from his doctor/practitioner for medical cannabis treatment.

2) A visiting patient, from outside the state of Ohio can be an adult or a minor and may purchase their cannabis product within the state of Ohio through a dispensary or as a patient of a caregiver, but may not purchase cannabis products by mail and may not take cannabis products outside of the state of Ohio.

3) Shall have the right to possess up to two hundred forty (240) grams of usable cannabis within a twenty-one (21) day) period, if he or she possess through the Commission a registry card and has received a recommendation from a State licensed Doctor or Practitioner for the use of medical cannabis for medical treatment.

(F) Appointment of "Commissioners" to the Ohio Medical Cannabis Commission

Commissions means the Ohio Medical Cannabis Commission "OMCC". The Ohio Medical Cannabis Commission shall have a total of seven (7) members; two (2) members shall serve an initial 4-year term. Two (2) members a 3-year term, three (3) members will serve an initial two-year term. All members shall be Ohio residents and registered voters in the State of Ohio. One member shall be a licensed Doctor or Practitioner, licensed in Ohio; one member a medical patient or cannabis advocate; one member a law enforcement officer or agent; two members shall be appointees of different political parties, one having extensive experience in farming and growing crops. Two members appointed by the Governor of the State of Ohio; each being of a different political party and employed or active with the Ohio Department of Commerce. Five members shall be appointed to the Commission by the petitioners of the Ohio Medical cannabis Amendment (petitioners); two by the governor of the State of Ohio. The "Commissions" shall be duly elected within ninety (90) days of the Amendment approved by the affirmative vote by the Ohio electorate A minimum of five members shall constitute a quorum and shall have the right to enact any and all business to approve and/ or disapprove all decisions.

(G) The Ohio Medical Cannabis Commission, Duties, Powers and Responsibilities

- 1) Within one hundred twenty (120) days after the appointment of the Commission, the Commission shall establish:
- 2) The form and content of registry applications and renewals, the manner in which it shall (a) accept applications and renewals for registry cards and registry certificates (b) approve or deny applications and renewal for registry cards and registry certificates (c) update a cardholder's registry information.
- 3) The manner in which it shall maintain a confidential list of the applications mailing addresses, cultivation, dispensary and caregivers locations, phone numbers and registry card numbers of persons and entities that have been issued registry cards and registry certificates.
- 4) An internet based verification system available to Ohio law enforcement personnel on a twenty-four hour basis to ascertain the following information when presented with a registry card or registry certificate, (a) that a person is a patient or a caregiver, or that an entity of a cultivation or dispensary center, (b) that a cultivation site belongs to a specific cardholder or company/corporation, (c) the number of cannabis plants that are permitted at a caregiver site, (d) which cannabis agent is associated with as determined through the department 's registry program.
- 5) An internet based verification system allowing the commission (OMCC) agents on a twenty-four hour basis to perform the following duties when presented with a registry card, (a) identify that person is a patient, a caregiver, a CCC center agent, or a testing facility agent. (b) Determine what amount of usable cannabis the caregiver or dispensary may legally provide to a specific patient at a specific time, (c) enter any amount of usable cannabis provided to a patient, either directly or through a caregiver, including the time, date and amount provided to the patient.
- 6) A procedure for notifying cardholders, caregivers, CCC and dispensaries of (a) the loss of the right to possess a patient's cannabis plants, and (b) the revocation of a registry card or a registry certificate.
- 7) Regulators governing the manner in which the department shall consider petitions from the public to add new conditions to the list of qualifying medical conditions set forth in this article, including public notice of an opportunity to comment in public hearings on the petitions.
- 8) OMCC shall make electronically available all forms for applications for: cultivating center, caregiver, dispensary and testing facility, minor patients, individual patients, doctors/practitioners and other recommended forms needed to file for a patients identification card, registry card or license.
- 9) All applicants must submit to the Commission the following with their applications for a new or renewal registry card and/or registry certificate.
 - a) An application or renewal with appropriate fees.
 - b) Proof of Ohio residence.
 - c) The name, mailing address and date of birth of the applicant:
 - d) Permission from the applicant (any employee of the industry who works, grows, or sells shall allow the OMCC to perform a criminal background check.
 - e) The physical address of the cultivation site where the applicant will cultivate cannabis plants, if any. f) A two inch by two inch photo of the applicant.

g) If the application is for a patient registry card, (a) a written recommendation issued by a doctor/practitioner preceding the date of the application, and (b) a designation as to whether the patient, or caregiver will be allowed to possess the patient's cannabis plants.

h) If the application is for a CCC agent registry card, a written statement from the CCC accepting the applicant as a volunteer, employee, principal officer, or board member.

i) If the application is for a caregiver registry card, a designation as to whether the caregiver will be allowed to possess the patient's cannabis plants.

j) The application shall include that if the applicant owns the land or building structure on which the Commercial Cannabis Entities will be situated, and if they are not the owners, they shall provide written consent to the Commission from the landowner approving the Commercial Cannabis Entities.

(H) Responsibilities of the Commission. Within ninety (90) days after the approval of this Amendment by the electorate of the State, the petitioners and Governor of Ohio shall appoint the Commissioners for the OMCC. Within one hundred twenty (120) days after their appointments, the Commission shall provide for the organizational rules of the operation and forms of applications for a registry card/registry certificate and renewals. Within one-hundred twenty (120) days after receiving an application the Commission shall approve or deny the application. Denials shall be for incomplete information, not allowing a criminal background check, not diagnosed as having a qualified medical condition, not having a recommendation from their doctor/practitioner or attempting to renew while having a serious violation. The Commission will respond to the first applications one hundred twenty (120) days after the OMCC has been appointed and the Commission shall rule on the applications as approved or denied within one hundred twenty (120) days after receipt (for the first year of operations) and ninety (90) days thereafter. The OMCC shall have the option to limit all locations for cultivating and selling cannabis, depending on the need for cannabis products for medical treatment and for the health and well-being of Ohioans.

1) The OMCC shall inspect all locations or entities before issuing a person a registry card/registry certificate. All locations and entities shall be available for inspection to insure a professional operation • with all of the OMCC rules, regulations and policies are followed and obeyed. Accounting records maybe be verified at any time to insure that the Special Tax is being paid to the State of Ohio and the rules and regulations of the OMCC are followed.

2) The OMCC may revoke a registry card/registry certificate for a disqualifying offence or conviction, for not providing accurate information to the OMCC or the State Department of Taxation. The OMCC shall also have the right to suspend previous issued registry cards/registry certificates for serious or multiple acts, inside or outside of the limitations and requirements of this Amendment in order to protect the health and well-being of all Ohioans.

3). The suspension, revocation, denial of a registry card, or card registry certificate by the OMCC may be subject to filing a review by the applicant with the Franklin County Court of Common Pleas.

4) The OMCC shall employ professional inspectors with existing experience to do inspections on all entities, and accountants with experience in management and operations to insure quality performance as provided in this Amendment as set forth by the Commission.

(I) A Caregiver Shall have the Right to Possess

1) A person who is at least 21 years of age, possess no more than five patients, and allowed up to eight (8) flowering plants and twenty-four (24) seedlings per patient and possesses a valid caregiver registry card/registry certificate specifying that the caregiver may possess the patients cannabis plants through the Ohio Medical Cannabis Commission registry program, with no more than two hundred forty (240) grams of cannabis per each patient over a twenty-one (21) day period

2) A caregiver may also be a medical patient and in addition to the five patients they shall also be allowed to have up to eight (8) cannabis flowering plants, twenty-four (24) seedlings and up to 200 grams of usable cannabis for their own medical use. All growing of cannabis plants must be in his or her home or property, and secured, locked and protected from minors and all other unauthorized personnel. 4) A caregiver may receive compensation for assisting a patient with medical cannabis as permitted by the Ohio Medical Cannabis Commission, such compensation shall not constitute the sale of a controlled substance. A Caregiver must obtain a registry card and a registry certificate (license) to grow cannabis.

(J) Medical Cannabis Dispensary Shall Have the Right to Possess

- 1) Unlimited amount of usable medical cannabis and cannabis products.
- 2) Cannabis for sale (to sell) cannabis/cannabis products, accessories and supplies, usable cannabis products as approved by the Ohio Medical Cannabis Commission, and licensed by the Commission. Each cannabis item shall have an approved label from a testing facility to insure that the item is qualified for sale and meets the standards and potency as required by the Commission.
- 3) A Dispensary must obtain/purchase all medical cannabis and cannabis products from a Commercial Cultivation Center, with stamp of approval from the independent testing facility as approved by the OMCC Licensing Commission.
- 4) A Dispensary shall sell cannabis and cannabis products, accessories and supplies to medical patients.

(K) Medical Cannabis Testing Facility~ "MTF"

A licensed Medical Testing Facility shall be permitted through the Commission, The Medical Testing Facility will be an independent private laboratory licensed to conduct research and analyze for contamination and potency. The testing facility will be independently owned and not associated with the CCC or any other MTF. All retail medical cannabis products sold by Dispensaries shall be tested by a licensed Testing Facility for THC potency, residual solvents (such as butane, poisons, toxins, harmful chemicals, metals, harmful microbial pesticides and dangerous molds, mildews or other contaminants. Potency and testing results shall be listed on the product label, including the Testing Facility with the testing number on the label of each product to be sold by a dispensary. A Testing Facility shall not sell cannabis products to the public and be only a Testing Facility.

(L) Limitations for Testing Facilities and Commercial Cultivating Centers

- 1) Shall be physically located over one thousand feet from any corner of a preexisting school, place of worship, daycare facility, drug or alcohol rehabilitation facility, boys club, girls club, YMCA, YWCA, or any similar community recreation center.
- 2) Shall not be physically located in a building and/or on property zoned for residential use.
- 3) No person or Corporation shall have more than three physical locations in Ohio.
- 4) And NOT Allow access to its cultivation site by anyone other than (a) CCC agents, working or volunteering for the CCC, employees of the OMCC, (b) law enforcement officials.
- 5) Knowingly allow cannabis to be smoked or ingested on its property
- 6) Display advertisements or signage in public view (a) containing the word "cannabis" or synonyms of the word "cannabis", (b) depicting the medical use of cannabis, (c) depicting cannabis paraphernalia, or (d) depicting a cannabis plant. A cannabis leaf, or green cross may be used by a Dispensary only.

(M) Commercial Cultivating Center "CCC"

- 1) Engaged in the cultivation of cannabis for medical use of cannabis as allowed under this Amendment shall not be subject to discipline action, arrest, face any penalties, or be denied any right or privilege, including but not limited to employment or child custody by any court, financial institution, landlord, licensing board, employer or any other entity for:
- 2) Acquiring usable flowering cannabis or cannabis plants.
- 3) Providing usable cannabis, cannabis product or cannabis plants by a CCC to Dispensaries that possess a registry card and registry certificate from the OMCC to supply cannabis to and for federally or state approved testing or clinical trials.
- 4) Possession of cannabis that is incidental to medical use only
- 5) Possession of cannabis accessories and supplies, usable cannabis, or cannabis seedling plants.
- 6) Possession of a registry card or a registry certificate (license) from the OMCC
- 7) A CCC may grow unlimited supply of flowering cannabis or seedlings for medical use and produce or manufacture medical infused cannabis, medical infused products and paraphernalia.
- 8) Supply for wholesale cannabis and or any cannabis product and seedlings to dispensaries.

(N) Requirements for Commercial Cultivation Center Agent

- 1) A CCC agent must have documentation when transporting usable cannabis or cannabis plants on behalf of the CCC specifying (a) the amount of usable cannabis or cannabis plants being transported, (b) the date of transportation

(c) a contact number to verify that the usable cannabis is being transported on behalf of the CCC for which the CCC agent works or volunteers, and (d) a valid CCC registry card from the Commission.

2) A CCC agent may not accept employment from, volunteer for, serve as board member for, or be a principle officer in no more than one CCC in the State of Ohio simultaneously.

(O) Limitations on Commercial Cultivation Center CCC, Dispensaries and Testing Facilities

In an effort to avoid the placement of a CCC, Dispensary or Testing Facility in socially unacceptable areas, all CCCs, Dispensaries and MTFs Centers, prior to permitting must obtain written approval from the local zoning board, that a property is zoned either industrial, commercial or agricultural and therefore available and approved for the permitting of a Commercial Cultivation Center "CCC", Dispensary and Testing Facility. After this Amendment has been approved by the electorate, zoning shall not be changed to eliminate the above. This Amendment provides that industrial, commercial or agricultural zoning is acceptable for a CCC, or Dispensary or Testing Facility. A Commercial Cultivation Center, Dispensary or Testing Facility may not be physically located within 1000 feet from any corner of a preexisting school, a place of worship, daycare facility, drug or alcohol rehabilitation facility, boys club, girls club, YMCA, YWCA recreation center, or any similar community center. To ensure compliance with this restriction, and in an effort to avoid offending Ohio citizenry a CCC, or a Testing Facility may not display, in public view, advertisements or signage containing the word "cannabis" or synonyms of the word "cannabis", depictions of the medical use of cannabis, cannabis paraphernalia, or a cannabis plant. Each may display a cannabis leaf or green cross. A CCC, Dispensary or Testing Facility shall not knowingly allow cannabis to be ingested or smoked on its property, and no individual or company may have more than three Commercial Cultivating Centers in the State of Ohio, and no more than one Testing Facility per any one individual or company

(P) A Medical Doctor or Medical Practitioner

Shall not be subject to arrest, prosecution, penalty, or denied any right or privileges including but not limited to civil penalty or disciplinary action by any occupational, or professional licensing board, bureau, for providing recommendations in good faith to persons diagnosed with a qualified condition during the course of a bona fide doctor, practitioner patient relationship.

1) A bona fide doctor or practitioner shall be licensed as a medical professional in Ohio or any other State to practice medicine and make medical recommendations to his or her patient.

(Q) Restrictions

All medical patients, caregivers, visiting patients, minor patients, or person or persons applying for a registry card from the OMCC shall not be or become a registered card holder to provide, grow and test or sell medical cannabis if they have committed a violent offence or a financial felony within the past five (5) years. After five (5) years the OMCC will again review their application. No medical patient eighteen (18) years of age or older shall be arrested, incarcerated or fined for having in their possession up to two hundred (200) grams or less of usable medical cannabis while transporting from one facility or another and/or residence. Any owner, operator or employee of the industry to grow or to sell medical cannabis shall allow the OMCC to do a background check to verify that they meet the requirements of the OMCC.

(R) This Amendment shall provide for a Special Tax of fourteen (14%) percent on all gross revenues from every Commercial Cultivation Center "CCC" and four (4%) percent on all gross revenue from each retail cannabis store (all without any credits, losses or deductions). In addition they shall pay all other state and local tax, including the commercial activities tax and other tax paid by general businesses in the State of Ohio. From the one hundred (100%) percent Special Tax paid into the State, Department of Taxation forty (40%) percent and paid into the State General Fund and forty five (45%) percent shall be paid to the State Department of Taxation or a special fund as designated by the State Auditor and distributed to municipalities, counties, townships and villages and city governments "on a per capita basis" such payments will be used for police, fire/emergency services, roads/repairs public health, mental health, and addiction education. The remaining fifteen (15%) percent shall be paid to the OMCC for operational costs. The Special Tax, (14% percent) from each CCC and four (4%) percent from each retailer, to be paid to the State will remain the same and be allowed to increase as the Amendment is implemented. The Special Tax shall only be considered a supplement to the State and Local Governments. All monies received and not expended by the Ohio

Medical Cannabis Commission for general operations shall be paid the Ohio Department of Taxation each year with an accounting statement on or before July 1, of the following year.

The State of Ohio shall have the Power to apply a Ten Percent (10%) Penalty to any entity that is thirty (30) days late on their tax payment, plus a one (1%) percent penalty per month until paid in full.

(S) Confidentiality

All information received and records kept by any person or entity for the purpose of administering this Amendment are confidential and exempt from the Freedom of Information Act, and are not subject to disclosure to any individual or entity without the cardholder's or the Commercial Cultivation Center "CCC" permission, except as necessary for authorized employees of the Commission or a law enforcement official to perform official duties pursuant to this Amendment, and it shall be a misdemeanor punishable by up to 30 days in jail and a \$2,500 fine for any person to breach the confidentiality of information obtained pursuant to this Amendment, except that an employee of the department shall confirm a cardholder's status as a patient, caregiver, or CCC with his or her permission to a landlord, employer, school, medical professional, court, or Ohio law enforcement official.

(T) Petitioners and their Duties and Financial Support:

The petitioners shall perform all of the requirements set by this proposed Amendment and petitioners shall have the right to use the services of others, including a third party or parties to help bring this Amendment to the electorate for an affirmative vote. A third party may provide funds for obtaining the signatures needed for the ballot, operational expenses, campaign funds, and organization experience and campaign advice. No third party or parties shall be prohibited from obtaining a registry card/registry certificate from the Commission as a registered holder for medical dispensary or commercial cultivation center, but must be a resident of the State of Ohio. A Company or Corporations within the state or out of state must be registered with the Secretary of State of Ohio and meet all the qualifications set by the Commission to obtain a registry card and/or registry certificate. Members of the Commission shall be prohibited from being a registered or licensed holder for a medical dispensary or Commercial Cultivating Center. All members of the Ohio Medical Cannabis Commission shall be residents and registered voters of the State of Ohio.

(U) The Commission May Suspend or Revoke

May suspend or revoke a registry certificate or registry card for serious or multiple acts outside of the limitations, requirements, or rights and protections within this article/Amendment or for acts not authorized by this Amendment, and may deny an application or renewal that does not meet the requirements put forth in this Amendment such as a satisfactory criminal background check. All OMCC actions are considered final, and may be subject to judicial review in the Franklin County Court of Common Pleas.

(V) The Ohio Medical Cannabis Commission OMCC Shall be Permitted To

- 1) Confirm a cardholder's status with his or her permission as a patient, caregiver, or CCC agent to a landlord, employer, school, medical professional, court, or Ohio law enforcement official.
- 2) Inspect any and all locations where cannabis has been permitted, is grown or sold or used for medical reasons in the State of Ohio as permitted by the OMCC.
- 3) Enter into contract with a third party to process registry cards.
- 4) Suspend or revoke a registry certificate or registry card for serious or multiple acts outside of the limitations, requirements, or rights and protections within this Amendment, or for acts not authorized by this Amendment.
- 5) Revoke a registry card if the cardholder is convicted of a disqualifying offense.
- 6) Deny a registry application if (a) the applicant has been convicted of a disqualifying offense, (b) the application contains incomplete or inaccurate information, or (c) if the applicant previously had a registry card revoked.
- 7) The Commission shall have the right to improve the working operation of the Commission at any time.

(W) Registered cardholder as an individual or corporation

Any person age 21 or older or any corporation may own and operate a Dispensary or a Commercial Cultivation Center providing they procure a registry card and or registry certificate, and meet all of the requirements by the OMCC, including the filing with the Secretary of the State of Ohio, if they are a Corporation, Partnership, Limited Liability Partnership or a Limited Liability Company and doing business in Ohio.

(X) General Protection

A Commercial Cultivation Center, Medical Patient, Visiting Patient, Minor Patients, Caregiver, Dispensaries and Testing Facility , as a registered cardholder engaging in the medical use of cannabis as allowed under this article and or Amendment shall not be subject to disciplinary action, arrest, face any penalties or be denied any right or privilege including but not limited to employment or child custody by any court, financial institution, landlord, licensing board, employer, or any other entity for acquiring usable cannabis, cannabis products or cannabis plants from a registered cardholder. In addition a CCC, providing usable cannabis or cannabis products to an institution approved by the State for the purpose of testing or clinical trials, possession of cannabis that is incidental to medical use, possession of cannabis paraphernalia, possession of usable cannabis, possession of cannabis plants. A caregiver may receive compensation for assisting a patient with medical cannabis as permitted by the Ohio Medical Cannabis Commission and such compensation shall not constitute the sale of a controlled substance.

1. A person may be simultaneously registered with the Ohio Medical Cannabis Commission, as a medical patient, individual patient, and minor patient, caregiver, testing facility or a CCC.
2. A caregiver shall have the right to transport/deliver cannabis/cannabis/cannabis products and seedlings to a medical patient at his/her place of business or residency, providing that a registration card has been issued by the Commission to the person doing the delivery. Each caregiver making a delivery must provide a statement with the patients name, address and registry number and the amount of cannabis/cannabis products being delivered, and providing the same to the Commission for record keeping. Deliveries from caregivers shall not be for more than five (5) patients at any one time; deliveries between CCC's or dispensaries are unlimited but must provide a delivery statement to the Commission for record keeping.

(Y) Number of Patients, Caregivers, Dispensaries, CCCs, and Testing Facilities to be allowed.

- 1) No limit to patients with a medical condition as recommended by their doctor/practitioner for the use of cannabis.
- 2) Caregiver: The Commissions shall provide that each of the 88 counties of Ohio shall be eligible for a caregiver or caregivers and allow one per each 5,000 residents within any given county
- 3) Dispensaries: Each of the 88 counties shall be allowed to have one Dispensary per 50,000 residents within a county
- 4) Commercial Cultivating Center: The Commission shall provide for up to one CCC per 100,000 residents in any given area. If a county is less in population than 100,000 residents, than adjoining counties can join to make one. However, only up to three CCCs will be allowed in any one county, and not subject to population or number of residents.
- 5) Testing Facilities: The Commission shall provide for permitting five testing facilities within the State of Ohio divided in areas of Central, Northern, Southern, Eastern and Western.
- 6) The above numbers could change depending upon the need within the State of Ohio for medical cannabis. The Commission shall be very mindful and act accordingly so that all Ohioans hopeful of seeking help through the use of Cannabis and Cannabis Products will be within a reasonable distance.
- 7) No individual, company, corporation, partnership or LLC shall be licensed for no more than up to three (3) physical locations for a CCC center and the same number applies to Dispensaries within the State of Ohio.

(Z) Registry fees, Card License Fees, Registry Applications or Renewals

- 1) The fee for a medical registry card for personal patient, visiting patient or medical patient is not refundable and shall be \$150.00. The yearly renewal shall be the same amount.
- 2) The fee for caregiver registry certificate shall be \$750.00 and must be refunded within thirty (30) days if denied; yearly renewal shall be the same amount.
- 3) The fee for a licensed Dispensary shall be \$10,000.00 and must be refunded within thirty (30) days if denied; yearly renewal shall be the same amount.
- 4) The fee for a licensed Commercial Cultivation Center shall be \$25,000.00 and must be refunded within thirty (30) days if denied; yearly renewal shall be the same amount.
- 5) The fee for a registered certificate or a Testing Facility shall be \$7,500 a year and must be refunded within 30 days if denied; the yearly renewal shall be the same.
- 6) Registration and license card fees shall be paid to the Commission for operating expenses, licenses, enforcement of the Ohio Medical Cannabis Commission, and other costs as generated by the Commission.
- 7) The Commission shall review at the end of every three years the fees paid as to whether they are reasonable and fair and are comparable to fees paid to other States that have been approved for medical cannabis.

(AA) Severability. If any section or subsection of this Amendment is held invalid, the remainder of this Amendment shall not be affected and shall continue in full force and effect where otherwise set forth in this text and shall supersede all conflicting state and local law regulations. Nothing in this text shall require the violation of Federal laws. This Amendment shall be voted on by the Ohio electorate in the next General Election (after the approval of the petitioner's signatures by the Secretary of State). If approved, this Amendment shall become effective upon the certification of the electoral vote by the Secretary of the State.

(BB) For the purpose of this proposed Amendment "Medical Use" means the acquisition, possession, administration, cultivation in an enclosed and locked facility, delivery, transportation, transfer, or use of cannabis or cannabis accessories or supplies relating to the administration of cannabis to treat or alleviate a patient's qualifying medical condition. "Cannabis Plant" means a living plant of the genus cannabis with a root system at three inches in length, "Usable Cannabis" means the dried, cured, and usable flowers of the cannabis plant and Text any mixture or preparation thereof, but does not include the seeds, stalks, and roots of the plant, or the weight of any non-cannabis ingredients combined with usable cannabis, such as ingredients added to prepare a topical administration, food or drink, or cannabis in the process of drying and curing. All cannabis stalks may be preserved and sold by a CCC.

(CC) For the purpose of this Amendment, the following definitions shall be applied:

- 1) The Ohio Medical Cannabis Commission "OMCC" hereafter means the Commission
- 2) "Bona fide doctor/practitioner-patient relationship" means a full assessment of the person's medical history and current medical condition made in the course of an examination of the person by a doctor/practitioner.
- 3) "Cannabis Paraphernalia" means an instrument used for the purpose of administering usable cannabis such as vaporizer, pipe, or rolling papers.
- 4) "Cannabis Plant" means a living plant of the genus cannabis with a root system at least 3" or longer.
- 5) "Cardholder" means a patient, a caregiver, a testing facility agent, or an agent for a Commercial Cultivation Center CCC, that possess a valid registry card and not been convicted of a disqualifying offense. In this text, a Commercial Cultivation Center shall be abbreviated as a CCC.
- 6) "Caregiver" means a person who is (a) at least twenty-one years of age, (b) has agreed to possess no more than five patients' cannabis plants as determined through the Ohio Medical Cannabis Commission.
- 7) "Commercial Cultivation Center" is the location of the enclosed, locked facility disclosed to the Commission through the Commission's registry program.
- 8) "Disqualifying Offense" means a violent crime that was classified as a felony in the jurisdiction where the person was convicted, or a violation of a state or federal controlled substance law that was classified as a felony in the jurisdiction where the person was convicted, except that an offense (a) for which the sentence, term of probation, incarceration, and supervised release was completed (b) Five (5) or more years earlier, or (b) an offense that consisted of conduct for which this Amendment would likely have prevented a conviction, shall not be considered disqualifying offense.
- 9) "Enclosed, Locked Facility" means an enclosed area such as a closed, room, greenhouse, or any other building equipped with locks or other security devices designed to permit access only by cardholders.
- 10) "Medical Use" means the acquisition, possession, administration, cultivation in an enclosed and locked facility, delivery, transportation, transfer, or use of cannabis or cannabis paraphernalia relating to the administration of cannabis to treat or alleviate a patient's qualifying medical condition.
- 11) "Patient" means a person who has been diagnosed by a doctor /practitioner as having (a) qualifying medical condition, (b) possesses a valid patient registry card, and (c) has not been convicted of a disqualifying offense.
- 12) "Doctor/Practitioner" means a person who is licensed MD, DO, and or practitioner authorized by law to prescribe drugs to humans in Ohio. If the qualifying patient's qualifying medical condition is post-traumatic stress disorder, the doctor/practitioner must be a licensed psychiatrist, psychologist, or psychotherapist.
- 13) "Registry Card" means a document issued by the Commission that (a) identifies a person as a patient, a caregiver, or a CCC agent, (b) displays a picture of the cardholder, (c) displays the cardholder's name, and (d) displays a registry number unique to the cardholder.
- 14) "Registry Certificate" means a document issued by the Commission identifying a CCC as approved through the Commission's registry programs.

15) CCC means the entity (a) possessing a valid registry certificate from the Commission that (b) has agreed to possess the Commission's registration process, unlimited amounts of cannabis plants for the use of medical cannabis and cannabis products.

16) CCC agent means a principal officer, board member, employee, volunteer, or agent of a CCC who is (a) at least twenty-one years of age, (b) possess a valid CCC registry card, and (c) has not been convicted of a disqualifying offense.

17) "Qualifying Medical Condition", means a disease or a condition or its treatment that produces one or more of the following: (a) cachexia or wasting syndrome, (b) severe nausea, (c) server pain, or (d) severe and persistent muscle spasms including but not limited to those characteristics of multiple sclerosis, or the following diseases and conditions: (e) posttraumatic stress disorder, (f) glaucoma, (g) Parkinson's Disease, (h) sickle cell anemia, (i) cancer, (j) HIV or AIDS, (k) Crohn's Disease, or (l) any additional disease or condition added by the OMCC, like epilepsy, autism, seizures, Tourette's or any other neurological disease.

18) "Qualifying medical patient" means a person who is (a) at least eighteen years of age and (b) has been diagnosed with a qualifying medical condition.

19) "Usable Cannabis", means the dried, cured, and usable flowers of the cannabis plant and any mixture or preparation thereof, but does not include (a) the seeds, stalks, and roots of the plant, (b) the weight of any non-cannabis ingredients combined with usable cannabis, such as ingredients added to prepare a topical administration, food, or drink, (c) cannabis in the process of drying and curing.

20) "Verification System" means a secure, password-protected, internet based system established and maintained by the Commission that rejects any connection not sent from an encrypted server.

21) "Visiting Patient" means a person who (a) has been diagnosed with a qualifying medical condition and (b) has been issued a valid patient registry card, or its equivalent, issued pursuant to the laws of another state, district, territory, commonwealth, insular possession of the United States or country recognized by the United States and is not a resident of Ohio.

22) "Written Recommendation", means a document dated and signed by a doctor/practitioner during the course of a bona fide doctor/practitioner patient relationship stating that in the professionals opinion, the patient is likely to receive therapeutic or palliative benefit from the medical use of cannabis to treat the patient's qualifying medical condition.

23) A "Minor Patient" means a person under the age of twenty-one who has a qualifying medical condition, possesses a registry card from the Commission, has been issued a valid patient registry card, or its equivalent, issued pursuant to the Jaws of another state with a recommendation for cannabis or a cannabis product from a licensed doctor/practitioner, and is under the supervision and guidance of a mother/father, grandparents, guardian, state, city or county institution.

24) The Ohio Medical Cannabis Amendment shall become effective immediately following the approval by the voters of the State of Ohio.

End of Text