

**As Reported by the Senate Agriculture and Natural Resources  
Committee**

**133rd General Assembly**

**Regular Session  
2019-2020**

**Sub. S. B. No. 57**

**Senators Hill, Huffman, S.**

**Cosponsors: Senators O'Brien, Uecker, Eklund, Schuring, Hackett, Brenner,  
Fedor, Antonio, Hoagland**

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**A BILL**

To amend sections 924.01, 3719.01, and 3719.41, to 1  
enact sections 924.212, 928.01, 928.02, 928.03, 2  
928.04, 928.05, 928.06, 928.07, and 928.99 of 3  
the Revised Code, and to amend the versions of 4  
sections 3719.01 and 3719.41 of the Revised Code 5  
that are scheduled to take effect on March 22, 6  
2020, to decriminalize hemp and hemp products, 7  
to establish a hemp cultivation and processing 8  
licensing program, and to establish a hemp 9  
marketing program. 10

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 924.01, 3719.01, and 3719.41 be 11  
amended and sections 924.212, 928.01, 928.02, 928.03, 928.04, 12  
928.05, 928.06, 928.07, and 928.99 of the Revised Code be 13  
enacted to read as follows: 14

**Sec. 924.01.** As used in sections 924.01 to 924.16 and 15  
924.40 to 924.55 of the Revised Code: 16

(A) "Agricultural commodity" means any food, fiber, feed, animal, or plant, or group of foods, fibers, feeds, animals, or plants that the director of agriculture determines to be of the same nature, in either a natural or a processed state.

"Agricultural commodity" does not include ~~grain~~ any of the following:

(1) Grain, as defined in section 924.20 of the Revised Code ~~or soybeans;~~

(2) Soybeans;

(3) Hemp, as defined in section 928.01 of the Revised Code.

(B) "Distributor" means any person who sells, offers for sale, markets, or distributes an agricultural commodity that the person has purchased or acquired directly from a producer, or that the person markets on behalf of a producer.

(C) "Handler" means any person who is in the business of packing, grading, selling, offering for sale, or marketing any agricultural commodity in commercial quantities as defined in a marketing program.

(D) "Marketing program" means a program that is established by order of the director pursuant to this chapter, to improve or expand the market for an agricultural commodity.

(E) "Operating committee" means a committee established to administer a marketing program for an agricultural commodity.

(F) "Person" means any natural person, partnership, sole proprietorship, limited liability company, corporation, society, agricultural cooperative as defined in section 1729.01 of the Revised Code, association, or fiduciary.

(G) "Processor" means any person who is in the business of 45  
grading, packaging, packing, canning, freezing, dehydrating, 46  
fermenting, distilling, extracting, preserving, grinding, 47  
crushing, juicing, or in any other way preserving or changing 48  
the form of any agricultural commodity. 49

(H) "Producer" means any person who is in the business of 50  
producing, or causing to be produced, any agricultural commodity 51  
for commercial sale, except that when used in reference to 52  
nursery stock, "producer" also means a distributor, processor, 53  
handler, or retailer of nursery stock. 54

Sec. 924.212. (A) There is hereby established the hemp 55  
marketing program. Except as provided under divisions (B) and 56  
(C) of this section, the procedures, requirements, and other 57  
provisions that are established under sections 924.20 to 924.30 58  
of the Revised Code and rules that apply to the grain marketing 59  
program shall apply to the hemp marketing program. For purposes 60  
of that application, references in those sections to "grain" are 61  
deemed to be replaced with references to "hemp." 62

(B) The hemp marketing program operating committee shall 63  
consist of eighteen members. Fourteen of those members shall be 64  
elected in accordance with section 924.22 of the Revised Code. 65  
The director of agriculture shall appoint the remaining four 66  
members. The appointed members of the board shall be voting 67  
members of the committee. 68

(C) With regard to the levying of assessments under 69  
section 924.26 of the Revised Code, the assessment on hemp shall 70  
be one-half of one per cent of the value of hemp seed, fiber, or 71  
flower at the first point of sale. 72

Sec. 928.01. As used in this chapter: 73

(A) "Cannabidiol" means the cannabidiol compound, 74  
containing a delta-9 tetrahydrocannabinol concentration of not 75  
more than three-tenths per cent, derived from hemp. 76

(B) "Hemp" means the plant Cannabis sativa L. and any part 77  
of that plant, including the seeds thereof and all derivatives, 78  
extracts, cannabinoids, isomers, acids, salts, and salts of 79  
isomers, whether growing or not, with a delta-9 80  
tetrahydrocannabinol concentration of not more than three-tenths 81  
per cent on a dry weight basis. 82

(C) "Hemp cultivation license" means a license to 83  
cultivate hemp issued under section 928.02 of the Revised Code. 84

(D) "Hemp processing license" means a license to process 85  
hemp to produce cannabidiol issued under section 928.02 of the 86  
Revised Code. 87

(E) "Hemp product" means any product, containing a delta-9 88  
tetrahydrocannabinol concentration of not more than three-tenths 89  
per cent, that is made with hemp. "Hemp product" includes 90  
cosmetics, personal care products, dietary supplements or food 91  
intended for animal or human consumption, cloth, cordage, fiber, 92  
fuel, paint, paper, particleboard, and any other product 93  
containing one or more cannabinoids derived from hemp, including 94  
cannabidiol. 95

(F) "Marihuana" has the same meaning as in section 3719.01 96  
of the Revised Code. 97

(G) "Medical marijuana" has the same meaning as in section 98  
3796.01 of the Revised Code. 99

(H) "University" means a state university as defined in 100  
section 3345.011 of the Revised Code and a private nonprofit 101  
institution with a certificate of authorization issued pursuant 102

to Chapter 1713. of the Revised Code. 103

(I) "USDA" means the United States department of 104  
agriculture. 105

**Sec. 928.02.** (A) (1) The director of agriculture shall 106  
establish a program to monitor and regulate hemp cultivation and 107  
processing in this state. Under the program, the director shall 108  
issue hemp cultivation licenses and hemp processing licenses in 109  
accordance with rules adopted under section 928.03 of the 110  
Revised Code. 111

(2) As authorized by the director, the department of 112  
agriculture or a university may cultivate or process hemp 113  
without a hemp cultivation license or hemp processing license 114  
for research purposes. 115

(B) Except as authorized under division (A) (2) of this 116  
section, any person that wishes to cultivate hemp shall apply 117  
for and obtain a hemp cultivation license from the director in 118  
accordance with rules adopted under section 928.03 of the 119  
Revised Code and any person that wishes to process hemp to 120  
produce cannabidiol shall apply for and obtain a hemp processing 121  
license from the director in accordance with those rules. Such 122  
licenses are valid for three years unless earlier suspended or 123  
revoked by the director. 124

(C) The department, a university, or any person may, 125  
without a hemp cultivation license or hemp processing license, 126  
do any of the following: 127

(1) Possess, buy, or sell hemp or a hemp product; 128

(2) Except for processing hemp to produce cannabidiol, 129  
process hemp into a hemp product, including by the addition of 130  
one or more cannabinoids derived from hemp, including 131

<u>cannabidiol, to a product to produce a hemp product.</u>	132
<u>(D) Notwithstanding any other provision of the Revised</u>	133
<u>Code to the contrary, the addition of hemp or cannabinoids</u>	134
<u>derived from hemp, including cannabidiol, to any product does</u>	135
<u>not adulterate that product.</u>	136
<u>Sec. 928.03. The director of agriculture, in consultation</u>	137
<u>with the governor and attorney general, shall adopt rules in</u>	138
<u>accordance with Chapter 119. of the Revised Code establishing</u>	139
<u>standards and procedures for the regulation of hemp cultivation</u>	140
<u>and processing. The rules shall include all of the following:</u>	141
<u>(A) The form of an application for a hemp cultivation</u>	142
<u>license and hemp processing license and the information required</u>	143
<u>to be included in each license application;</u>	144
<u>(B) The amount of the application fee that must be</u>	145
<u>submitted with each hemp cultivation license and hemp processing</u>	146
<u>license application;</u>	147
<u>(C) Requirements and procedures concerning background</u>	148
<u>investigations of each applicant for a hemp cultivation license</u>	149
<u>and each applicant for a hemp processing license;</u>	150
<u>(D) Procedures and requirements for the issuance, renewal,</u>	151
<u>denial, suspension, and revocation of a hemp cultivation license</u>	152
<u>and hemp processing license, including providing for a hearing</u>	153
<u>under Chapter 119. of the Revised Code with regard to such a</u>	154
<u>denial, suspension, or revocation;</u>	155
<u>(E) Grounds for the denial, suspension, and revocation of</u>	156
<u>a hemp cultivation license and of a hemp processing license;</u>	157
<u>(F) A requirement that the director shall not issue a hemp</u>	158
<u>cultivation license or hemp processing license to any person who</u>	159

has pleaded guilty to or been convicted of a felony relating to 160  
a controlled substance in the ten years immediately prior to the 161  
submission of the application for a license; 162

(G) A requirement that any person that materially 163  
falsifies information in an application for a hemp cultivation 164  
license or hemp processing license is ineligible to receive 165  
either license; 166

(H) A practice for maintaining relevant information 167  
regarding land on which hemp is cultivated by hemp cultivation 168  
licensees, including a legal description of the land, in 169  
accordance with applicable federal law; 170

(I) Requirements prohibiting a hemp cultivation licensee 171  
and a hemp processing licensee from cultivating or processing 172  
marihuana; 173

(J) A procedure for testing, using post-decarboxylation or 174  
other similarly reliable methods, delta-9 tetrahydrocannabinol 175  
concentration levels of hemp and hemp products; 176

(K) Requirements and procedures for the administration and 177  
enforcement of corrective action plans issued under this 178  
chapter; 179

(L) A procedure for conducting annual inspections of, at a 180  
minimum, a random sample of hemp cultivation license holders to 181  
verify that hemp is not being cultivated in violation of this 182  
chapter; 183

(M) A procedure for conducting annual inspections of, at a 184  
minimum, a random sample of hemp processing license holders to 185  
verify that hemp is not being processed to produce cannabidiol 186  
in violation of this chapter; 187

<u>(N) A procedure for complying with enforcement procedures</u>	188
<u>required under federal law;</u>	189
<u>(O) A procedure for the effective disposal of both of the</u>	190
<u>following:</u>	191
<u>(1) Plants, whether growing or not, cultivated in</u>	192
<u>violation of this chapter;</u>	193
<u>(2) Products derived from plants cultivated in violation</u>	194
<u>of this chapter.</u>	195
<u>(P) Procedures for sharing information regarding hemp</u>	196
<u>cultivation license holders with the secretary of the USDA;</u>	197
<u>(Q) A setback distance requirement that specifies the</u>	198
<u>distance that a hemp cultivation license holder must locate hemp</u>	199
<u>plants from a location where medical marijuana is being</u>	200
<u>cultivated. However, the requirement shall not apply to a hemp</u>	201
<u>cultivation license holder with regard to a medical marijuana</u>	202
<u>cultivator that locates medical marijuana within the established</u>	203
<u>setback distance requirement after the hemp cultivation license</u>	204
<u>holder begins operation.</u>	205
<u>(R) Annual reporting requirements and procedures for hemp</u>	206
<u>cultivation license holders and hemp processing license holders;</u>	207
<u>(S) Recordkeeping and documentation maintenance</u>	208
<u>requirements and procedures for hemp cultivation license holders</u>	209
<u>and hemp processing license holders;</u>	210
<u>(T) Fees for the laboratory testing of hemp and hemp</u>	211
<u>products;</u>	212
<u>(U) Standards for the testing and labeling of hemp and</u>	213
<u>hemp products;</u>	214



<u>(V) Any other requirements or procedures necessary to</u>	215
<u>administer and enforce this chapter.</u>	216
<b><u>Sec. 928.04.</u></b> (A) <u>Except as authorized under division (A)</u>	217
<u>(2) of section 928.02 of the Revised Code, no person shall</u>	218
<u>cultivate hemp without a hemp cultivation license or process</u>	219
<u>hemp to produce cannabidiol without a hemp processing license</u>	220
<u>issued by the director of agriculture under this chapter.</u>	221
<u>(B) No person who holds a hemp cultivation license or hemp</u>	222
<u>processing license shall violate this chapter or rules adopted</u>	223
<u>under it.</u>	224
<u>(C) No person subject to a corrective action plan issued</u>	225
<u>by the director of agriculture under section 928.05 of the</u>	226
<u>Revised Code shall fail to comply with the plan.</u>	227
<b><u>Sec. 928.05.</u></b> (A) <u>The director of agriculture shall issue a</u>	228
<u>corrective action plan to any person that the director</u>	229
<u>determines has negligently violated section 928.04 of the</u>	230
<u>Revised Code. The director shall include in the corrective</u>	231
<u>action plan both of the following:</u>	232
<u>(1) A reasonable date by which the person must correct the</u>	233
<u>violation;</u>	234
<u>(2) A requirement that the person report to the director</u>	235
<u>regarding the person's compliance with the requirements of this</u>	236
<u>chapter, rules adopted under it, and the corrective action plan</u>	237
<u>for two calendar years immediately following the date of the</u>	238
<u>violation.</u>	239
<u>(B) If the director determines that a person negligently</u>	240
<u>violated section 928.04 of the Revised Code three or more times</u>	241
<u>in any five-year period, the director shall revoke the person's</u>	242
<u>hemp cultivation license or hemp processing license, if any, and</u>	243

shall refuse to issue a hemp cultivation license or hemp 244  
processing license to that person for a period of five years 245  
beginning on the date that the director determines that the 246  
person committed the most recent violation. 247

(C) The director shall report a person who the director 248  
determines has violated section 928.04 of the Revised Code with 249  
a culpable mental state greater than negligence to the attorney 250  
general, the United States attorney general, and the applicable 251  
county prosecutor. 252

**Sec. 928.06.** There is hereby created in the state treasury 253  
the hemp program fund. The fund shall consist of all hemp 254  
cultivation license application fees, hemp processing license 255  
application fees, and fees for laboratory testing of hemp and 256  
hemp products collected under rules adopted under section 928.03 257  
of the Revised Code; money appropriated to the fund; and any 258  
other money received from gifts or federal grants. All 259  
investment earnings of the fund shall be credited to the fund. 260  
The director of agriculture shall use money in the fund to 261  
administer and enforce this chapter and rules adopted under it. 262

**Sec. 928.07.** (A) The director of agriculture may enter at 263  
reasonable times upon any public or private property at which 264  
hemp is being cultivated or processed to produce cannabidiol for 265  
the purpose of determining compliance with this chapter and 266  
rules adopted under it. The director may apply for and any judge 267  
of an appropriate court of record may issue a search warrant, 268  
necessary to achieve the purposes of this chapter within the 269  
court's territorial jurisdiction. 270

(B) In addition to any other available remedies, the 271  
director of agriculture, the attorney general, or a county 272  
prosecutor may apply to a court of common pleas in the county 273

where any provision of section 928.04 of the Revised Code is 274  
being violated for an injunction restraining any person from 275  
continuing the violation. 276

**Sec. 928.99.** (A) Whoever recklessly violates section 277  
928.04 of the Revised Code is guilty of the following: 278

(1) For a first offense, a minor misdemeanor; 279

(2) For each subsequent offense, a misdemeanor of the 280  
fourth degree. 281

The court shall order an offender who is convicted of or 282  
pleads guilty to a third or subsequent offense ineligible to 283  
receive a hemp cultivation license or hemp processing license 284  
under this chapter. The court shall provide written notice of 285  
that order to the director of agriculture. Upon receipt of the 286  
notice, the director shall revoke any hemp cultivation license 287  
or hemp processing license that the offender holds and shall 288  
refuse to issue a hemp cultivation license or hemp processing 289  
license to the offender beginning on the date of the court 290  
order. 291

(B) The prosecuting attorney of the applicable county or 292  
the attorney general may prosecute an action under this section. 293

**Sec. 3719.01.** As used in this chapter: 294

(A) "Administer" means the direct application of a drug, 295  
whether by injection, inhalation, ingestion, or any other means 296  
to a person or an animal. 297

(B) "Drug enforcement administration" means the drug 298  
enforcement administration of the United States department of 299  
justice or its successor agency. 300

(C) "Controlled substance" means a drug, compound, 301

mixture, preparation, or substance included in schedule I, II,	302
III, IV, or V.	303
(D) "Dangerous drug" has the same meaning as in section	304
4729.01 of the Revised Code.	305
(E) "Dispense" means to sell, leave with, give away,	306
dispose of, or deliver.	307
(F) "Distribute" means to deal in, ship, transport, or	308
deliver but does not include administering or dispensing a drug.	309
(G) "Drug" has the same meaning as in section 4729.01 of	310
the Revised Code.	311
(H) "Drug abuse offense," "felony drug abuse offense,"	312
"cocaine," and "hashish" have the same meanings as in section	313
2925.01 of the Revised Code.	314
(I) "Federal drug abuse control laws" means the	315
"Comprehensive Drug Abuse Prevention and Control Act of 1970,"	316
84 Stat. 1242, 21 U.S.C. 801, as amended.	317
(J) "Hospital" means an institution for the care and	318
treatment of the sick and injured that is certified by the	319
department of health and approved by the state board of pharmacy	320
as proper to be entrusted with the custody of controlled	321
substances and the professional use of controlled substances.	322
(K) "Hypodermic" means a hypodermic syringe or needle, or	323
other instrument or device for the injection of medication.	324
(L) "Isomer," except as otherwise expressly stated, means	325
the optical isomer.	326
(M) "Laboratory" means a laboratory approved by the state	327
board of pharmacy as proper to be entrusted with the custody of	328

controlled substances and the use of controlled substances for 329  
scientific and clinical purposes and for purposes of 330  
instruction. 331

(N) "Manufacturer" means a person who manufactures a 332  
controlled substance, as "manufacture" is defined in section 333  
3715.01 of the Revised Code. 334

(O) "Marihuana" means all parts of a plant of the genus 335  
cannabis, whether growing or not; the seeds of a plant of that 336  
type; the resin extracted from a part of a plant of that type; 337  
and every compound, manufacture, salt, derivative, mixture, or 338  
preparation of a plant of that type or of its seeds or resin. 339  
"Marihuana" does not include the mature stalks of the plant, 340  
fiber produced from the stalks, oils or cake made from the seeds 341  
of the plant, or any other compound, manufacture, salt, 342  
derivative, mixture, or preparation of the mature stalks, except 343  
the resin extracted from the mature stalks, fiber, oil or cake, 344  
or the sterilized seed of the plant that is incapable of 345  
germination. "Marihuana" does not include hemp or a hemp 346  
product. 347

(P) "Narcotic drugs" means coca leaves, opium, 348  
isonipecaïne, amidone, isoamidone, ketobemidone, as defined in 349  
this division, and every substance not chemically distinguished 350  
from them and every drug, other than cannabis, that may be 351  
included in the meaning of "narcotic drug" under the federal 352  
drug abuse control laws. As used in this division: 353

(1) "Coca leaves" includes cocaine and any compound, 354  
manufacture, salt, derivative, mixture, or preparation of coca 355  
leaves, except derivatives of coca leaves, that does not contain 356  
cocaine, ecgonine, or substances from which cocaine or ecgonine 357  
may be synthesized or made. 358

(2) "Isonipecaïne" means any substance identified 359  
chemically as 1-methyl-4-phenyl-piperidine-4-carboxylic acid 360  
ethyl ester, or any salt thereof, by whatever trade name 361  
designated. 362

(3) "Amidone" means any substance identified chemically as 363  
4-4-diphenyl-6-dimethylamino-heptanone-3, or any salt thereof, 364  
by whatever trade name designated. 365

(4) "Isoamidone" means any substance identified chemically 366  
as 4-4-diphenyl-5-methyl-6-dimethylaminohexanone-3, or any salt 367  
thereof, by whatever trade name designated. 368

(5) "Ketobemidone" means any substance identified 369  
chemically as 4-(3-hydroxyphenyl)-1-methyl-4-piperidyl ethyl 370  
ketone hydrochloride, or any salt thereof, by whatever trade 371  
name designated. 372

(Q) "Official written order" means an order written on a 373  
form provided for that purpose by the director of the United 374  
States drug enforcement administration, under any laws of the 375  
United States making provision for the order, if the order forms 376  
are authorized and required by federal law. 377

(R) "Opiate" means any substance having an addiction- 378  
forming or addiction-sustaining liability similar to morphine or 379  
being capable of conversion into a drug having addiction-forming 380  
or addiction-sustaining liability. "Opiate" does not include, 381  
unless specifically designated as controlled under section 382  
3719.41 of the Revised Code, the dextrorotatory isomer of 3- 383  
methoxy-N-methylmorphinan and its salts (dextro-methorphan). 384  
"Opiate" does include its racemic and levoratory forms. 385

(S) "Opium poppy" means the plant of the species papaver 386  
somniferum L., except its seeds. 387

(T) "Person" means any individual, corporation,	388
government, governmental subdivision or agency, business trust,	389
estate, trust, partnership, association, or other legal entity.	390
(U) "Pharmacist" means a person licensed under Chapter	391
4729. of the Revised Code to engage in the practice of pharmacy.	392
(V) "Pharmacy" has the same meaning as in section 4729.01	393
of the Revised Code.	394
(W) "Poison" means any drug, chemical, or preparation	395
likely to be deleterious or destructive to adult human life in	396
quantities of four grams or less.	397
(X) "Poppy straw" means all parts, except the seeds, of	398
the opium poppy, after mowing.	399
(Y) "Licensed health professional authorized to prescribe	400
drugs," "prescriber," and "prescription" have the same meanings	401
as in section 4729.01 of the Revised Code.	402
(Z) "Registry number" means the number assigned to each	403
person registered under the federal drug abuse control laws.	404
(AA) "Sale" includes delivery, barter, exchange, transfer,	405
or gift, or offer thereof, and each transaction of those natures	406
made by any person, whether as principal, proprietor, agent,	407
servant, or employee.	408
(BB) "Schedule I," "schedule II," "schedule III,"	409
"schedule IV," and "schedule V" mean controlled substance	410
schedules I, II, III, IV, and V, respectively, established	411
pursuant to section 3719.41 of the Revised Code, as amended	412
pursuant to section 3719.43 or 3719.44 of the Revised Code.	413
(CC) "Wholesaler" means a person who, on official written	414
orders other than prescriptions, supplies controlled substances	415

that the person has not manufactured, produced, or prepared 416  
personally and includes a "wholesale distributor of dangerous 417  
drugs" as defined in section 4729.01 of the Revised Code. 418

(DD) "Animal shelter" means a facility operated by a 419  
humane society or any society organized under Chapter 1717. of 420  
the Revised Code or a dog pound operated pursuant to Chapter 421  
955. of the Revised Code. 422

(EE) "Terminal distributor of dangerous drugs" has the 423  
same meaning as in section 4729.01 of the Revised Code. 424

(FF) "Category III license" means a license issued to a 425  
terminal distributor of dangerous drugs as set forth in section 426  
4729.54 of the Revised Code. 427

(GG) "Prosecutor" has the same meaning as in section 428  
2935.01 of the Revised Code. 429

(HH) (1) "Controlled substance analog" means, except as 430  
provided in division (HH) (2) of this section, a substance to 431  
which both of the following apply: 432

(a) The chemical structure of the substance is 433  
substantially similar to the structure of a controlled substance 434  
in schedule I or II. 435

(b) One of the following applies regarding the substance: 436

(i) The substance has a stimulant, depressant, or 437  
hallucinogenic effect on the central nervous system that is 438  
substantially similar to or greater than the stimulant, 439  
depressant, or hallucinogenic effect on the central nervous 440  
system of a controlled substance in schedule I or II. 441

(ii) With respect to a particular person, that person 442  
represents or intends the substance to have a stimulant, 443



depressant, or hallucinogenic effect on the central nervous 444  
system that is substantially similar to or greater than the 445  
stimulant, depressant, or hallucinogenic effect on the central 446  
nervous system of a controlled substance in schedule I or II. 447

(2) "Controlled substance analog" does not include any of 448  
the following: 449

(a) A controlled substance; 450

(b) Any substance for which there is an approved new drug 451  
application; 452

(c) With respect to a particular person, any substance if 453  
an exemption is in effect for investigational use for that 454  
person pursuant to federal law to the extent that conduct with 455  
respect to that substance is pursuant to that exemption; 456

(d) Any substance to the extent it is not intended for 457  
human consumption before the exemption described in division 458  
(HH) (2) (b) of this section takes effect with respect to that 459  
substance. 460

(II) "Benzodiazepine" means a controlled substance that 461  
has United States food and drug administration approved labeling 462  
indicating that it is a benzodiazepine, benzodiazepine 463  
derivative, triazolobenzodiazepine, or triazolobenzodiazepine 464  
derivative, including the following drugs and their varying salt 465  
forms or chemical congeners: alprazolam, chlordiazepoxide 466  
hydrochloride, clobazam, clonazepam, clorazepate, diazepam, 467  
estazolam, flurazepam hydrochloride, lorazepam, midazolam, 468  
oxazepam, quazepam, temazepam, and triazolam. 469

(JJ) "Opioid analgesic" means a controlled substance that 470  
has analgesic pharmacologic activity at the opioid receptors of 471  
the central nervous system, including the following drugs and 472

their varying salt forms or chemical congeners: buprenorphine, 473  
butorphanol, codeine (including acetaminophen and other 474  
combination products), dihydrocodeine, fentanyl, hydrocodone 475  
(including acetaminophen combination products), hydromorphone, 476  
meperidine, methadone, morphine sulfate, oxycodone (including 477  
acetaminophen, aspirin, and other combination products), 478  
oxymorphone, tapentadol, and tramadol. 479

(KK) "Emergency facility" means a hospital emergency 480  
department or any other facility that provides emergency care. 481

(LL) "Hemp" and "hemp product" have the same meanings as 482  
in section 928.01 of the Revised Code. 483

**Sec. 3719.41.** Controlled substance schedules I, II, III, 484  
IV, and V are hereby established, which schedules include the 485  
following, subject to amendment pursuant to section 3719.43 or 486  
3719.44 of the Revised Code. 487

SCHEDULE I 488

(A) Narcotics-opiates 489

Any of the following opiates, including their isomers, 490  
esters, ethers, salts, and salts of isomers, esters, and ethers, 491  
unless specifically excepted under federal drug abuse control 492  
laws, whenever the existence of these isomers, esters, ethers, 493  
and salts is possible within the specific chemical designation: 494

(1) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2- 495  
phenethyl)-4-piperidinyl]-N-phenylacetamide); 496

(2) Acetylmethadol; 497

(3) Allylprodine; 498

(4) Alphacetylmethadol (except levo-alphacetylmethadol, 499

also known as levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM);	500 501
(5) Alphameprodine;	502
(6) Alphamethadol;	503
(7) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta- phenyl)ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2- phenylethyl)-4-(N-propanilido) piperidine);	504 505 506
(8) Alpha-methylthiofentanyl (N-[1-methyl-2-(2- thienyl)ethyl-4-piperidinyl]-N- phenylpropanamide);	507 508
(9) Benzethidine;	509
(10) Betacetylmethadol;	510
(11) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl-4- piperidinyl]-N- phenylpropanamide);	511 512
(12) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2- hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N- phenylpropanamide);	513 514 515
(13) Betameprodine;	516
(14) Betamethadol;	517
(15) Betaprodine;	518
(16) Clonitazene;	519
(17) Dextromoramide;	520
(18) Diampromide;	521
(19) Diethylthiambutene;	522
(20) Difenoxin;	523

(21) Dimenoxadol;	524
(22) Dimepheptanol;	525
(23) Dimethylthiambutene;	526
(24) Dioxaphetyl butyrate;	527
(25) Dipipanone;	528
(26) Ethylmethylthiambutene;	529
(27) Etonitazene;	530
(28) Etoxeridine;	531
(29) Furethidine;	532
(30) Hydroxypethidine;	533
(31) Ketobemidone;	534
(32) Levomoramide;	535
(33) Levophenacylmorphan;	536
(34) 3-methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N- phenylpropanamide);	537 538
(35) 3-methylthiofentanyl (N-[3-methyl-1-[2-(thienyl)ethyl]-4-piperidinyl]-N- phenylpropanamide);	539 540
(36) Morpheridine;	541
(37) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);	542
(38) Noracymethadol;	543
(39) Norlevorphanol;	544
(40) Normethadone;	545
(41) Norpipanone;	546

(42) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl]propanamide;	547 548
(43) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine;	549
(44) Phenadoxone;	550
(45) Phenampromide;	551
(46) Phenomorphan;	552
(47) Phenoperidine;	553
(48) Piritramide;	554
(49) Proheptazine;	555
(50) Properidine;	556
(51) Propiram;	557
(52) Racemoramide;	558
(53) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide;	559 560
(54) Tilidine;	561
(55) Trimeperidine.	562
(56) Except as otherwise provided in this section, any compound that meets all of the following fentanyl pharmacophore requirements to bind at the mu receptor, as identified by a report from an established forensic laboratory:	563 564 565 566
(a) A chemical scaffold consisting of both of the following:	567 568
(i) A five, six, or seven member ring structure containing a nitrogen, whether or not further substituted;	569 570

(ii) An attached nitrogen to the ring, whether or not that nitrogen is enclosed in a ring structure, including an attached aromatic ring or other lipophilic group to that nitrogen;	571 572 573
(b) A polar functional group attached to the chemical scaffold, including but not limited to, a hydroxyl, ketone, amide, or ester;	574 575 576
(c) An alkyl or aryl substitution off the ring nitrogen of the chemical scaffold; and	577 578
(d) The compound has not been approved for medical use by the United States food and drug administration.	579 580
(B) Narcotics-opium derivatives	581
Any of the following opium derivatives, including their salts, isomers, and salts of isomers, unless specifically excepted under federal drug abuse control laws, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:	582 583 584 585 586
(1) Acetorphine;	587
(2) Acetyldihydrocodeine;	588
(3) Benzylmorphine;	589
(4) Codeine methylbromide;	590
(5) Codeine-n-oxide;	591
(6) Cyprenorphine;	592
(7) Desomorphine;	593
(8) Dihydromorphine;	594
(9) Drotebanol;	595

(10) Etorphine (except hydrochloride salt);	596
(11) Heroin;	597
(12) Hydromorphenol;	598
(13) Methyldesorphine;	599
(14) Methyldihydromorphine;	600
(15) Morphine methylbromide;	601
(16) Morphine methylsulfonate;	602
(17) Morphine-n-oxide;	603
(18) Myrophine;	604
(19) Nicocodeine;	605
(20) Nicomorphine;	606
(21) Normorphine;	607
(22) Pholcodine;	608
(23) Thebacon.	609
(C) Hallucinogens	610
Any material, compound, mixture, or preparation that	611
contains any quantity of the following hallucinogenic	612
substances, including their salts, isomers, and salts of	613
isomers, unless specifically excepted under federal drug abuse	614
control laws, whenever the existence of these salts, isomers,	615
and salts of isomers is possible within the specific chemical	616
designation. For the purposes of this division only, "isomer"	617
includes the optical isomers, position isomers, and geometric	618
isomers.	619
(1) Alpha-ethyltryptamine (some trade or other names:	620

etryptamine; Monase; alpha-ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole; alpha-ET; and AET);	621
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(2) 4-bromo-2,5-dimethoxyamphetamine (some trade or other names: 4-bromo-2,5-dimethoxy-alpha-methylphenethylamine; 4-bromo-2,5-DMA);	623
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(3) 4-bromo-2,5-dimethoxyphenethylamine (some trade or other names: 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-desmethyl DOB; 2C-B, Nexus);	626
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(4) 2,5-dimethoxyamphetamine (some trade or other names: 2,5-dimethoxy-alpha-methylphenethylamine; 2,5-DMA);	629
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(5) 2,5-dimethoxy-4-ethylamphetamine (some trade or other names: DOET);	631
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(6) 4-methoxyamphetamine (some trade or other names: 4-methoxy-alpha-methylphenethylamine; paramethoxyamphetamine; PMA);	633
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(7) 5-methoxy-3,4-methylenedioxy-amphetamine;	636
(8) 4-methyl-2,5-dimethoxy-amphetamine (some trade or other names: 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine; "DOM" and "STP");	637
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(9) 3,4-methylenedioxy amphetamine (MDA);	640
(10) 3,4-methylenedioxymethamphetamine (MDMA);	641
(11) 3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl MDA, MDE, MDEA);	642
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(12) N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine and N-hydroxy MDA);	645
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(13) 3,4,5-trimethoxy amphetamine;	648
(14) Bufotenine (some trade or other names: 3-(beta-dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-N, N-dimethyltryptamine; mappine);	649 650 651 652
(15) Diethyltryptamine (some trade or other names: N, N-diethyltryptamine; DET);	653 654
(16) Dimethyltryptamine (some trade or other names: DMT);	655
(17) Ibogaine (some trade or other names: 7-ethyl-6,6beta,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano-5H-pyrido[1',2':1,2] azepino [5, 4-b] indole; tabernanthe iboga);	656 657 658
(18) Lysergic acid diethylamide;	659
(19) Marihuana;	660
(20) Mescaline;	661
(21) Parahexyl (some trade or other names: 3-hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran; synhexyl);	662 663 664
(22) Peyote (meaning all parts of the plant presently classified botanically as "Lophophora williamsii Lemaire," whether growing or not, the seeds of that plant, any extract from any part of that plant, and every compound, manufacture, salts, derivative, mixture, or preparation of that plant, its seeds, or its extracts);	665 666 667 668 669 670
(23) N-ethyl-3-piperidyl benzilate;	671
(24) N-methyl-3-piperidyl benzilate;	672
(25) Psilocybin;	673

(26) Psilocyn;	674
(27) Tetrahydrocannabinols (synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis, sp. and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as the following: delta-1-cis or trans tetrahydrocannabinol, and their optical isomers; delta-6-cis or trans tetrahydrocannabinol, and their optical isomers; delta-3,4-cis or trans tetrahydrocannabinol, and its optical isomers. (Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions, are covered.)), <u>excluding tetrahydrocannabinols found in hemp and hemp products;</u>	675 676 677 678 679 680 681 682 683 684 685 686 687
(28) Ethylamine analog of phencyclidine (some trade or other names: N-ethyl-1-phenylcyclohexylamine; (1-phenylcyclohexyl)ethylamine; N-(1-phenylcyclohexyl)ethylamine; cyclohexamine; PCE);	688 689 690 691
(29) Pyrrolidine analog of phencyclidine (some trade or other names: 1-(1-phenylcyclohexyl)pyrrolidine; PCPy; PHP);	692 693
(30) Thiophene analog of phencyclidine (some trade or other names: 1-[1-(2-thienyl)-cyclohexyl]-piperidine; 2-thienyl analog of phencyclidine; TPCP; TCP);	694 695 696
(31) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine;	697
(32) Hashish;	698
(33) Salvia divinorum;	699
(34) Salvinorin A;	700
(35) (1-pentylindol-3-yl)-(2,2,3,3-	701

tetramethylcyclopropyl)methanone (UR-144);	702
(36) 1-pentyl-3-(1-adamantoyl)indole (AB-001);	703
(37) N-adamantyl-1-pentylindole-3-carboxamide;	704
(38) N-adamantyl-1-pentylindazole-3-carboxamide (AKB48);	705
(39) 2-ethylamino-2-(3-methoxyphenyl)cyclohexanone (methoxetamine);	706 707
(40) N,N-diallyl-5-methoxytryptamine (5MeO-DALT);	708
(41) [1-(5-fluoropentylindol-3-yl)]-(2,2,3,3- tetramethylcyclopropyl)methanone (5-fluoropentyl-UR-144; XLR11);	709 710
(42) [1-(5-chloropentylindol-3-yl)]-(2,2,3,3- tetramethylcyclopropyl)methanone (5-chloropentyl-UR-144);	711 712
(43) [1-(5-bromopentylindol-3-yl)]-(2,2,3,3- tetramethylcyclopropyl)methanone (5-bromopentyl-UR-144);	713 714
(44) {1-[2-(4-morpholinyl)ethyl]indol-3-yl}-(2,2,3,3- tetramethylcyclopropyl) methanone (A-796,260);	715 716
(45) 1-[(N-methylpiperidin-2-yl)methyl]-3-(1- adamantoyl)indole (AM1248);	717 718
(46) N-adamantyl-1-(5-fluoropentylindole)-3-carboxamide;	719
(47) 5-(2-aminopropyl)benzofuran (5-APB);	720
(48) 6-(2-aminopropyl)benzofuran (6-APB);	721
(49) 5-(2-aminopropyl)-2,3-dihydrobenzofuran (5-APDB);	722
(50) 6-(2-aminopropyl)-2,3-dihydrobenzofuran (6-APDB);	723
(51) Benzothiophenylcyclohexylpiperidine (BTCP);	724
(52) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E);	725

(53) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D);	726
(54) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C);	727
(55) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I);	728
(56) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-2);	729 730
(57) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-4);	731 732
(58) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H);	733
(59) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (2C-N);	734
(60) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P);	735 736
(61) 4-methoxymethamphetamine (PMMA);	737
(62) 5,6 - Methylenedioxy-2-aminoindane (MDAI);	738
(63) 5-iodo-2-aminoindane (5-IAI);	739
(64) 2-(4-iodo-2,5-dimethoxyphenyl)-N- [(2-methoxyphenyl)methyl]ethanamine (25I-NBOMe);	740 741
(65) Diphenylprolinol (diphenyl(pyrrolidin-2-yl)methanol, D2PM);	742 743
(66) Desoxypipradrol (2-benzhydrylpiperidine);	744
(67) Synthetic cannabinoids - unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of a synthetic cannabinoid found to be in any of the following chemical groups or any of those groups which contain any synthetic cannabinoid salts, isomers, or salts of isomers, whenever the existence of such salts, isomers, or salts of	745 746 747 748 749 750 751

isomers is possible within the specific chemical groups: 752

(a) Naphthoylindoles: any compound containing a 3-(1- 753  
naphthoyl)indole structure with or without substitution at the 754  
nitrogen atom of the indole ring by an alkyl, haloalkyl, 755  
alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin- 756  
2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, 757  
(tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, 758  
or 2-(4-morpholinyl)ethyl group, whether or not further 759  
substituted on the indole ring to any extent or whether or not 760  
substituted on the naphthyl group to any extent. 761  
Naphthoylindoles include, but are not limited to, 1-[2-(4- 762  
morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-200); 1-(5- 763  
fluoropentyl)-3-(1-naphthoyl)indole (AM2201), 1-pentyl-3-(1- 764  
naphthoyl)indole (JWH-018), and 1-butyl-3-(1-naphthoyl)indole 765  
(JWH-073). 766

(b) Naphthylmethylinindoles: any compound containing a 1H- 767  
indol-3-yl-(1-naphthyl)methane structure with or without 768  
substitution at the nitrogen atom of the indole ring by an 769  
alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 770  
(N-methylpiperidin-2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin- 771  
2-yl)methyl, (tetrahydropyran-4-yl)methyl, ((N-methyl)-3- 772  
morpholinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or 773  
not further substituted on the indole ring to any extent or 774  
whether or not substituted on the naphthyl group to any extent. 775  
Naphthylmethylinindoles include, but are not limited to, (1- 776  
pentylinindol-3-yl)(1-naphthyl)methane (JWH-175). 777

(c) Naphthoylpyrroles: any compound containing a 3-(1- 778  
naphthoyl)pyrrole structure with or without substitution at the 779  
nitrogen atom of the pyrrole ring by an alkyl, haloalkyl, 780  
alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin- 781

2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, 782  
(tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, 783  
or 2-(4-morpholinyl)ethyl group, whether or not further 784  
substituted on the pyrrole ring to any extent or whether or not 785  
substituted on the naphthyl group to any extent. 786  
Naphthoylpyrroles include, but are not limited to, 1-hexyl-2- 787  
phenyl-4-(1-naphthoyl)pyrrole (JWH-147). 788

(d) Naphthylmethylindenes: any compound containing a 789  
naphthylmethylideneindene structure with or without substitution 790  
at the 3-position of the indene ring by an alkyl, haloalkyl, 791  
alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin- 792  
2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, 793  
(tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, 794  
or 2-(4-morpholinyl)ethyl group, whether or not further 795  
substituted on the indene group to any extent or whether or not 796  
substituted on the naphthyl group to any extent. 797  
Naphthylmethylindenes include, but are not limited to, (1-[(3- 798  
pentyl)-1H-inden-1-ylidene)methyl]naphthalene (JWH-176). 799

(e) Phenylacetylindoles: any compound containing a 3- 800  
phenylacetylindole structure with or without substitution at the 801  
nitrogen atom of the indole ring by an alkyl, haloalkyl, 802  
alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin- 803  
2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, 804  
(tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, 805  
or 2-(4-morpholinyl)ethyl group, whether or not further 806  
substituted on the indole ring to any extent or whether or not 807  
substituted on the phenyl group to any extent. 808  
Phenylacetylindoles include, but are not limited to, 1-pentyl-3- 809  
(2-methoxyphenylacetyl)indole (JWH-250), and 1-(2- 810  
cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole (RCS-8); 1- 811  
pentyl-3-(2-chlorophenylacetyl)indole (JWH-203). 812

(f) Cyclohexylphenols: any compound containing a 2-(3-hydroxycyclohexyl)phenol structure with or without substitution at the 5-position of the phenolic ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, (tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the cyclohexyl group to any extent. Cyclohexylphenols include, but are not limited to, 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (some trade or other names: CP-47,497) and 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (some trade or other names: cannabicyclohexanol; CP-47,497 C8 homologue).

(g) Benzoylindoles: any compound containing a 3-(1-benzoyl)indole structure with or without substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)methyl, cyanoalkyl, (N-methylpyrrolidin-2-yl)methyl, (tetrahydropyran-4-yl)methyl, ((N-methyl)-3-morpholinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the indole ring to any extent or whether or not substituted on the phenyl group to any extent. Benzoylindoles include, but are not limited to, 1-pentyl-3-(4-methoxybenzoyl)indole (RCS-4), 1-[2-(4-morpholinyl)ethyl]-2-methyl-3-(4-methoxybenzoyl)indole (Pravadoline or WIN 48, 098).

(D) Depressants 838

Any material, compound, mixture, or preparation that contains any quantity of the following substances having a depressant effect on the central nervous system, including their salts, isomers, and salts of isomers, unless specifically

excepted under federal drug abuse control laws, whenever the 843  
existence of these salts, isomers, and salts of isomers is 844  
possible within the specific chemical designation: 845

(1) Mecloqualone; 846

(2) Methaqualone. 847

(E) Stimulants 848

Unless specifically excepted or unless listed in another 849  
schedule, any material, compound, mixture, or preparation that 850  
contains any quantity of the following substances having a 851  
stimulant effect on the central nervous system, including their 852  
salts, isomers, and salts of isomers: 853

(1) Aminorex (some other names: aminoxaphen; 2-amino-5- 854  
phenyl-2-oxazoline; or 4,5-dihydro-5-phenyl-2-oxazolamine); 855

(2) Fenethylline; 856

(3) (+/-)cis-4-methylaminorex ((+/-)cis-4,5-dihydro-4- 857  
methyl-5-phenyl-2-oxazolamine); 858

(4) N-ethylamphetamine; 859

(5) N,N-dimethylamphetamine (also known as N,N-alpha- 860  
trimethyl-benzeneethanamine; N,N-alpha-trimethylphenethylamine); 861

(6) N-methyl-1-(thiophen-2-yl) propan-2-amine 862  
(Methiopropamine); 863

(7) Substituted cathinones - any compound except bupropion 864  
or compounds listed under a different schedule, structurally 865  
derived from 2-aminopropan-1-one by substitution at the 1- 866  
position with either phenyl, naphthyl, or thiophene ring 867  
systems, whether or not the compound is further modified in any 868  
of the following ways: 869



(a) By substitution in the ring system to any extent with alkyl, alkylenedioxy, alkoxy, haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring system by one or more other univalent substituents;

(b) By substitution at the 3-position with an acyclic alkyl substituent;

(c) By substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or methoxybenzyl groups;

(d) By inclusion of the 2-amino nitrogen atom in a cyclic structure.

Examples of substituted cathinones include, but are not limited to, methylone (3,4-methylenedioxy-methcathinone), MDPV (3,4-methylenedioxy-pyrovalerone), mephedrone (4-methylmethcathinone), 4-methoxymethcathinone, 4-fluoromethcathinone, 3-fluoromethcathinone, Pentadrone (2-(methylamino)-1-phenyl-1-pentanone), pentylone (1-(1,3-benzodioxol-5-yl)-2-(methylamino)-1-pentanone), 2-(1-pyrrolidinyl)-1-(4-methylphenyl)-1-propanone, alpha-PVP (1-phenyl-2-(1-pyrrolidinyl)-1-pentanone), cathinone (2-amino-1-phenyl-1-propanone), and methcathinone (2-(methylamino)-propiofenone).

SCHEDULE II

(A) Narcotics-opium and opium derivatives

Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin, independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) Opium and opiate, and any salt, compound, derivative,	899
or preparation of opium or opiate, excluding apomorphine,	900
thebaine-derived butorphanol, dextrorphan, nalbuphine,	901
nalmefene, naloxone, and naltrexone, and their respective salts,	902
but including the following:	903
(a) Raw opium;	904
(b) Opium extracts;	905
(c) Opium fluid extracts;	906
(d) Powdered opium;	907
(e) Granulated opium;	908
(f) Tincture of opium;	909
(g) Codeine;	910
(h) Ethylmorphine;	911
(i) Etorphine hydrochloride;	912
(j) Hydrocodone;	913
(k) Hydromorphone;	914
(l) Metopon;	915
(m) Morphine;	916
(n) Oxycodone;	917
(o) Oxymorphone;	918
(p) Thebaine.	919
(2) Any salt, compound, derivative, or preparation thereof	920
that is chemically equivalent to or identical with any of the	921
substances referred to in division (A) (1) of this schedule,	922

except that these substances shall not include the isoquinoline	923
alkaloids of opium;	924
(3) Opium poppy and poppy straw;	925
(4) Coca leaves and any salt, compound, derivative, or	926
preparation of coca leaves (including cocaine and ecgonine,	927
their salts, isomers, and derivatives, and salts of those	928
isomers and derivatives), and any salt, compound, derivative, or	929
preparation thereof that is chemically equivalent to or	930
identical with any of these substances, except that the	931
substances shall not include decocainized coca leaves or	932
extraction of coca leaves, which extractions do not contain	933
cocaine or ecgonine;	934
(5) Concentrate of poppy straw (the crude extract of poppy	935
straw in either liquid, solid, or powder form that contains the	936
phenanthrene alkaloids of the opium poppy).	937
(B) Narcotics-opiates	938
Unless specifically excepted under federal drug abuse	939
control laws or unless listed in another schedule, any of the	940
following opiates, including their isomers, esters, ethers,	941
salts, and salts of isomers, esters, and ethers, whenever the	942
existence of these isomers, esters, ethers, and salts is	943
possible within the specific chemical designation, but excluding	944
dextrorphan and levopropoxyphene:	945
(1) Alfentanil;	946
(2) Alphaprodine;	947
(3) Anileridine;	948
(4) Bezitramide;	949

(5) Bulk dextropropoxyphene (non-dosage forms);	950
(6) Carfentanil;	951
(7) Dihydrocodeine;	952
(8) Diphenoxylate;	953
(9) Fentanyl;	954
(10) Isomethadone;	955
(11) Levo-alpha-acetylmethadol (some other names: levo- alpha-acetylmethadol; levomethadyl acetate; LAAM);	956 957
(12) Levomethorphan;	958
(13) Levorphanol;	959
(14) Metazocine;	960
(15) Methadone;	961
(16) Methadone-intermediate, 4-cyano-2-dimethylamino-4,4- diphenyl butane;	962 963
(17) Moramide-intermediate, 2-methyl-3-morpholino-1,1- diphenylpropane-carboxylic acid;	964 965
(18) Pethidine (meperidine);	966
(19) Pethidine-intermediate-A, 4-cyano-1-methyl-4- phenylpiperidine;	967 968
(20) Pethidine-intermediate-B, ethyl-4-phenylpiperidine-4- carboxylate;	969 970
(21) Pethidine-intermediate-C, 1-methyl-4- phenylpiperidine-4-carboxylic acid;	971 972
(22) Phenazocine;	973

(23) Piminodine;	974
(24) Racemethorphan;	975
(25) Racemorphan;	976
(26) Remifentanil;	977
(27) Sufentanil.	978
(C) Stimulants	979
Unless specifically excepted under federal drug abuse	980
control laws or unless listed in another schedule, any material,	981
compound, mixture, or preparation that contains any quantity of	982
the following substances having a stimulant effect on the	983
central nervous system:	984
(1) Amphetamine, its salts, its optical isomers, and salts	985
of its optical isomers;	986
(2) Methamphetamine, its salts, its isomers, and salts of	987
its isomers;	988
(3) Methylphenidate;	989
(4) Phenmetrazine and its salts;	990
(5) Lisdexamfetamine, its salts, isomers, and salts of its	991
isomers.	992
(D) Depressants	993
Unless specifically excepted under federal drug abuse	994
control laws or unless listed in another schedule, any material,	995
compound, mixture, or preparation that contains any quantity of	996
the following substances having a depressant effect on the	997
central nervous system, including their salts, isomers, and	998
salts of isomers, whenever the existence of these salts,	999

isomers, and salts of isomers is possible within the specific	1000
chemical designation:	1001
(1) Amobarbital;	1002
(2) Gamma-hydroxy-butyrate;	1003
(3) Glutethimide;	1004
(4) Pentobarbital;	1005
(5) Phencyclidine (some trade or other names: 1-(1-	1006
phenylcyclohexyl)piperidine; PCP);	1007
(6) Secobarbital;	1008
(7) 1-aminophenylcyclohexane and all N-mono-substituted	1009
and/or all N-N-disubstituted analogs including, but not limited	1010
to, the following:	1011
(a) 1-phenylcyclohexylamine;	1012
(b) (1-phenylcyclohexyl) methylamine;	1013
(c) (1-phenylcyclohexyl) dimethylamine;	1014
(d) (1-phenylcyclohexyl) methylethylamine;	1015
(e) (1-phenylcyclohexyl) isopropylamine;	1016
(f) 1-(1-phenylcyclohexyl) morpholine.	1017
(E) Hallucinogenic substances	1018
(1) Nabilone (another name for nabilone: (+)-trans-3-(1,1-	1019
dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1- hydroxy-6,6-	1020
dimethyl-9H-dibenzo[b,d]pyran-9-one).	1021
(F) Immediate precursors	1022
Unless specifically excepted under federal drug abuse	1023

control laws or unless listed in another schedule, any material, 1024  
compound, mixture, or preparation that contains any quantity of 1025  
the following substances: 1026

(1) Immediate precursor to amphetamine and 1027  
methamphetamine: 1028

(a) Phenylacetone (some trade or other names: phenyl-2- 1029  
propanone; P2P; benzyl methyl ketone; methyl benzyl ketone); 1030

(2) Immediate precursors to phencyclidine (PCP): 1031

(a) 1-phenylcyclohexylamine; 1032

(b) 1-piperidinocyclohexanecarbonitrile (PCC). 1033

SCHEDULE III 1034

(A) Stimulants 1035

Unless specifically excepted under federal drug abuse 1036  
control laws or unless listed in another schedule, any material, 1037  
compound, mixture, or preparation that contains any quantity of 1038  
the following substances having a stimulant effect on the 1039  
central nervous system, including their salts, their optical 1040  
isomers, position isomers, or geometric isomers, and salts of 1041  
these isomers, whenever the existence of these salts, isomers, 1042  
and salts of isomers is possible within the specific chemical 1043  
designation: 1044

(1) All stimulant compounds, mixtures, and preparations 1045  
included in schedule III pursuant to the federal drug abuse 1046  
control laws and regulations adopted under those laws; 1047

(2) Benzphetamine; 1048

(3) Chlorphentermine; 1049

(4) Clortermine; 1050

(5) Phendimetrazine.	1051
(B) Depressants	1052
Unless specifically excepted under federal drug abuse	1053
control laws or unless listed in another schedule, any material,	1054
compound, mixture, or preparation that contains any quantity of	1055
the following substances having a depressant effect on the	1056
central nervous system:	1057
(1) Any compound, mixture, or preparation containing	1058
amobarbital, secobarbital, pentobarbital, or any salt of any of	1059
these drugs, and one or more other active medicinal ingredients	1060
that are not listed in any schedule;	1061
(2) Any suppository dosage form containing amobarbital,	1062
secobarbital, pentobarbital, or any salt of any of these drugs	1063
and approved by the food and drug administration for marketing	1064
only as a suppository;	1065
(3) Any substance that contains any quantity of a	1066
derivative of barbituric acid or any salt of a derivative of	1067
barbituric acid;	1068
(4) Chlorhexadol;	1069
(5) Ketamine, its salts, isomers, and salts of isomers	1070
(some other names for ketamine: (+/-)-2-(2-chlorophenyl)-2-	1071
(methylamino)-cyclohexanone);	1072
(6) Lysergic acid;	1073
(7) Lysergic acid amide;	1074
(8) Methyprylon;	1075
(9) Sulfondiethylmethane;	1076
(10) Sulfonethylmethane;	1077



(11) Sulphonmethane;	1078
(12) Tiletamine, zolazepam, or any salt of tiletamine or zolazepam (some trade or other names for a tiletamine-zolazepam combination product: Telazol); (some trade or other names for tiletamine: 2-(ethylamino)-2-(2-thienyl)-cyclohexanone); (some trade or other names for zolazepam: 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo-[3, 4-e][1,4]-diazepin-7(1H)-one; flupyrazapon).	1079 1080 1081 1082 1083 1084 1085
(C) Narcotic antidotes	1086
(1) Nalorphine.	1087
(D) Narcotics-narcotic preparations	1088
Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:	1089 1090 1091 1092 1093 1094
(1) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;	1095 1096 1097
(2) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;	1098 1099 1100 1101
(3) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium;	1102 1103 1104 1105

(4) Not more than 300 milligrams of dihydrocodeinone per 1106  
100 milliliters or not more than 15 milligrams per dosage unit, 1107  
with one or more active, nonnarcotic ingredients in recognized 1108  
therapeutic amounts; 1109

(5) Not more than 1.8 grams of dihydrocodeine per 100 1110  
milliliters or not more than 90 milligrams per dosage unit, with 1111  
one or more active, nonnarcotic ingredients in recognized 1112  
therapeutic amounts; 1113

(6) Not more than 300 milligrams of ethylmorphine per 100 1114  
milliliters or not more than 15 milligrams per dosage unit, with 1115  
one or more active, nonnarcotic ingredients in recognized 1116  
therapeutic amounts; 1117

(7) Not more than 500 milligrams of opium per 100 1118  
milliliters or per 100 grams or not more than 25 milligrams per 1119  
dosage unit, with one or more active, nonnarcotic ingredients in 1120  
recognized therapeutic amounts; 1121

(8) Not more than 50 milligrams of morphine per 100 1122  
milliliters or per 100 grams, with one or more active, 1123  
nonnarcotic ingredients in recognized therapeutic amounts. 1124

(E) Anabolic steroids 1125

Unless specifically excepted under federal drug abuse 1126  
control laws or unless listed in another schedule, any material, 1127  
compound, mixture, or preparation that contains any quantity of 1128  
the following substances, including their salts, esters, 1129  
isomers, and salts of esters and isomers, whenever the existence 1130  
of these salts, esters, and isomers is possible within the 1131  
specific chemical designation: 1132

(1) Anabolic steroids. Except as otherwise provided in 1133  
division (E) (1) of schedule III, "anabolic steroids" means any 1134

drug or hormonal substance that is chemically and 1135  
pharmacologically related to testosterone (other than estrogens, 1136  
progestins, and corticosteroids) and that promotes muscle 1137  
growth. "Anabolic steroids" does not include an anabolic steroid 1138  
that is expressly intended for administration through implants 1139  
to cattle or other nonhuman species and that has been approved 1140  
by the United States secretary of health and human services for 1141  
that administration, unless a person prescribes, dispenses, or 1142  
distributes this type of anabolic steroid for human use. 1143  
"Anabolic steroid" includes, but is not limited to, the 1144  
following: 1145

- (a) Boldenone; 1146
- (b) Chlorotestosterone (4-chlortestosterone); 1147
- (c) Clostebol; 1148
- (d) Dehydrochlormethyltestosterone; 1149
- (e) Dihydrotestosterone (4-dihydrotestosterone); 1150
- (f) Drostanolone; 1151
- (g) Ethylestrenol; 1152
- (h) Fluoxymesterone; 1153
- (i) Formebolone (formebolone); 1154
- (j) Mesterolone; 1155
- (k) Methandienone; 1156
- (l) Methandranone; 1157
- (m) Methandriol; 1158
- (n) Methandrostenolone; 1159

(o) Methenolone;	1160
(p) Methyltestosterone;	1161
(q) Mibolerone;	1162
(r) Nandrolone;	1163
(s) Norethandrolone;	1164
(t) Oxandrolone;	1165
(u) Oxymesterone;	1166
(v) Oxymetholone;	1167
(w) Stanolone;	1168
(x) Stanozolol;	1169
(y) Testolactone;	1170
(z) Testosterone;	1171
(aa) Trenbolone;	1172
(bb) Any salt, ester, isomer, or salt of an ester or isomer of a drug or hormonal substance described or listed in division (E) (1) of schedule III if the salt, ester, or isomer promotes muscle growth.	1173 1174 1175 1176
(F) Hallucinogenic substances	1177
(1) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a United States food and drug administration approved drug product (some other names for dronabinol: (6aR-trans)-6a,7,8,10a-tetrahydro- 6,6,9-trimethyl- 3-pentyl-6H-dibenzo[b,d]pyran-1-ol, or (-)-delta-9-(trans)- tetrahydrocannabinol).	1178 1179 1180 1181 1182 1183
SCHEDULE IV	1184

(A) Narcotic drugs	1185
Unless specifically excepted by federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:	1186 1187 1188 1189 1190 1191
(1) Not more than one milligram of difenoxin and not less than 25 micrograms of atropine sulfates per dosage unit;	1192 1193
(2) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,2-diphenyl-3-methyl-2-propionoxybutane) [final dosage forms].	1194 1195
(B) Depressants	1196
Unless specifically excepted under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances, including their salts, isomers, and salts of isomers, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:	1197 1198 1199 1200 1201 1202 1203
(1) Alprazolam;	1204
(2) Barbital;	1205
(3) Bromazepam;	1206
(4) Camazepam;	1207
(5) Chloral betaine;	1208
(6) Chloral hydrate;	1209
(7) Chlordiazepoxide;	1210

(8) Clobazam;	1211
(9) Clonazepam;	1212
(10) Clorazepate;	1213
(11) Clotiazepam;	1214
(12) Cloxazolam;	1215
(13) Delorazepam;	1216
(14) Diazepam;	1217
(15) Estazolam;	1218
(16) Ethchlorvynol;	1219
(17) Ethinamate;	1220
(18) Ethyl loflazepate;	1221
(19) Fludiazepam;	1222
(20) Flunitrazepam;	1223
(21) Flurazepam;	1224
(22) Halazepam;	1225
(23) Haloxazolam;	1226
(24) Ketazolam;	1227
(25) Loprazolam;	1228
(26) Lorazepam;	1229
(27) Lormetazepam;	1230
(28) Mebutamate;	1231
(29) Medazepam;	1232

(30) Meprobamate;	1233
(31) Methohexital;	1234
(32) Methylphenobarbital (mephobarbital);	1235
(33) Midazolam;	1236
(34) Nimetazepam;	1237
(35) Nitrazepam;	1238
(36) Nordiazepam;	1239
(37) Oxazepam;	1240
(38) Oxazolam;	1241
(39) Paraldehyde;	1242
(40) Petrichloral;	1243
(41) Phenobarbital;	1244
(42) Pinazepam;	1245
(43) Prazepam;	1246
(44) Quazepam;	1247
(45) Temazepam;	1248
(46) Tetrazepam;	1249
(47) Triazolam;	1250
(48) Zaleplon;	1251
(49) Zolpidem.	1252
(C) Fenfluramine	1253
Any material, compound, mixture, or preparation that	1254
contains any quantity of the following substances, including	1255

their salts, their optical isomers, position isomers, or 1256  
geometric isomers, and salts of these isomers, whenever the 1257  
existence of these salts, isomers, and salts of isomers is 1258  
possible within the specific chemical designation: 1259

(1) Fenfluramine. 1260

(D) Stimulants 1261

Unless specifically excepted under federal drug abuse 1262  
control laws or unless listed in another schedule, any material, 1263  
compound, mixture, or preparation that contains any quantity of 1264  
the following substances having a stimulant effect on the 1265  
central nervous system, including their salts, their optical 1266  
isomers, position isomers, or geometric isomers, and salts of 1267  
these isomers, whenever the existence of these salts, isomers, 1268  
and salts of isomers is possible within the specific chemical 1269  
designation: 1270

(1) Cathine ((+)-norpseudoephedrine); 1271

(2) Diethylpropion; 1272

(3) Fencamfamin; 1273

(4) Fenproporex; 1274

(5) Mazindol; 1275

(6) Mefenorex; 1276

(7) Modafinil; 1277

(8) Pemoline (including organometallic complexes and 1278  
chelates thereof); 1279

(9) Phentermine; 1280

(10) Pipradrol; 1281



(11) Sibutramine;	1282
(12) SPA [(-)-1-dimethylamino-1,2-diphenylethane].	1283
(E) Other substances	1284
Unless specifically excepted under federal drug abuse	1285
control laws or unless listed in another schedule, any material,	1286
compound, mixture, or preparation that contains any quantity of	1287
the following substances, including their salts:	1288
(1) Pentazocine;	1289
(2) Butorphanol (including its optical isomers).	1290
SCHEDULE V	1291
(A) Narcotic drugs	1292
Unless specifically excepted under federal drug abuse	1293
control laws or unless listed in another schedule, any material,	1294
compound, mixture, or preparation that contains any of the	1295
following narcotic drugs, and their salts, as set forth below:	1296
(1) Buprenorphine.	1297
(B) Narcotics-narcotic preparations	1298
Narcotic drugs containing non-narcotic active medicinal	1299
ingredients. Any compound, mixture, or preparation that contains	1300
any of the following narcotic drugs, or their salts calculated	1301
as the free anhydrous base or alkaloid, in limited quantities as	1302
set forth below, and that includes one or more nonnarcotic	1303
active medicinal ingredients in sufficient proportion to confer	1304
upon the compound, mixture, or preparation valuable medicinal	1305
qualities other than those possessed by narcotic drugs alone:	1306
(1) Not more than 200 milligrams of codeine per 100	1307
milliliters or per 100 grams;	1308

(2) Not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 grams;	1309 1310
(3) Not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams;	1311 1312
(4) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit;	1313 1314
(5) Not more than 100 milligrams of opium per 100 milliliters or per 100 grams;	1315 1316
(6) Not more than 0.5 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.	1317 1318
(C) Stimulants	1319
Unless specifically exempted or excluded under federal drug abuse control laws or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances having a stimulant effect on the central nervous system, including their salts, isomers, and salts of isomers:	1320 1321 1322 1323 1324 1325
(1) Ephedrine, except as provided in division (K) of section 3719.44 of the Revised Code;	1326 1327
(2) Pyrovalerone.	1328
(D) <u>Approved-United States food and drug administration approved</u> cannabidiol drugs	1329 1330
Unless specifically exempted or excluded under federal drug abuse control laws or unless listed in another schedule, any drug product in finished dosage formulation that has been approved by the United States food and drug administration that contains cannabidiol (2-[1R-3-methyl-6R-(1-methylethenyl)-2-	1331 1332 1333 1334 1335

cyclohexen-1-yl]-5-pentyl-1,3-benzenediol) derived from cannabis 1336  
and not more than 0.1 per cent (w/w) residual 1337  
tetrahydrocannabinols. 1338

**Section 2.** That existing sections 924.01, 3719.01, and 1339  
3719.41 of the Revised Code are hereby repealed. 1340

**Section 3.** That the versions of sections 3719.01 and 1341  
3719.41 of the Revised Code that are scheduled to take effect on 1342  
March 22, 2020, be amended to read as follows: 1343

**Sec. 3719.01.** As used in this chapter: 1344

(A) "Administer" means the direct application of a drug, 1345  
whether by injection, inhalation, ingestion, or any other means 1346  
to a person or an animal. 1347

(B) "Drug enforcement administration" means the drug 1348  
enforcement administration of the United States department of 1349  
justice or its successor agency. 1350

(C) "Controlled substance" means a drug, compound, 1351  
mixture, preparation, or substance included in schedule I, II, 1352  
III, IV, or V. 1353

(D) "Dangerous drug" has the same meaning as in section 1354  
4729.01 of the Revised Code. 1355

(E) "Dispense" means to sell, leave with, give away, 1356  
dispose of, or deliver. 1357

(F) "Distribute" means to deal in, ship, transport, or 1358  
deliver but does not include administering or dispensing a drug. 1359

(G) "Drug" has the same meaning as in section 4729.01 of 1360  
the Revised Code. 1361

(H) "Drug abuse offense" and "felony drug abuse offense" 1362

have the same meanings as in section 2925.01 of the Revised Code. 1363  
1364

(I) "Federal drug abuse control laws" means the 1365  
"Comprehensive Drug Abuse Prevention and Control Act of 1970," 1366  
84 Stat. 1242, 21 U.S.C. 801, as amended. 1367

(J) "Hospital" means a facility registered as a hospital 1368  
with the department of health under section 3701.07 of the 1369  
Revised Code. 1370

(K) "Hypodermic" means a hypodermic syringe or needle, or 1371  
other instrument or device for the injection of medication. 1372

(L) "Manufacturer" means a person who manufactures a 1373  
controlled substance, as "manufacture" is defined in section 1374  
3715.01 of the Revised Code, and includes a "manufacturer of 1375  
dangerous drugs" as defined in section 4729.01 of the Revised 1376  
Code. 1377

(M) "Marihuana" means all parts of a plant of the genus 1378  
cannabis, whether growing or not; the seeds of a plant of that 1379  
type; the resin extracted from a part of a plant of that type; 1380  
and every compound, manufacture, salt, derivative, mixture, or 1381  
preparation of a plant of that type or of its seeds or resin. 1382  
"Marihuana" does not include the mature stalks of the plant, 1383  
fiber produced from the stalks, oils or cake made from the seeds 1384  
of the plant, or any other compound, manufacture, salt, 1385  
derivative, mixture, or preparation of the mature stalks, except 1386  
the resin extracted from the mature stalks, fiber, oil or cake, 1387  
or the sterilized seed of the plant that is incapable of 1388  
germination. "Marihuana" does not include hemp or a hemp 1389  
product. 1390

(N) "Narcotic drugs" means coca leaves, opium, 1391

isonipecaïne, amidone, isoamidone, ketobemidone, as defined in 1392  
this division, and every substance not chemically distinguished 1393  
from them and every drug, other than cannabis, that may be 1394  
included in the meaning of "narcotic drug" under the federal 1395  
drug abuse control laws. As used in this division: 1396

(1) "Coca leaves" includes cocaine and any compound, 1397  
manufacture, salt, derivative, mixture, or preparation of coca 1398  
leaves, except derivatives of coca leaves, that does not contain 1399  
cocaine, ecgonine, or substances from which cocaine or ecgonine 1400  
may be synthesized or made. 1401

(2) "Isonipecaïne" means any substance identified 1402  
chemically as 1-methyl-4-phenyl-piperidine-4-carboxylic acid 1403  
ethyl ester, or any salt thereof, by whatever trade name 1404  
designated. 1405

(3) "Amidone" means any substance identified chemically as 1406  
4-4-diphenyl-6-dimethylamino-heptanone-3, or any salt thereof, 1407  
by whatever trade name designated. 1408

(4) "Isoamidone" means any substance identified chemically 1409  
as 4-4-diphenyl-5-methyl-6-dimethylaminohexanone-3, or any salt 1410  
thereof, by whatever trade name designated. 1411

(5) "Ketobemidone" means any substance identified 1412  
chemically as 4-(3-hydroxyphenyl)-1-methyl-4-piperidyl ethyl 1413  
ketone hydrochloride, or any salt thereof, by whatever trade 1414  
name designated. 1415

(6) "Cocaine" has the same meaning as in section 2925.01 1416  
of the Revised Code. 1417

(0) "Official written order" means an order written on a 1418  
form provided for that purpose by the director of the United 1419  
States drug enforcement administration, under any laws of the 1420

United States making provision for the order, if the order forms	1421
are authorized and required by federal law.	1422
(P) "Person" means any individual, corporation,	1423
government, governmental subdivision or agency, business trust,	1424
estate, trust, partnership, association, or other legal entity.	1425
(Q) "Pharmacist" means a person licensed under Chapter	1426
4729. of the Revised Code to engage in the practice of pharmacy.	1427
(R) "Pharmacy" has the same meaning as in section 4729.01	1428
of the Revised Code.	1429
(S) "Poison" means any drug, chemical, or preparation	1430
likely to be deleterious or destructive to adult human life in	1431
quantities of four grams or less.	1432
(T) "Licensed health professional authorized to prescribe	1433
drugs," "prescriber," and "prescription" have the same meanings	1434
as in section 4729.01 of the Revised Code.	1435
(U) "Sale" includes delivery, barter, exchange, transfer,	1436
or gift, or offer thereof, and each transaction of those natures	1437
made by any person, whether as principal, proprietor, agent,	1438
servant, or employee.	1439
(V) "Schedule I," "schedule II," "schedule III," "schedule	1440
IV," and "schedule V" mean controlled substance schedules I, II,	1441
III, IV, and V, respectively, as established by rule adopted	1442
under section 3719.41 of the Revised Code, as amended pursuant	1443
to section 3719.43 or 3719.44 of the Revised Code, or as	1444
established by emergency rule adopted under section 3719.45 of	1445
the Revised Code.	1446
(W) "Wholesaler" means a person who, on official written	1447
orders other than prescriptions, supplies controlled substances	1448

that the person has not manufactured, produced, or prepared 1449  
personally and includes a "wholesale distributor of dangerous 1450  
drugs" as defined in section 4729.01 of the Revised Code. 1451

(X) "Animal shelter" means a facility operated by a humane 1452  
society or any society organized under Chapter 1717. of the 1453  
Revised Code or a dog pound operated pursuant to Chapter 955. of 1454  
the Revised Code. 1455

(Y) "Terminal distributor of dangerous drugs" has the same 1456  
meaning as in section 4729.01 of the Revised Code. 1457

(Z) (1) "Controlled substance analog" means, except as 1458  
provided in division (Z) (2) of this section, a substance to 1459  
which both of the following apply: 1460

(a) The chemical structure of the substance is 1461  
substantially similar to the structure of a controlled substance 1462  
in schedule I or II. 1463

(b) One of the following applies regarding the substance: 1464

(i) The substance has a stimulant, depressant, or 1465  
hallucinogenic effect on the central nervous system that is 1466  
substantially similar to or greater than the stimulant, 1467  
depressant, or hallucinogenic effect on the central nervous 1468  
system of a controlled substance in schedule I or II. 1469

(ii) With respect to a particular person, that person 1470  
represents or intends the substance to have a stimulant, 1471  
depressant, or hallucinogenic effect on the central nervous 1472  
system that is substantially similar to or greater than the 1473  
stimulant, depressant, or hallucinogenic effect on the central 1474  
nervous system of a controlled substance in schedule I or II. 1475

(2) "Controlled substance analog" does not include any of 1476

the following: 1477

(a) A controlled substance; 1478

(b) Any substance for which there is an approved new drug application; 1479  
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(c) With respect to a particular person, any substance if an exemption is in effect for investigational use for that person pursuant to federal law to the extent that conduct with respect to that substance is pursuant to that exemption; 1481  
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(d) Any substance to the extent it is not intended for human consumption before the exemption described in division (Z) (2) (b) of this section takes effect with respect to that substance. 1485  
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(AA) "Benzodiazepine" means a controlled substance that has United States food and drug administration approved labeling indicating that it is a benzodiazepine, benzodiazepine derivative, triazolobenzodiazepine, or triazolobenzodiazepine derivative, including the following drugs and their varying salt forms or chemical congeners: alprazolam, chlordiazepoxide hydrochloride, clobazam, clonazepam, clorazepate, diazepam, estazolam, flurazepam hydrochloride, lorazepam, midazolam, oxazepam, quazepam, temazepam, and triazolam. 1489  
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(BB) "Opioid analgesic" means a controlled substance that has analgesic pharmacologic activity at the opioid receptors of the central nervous system, including the following drugs and their varying salt forms or chemical congeners: buprenorphine, butorphanol, codeine (including acetaminophen and other combination products), dihydrocodeine, fentanyl, hydrocodone (including acetaminophen combination products), hydromorphone, meperidine, methadone, morphine sulfate, oxycodone (including 1498  
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acetaminophen, aspirin, and other combination products), 1506  
oxymorphone, tapentadol, and tramadol. 1507

(CC) "Outsourcing facility," "repackager of dangerous 1508  
drugs," and "third-party logistics provider" have the same 1509  
meanings as in section 4729.01 of the Revised Code. 1510

(DD) "Hemp" and "hemp product" have the same meanings as 1511  
in section 928.01 of the Revised Code. 1512

**Sec. 3719.41.** (A) For purposes of administration, 1513  
enforcement, and regulation of the manufacture, distribution, 1514  
dispensing, and possession of controlled substances, the state 1515  
board of pharmacy shall adopt rules in accordance with Chapter 1516  
119. of the Revised Code establishing schedule I, schedule II, 1517  
schedule III, schedule IV, and schedule V incorporating the five 1518  
schedules of controlled substances under the federal drug abuse 1519  
control laws. 1520

The board may include in the schedules any compound, 1521  
mixture, preparation, or substance that was included in the 1522  
schedules immediately prior to ~~the effective date of this~~ 1523  
~~amendment~~ March 22, 2020, as long as the inclusion does not have 1524  
the effect of providing less stringent control of the compound, 1525  
mixture, preparation, or substance than is provided under the 1526  
federal drug abuse control laws or regulations adopted under 1527  
those laws. 1528

(B) Except as provided in section 3719.45 of the Revised 1529  
Code, the board periodically shall update the schedules by rule 1530  
adopted in accordance with Chapter 119. of the Revised Code to 1531  
correspond to any change in the federal drug abuse control laws 1532  
or regulations adopted under those laws, any addition, transfer, 1533  
or removal by congress or the attorney general of the United 1534

States as described in section 3719.43 of the Revised Code, and 1535  
any addition, transfer, or removal by the board by rule adopted 1536  
under section 3719.44 of the Revised Code. 1537

(C) Notwithstanding divisions (A) and (B) of this section, 1538  
the board shall not adopt rules including hemp or a hemp product 1539  
in a schedule as a controlled substance. 1540

(D) As used in this section, "hemp" and "hemp product" 1541  
have the same meanings as in section 928.01 of the Revised Code. 1542

**Section 4.** That the existing versions of sections 3719.01 1543  
and 3719.41 of the Revised Code that are scheduled to take 1544  
effect on March 22, 2020, are hereby repealed. 1545

**Section 5.** Not later than one hundred and eighty days 1546  
after the effective date of this section, the Director of 1547  
Agriculture, in consultation with the Governor and Attorney 1548  
General, shall submit a plan for the regulation of hemp 1549  
cultivation to the Secretary of the United States Department of 1550  
Agriculture for approval in accordance with the Agriculture 1551  
Improvement Act of 2018, Pub. L. No. 115-334. 1552