



Ohio Medical Cannabis Care LLC

P.O. Box 783
Brice, Ohio 43109

614-981-8243
omcc2016@gmail.com



March 8, 2016

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 2255 signatures of electors on 49 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

OMCC Petitions Collected

Franklin

2,255 signatures
collected

total
10/4

5imecomplete
ID

Number _____

County Franklin

Issued to Tylar Walker
(NAME OF SOLICITOR)

Date of Issuance 2/19/2016

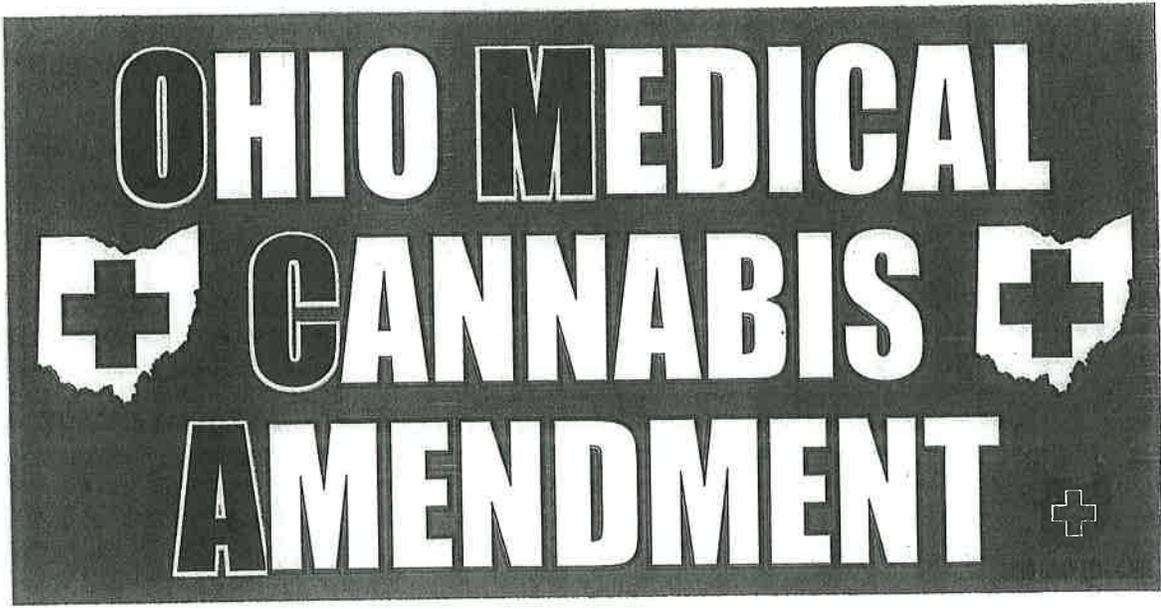
INITIATIVE PETITION

Amendment to the Constitution

Proposed by Initiative Petition

To be submitted directly to the electors

Amendment



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
"Ohio Medical Cannabis Amendment"

SUMMARY

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, 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 over 21 years of age to grow up to eight (8) flowering plants and up to 24 seedlings plants. Patients will be allowed to use up to 240 grams of medical cannabis within a thirty (30) day period.

Minor patient being under the age of twenty-one (21) years old, with a qualified medical condition would qualify for cannabis treatment with the recommendation from their doctor/practitioner and under the supervision of a parent, grandparents, legal guardian, City, County or State Institution. This Amendment protects patients and their providers from penalties or disciplinary action for the medical use of cannabis and establishes a registry and tracking program for law enforcement and the OMCC. The Ohio Medical Cannabis Commission ("OMCC") shall enforce this Amendment, and 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 provides for Medical Cannabis only for individual with a qualified medical conditions, with the recommendations of their Doctor/Practitioner, a minor patient must be under supervision of parents, grandparents, legal guardian, City, County, or State Institutions as authorized by Law.
2. This Amendment provides for the appointment of the Ohio Medical Cannabis Commission ("OMCC"), with seven (7) commissioners. Two (2) commissioners will be appointed by the Petitioners, and three (3) commissioners may be appointed by the following: Governor of the State of Ohio, Ohio House of Representatives and Ohio State Senate. The remaining two (2) commissioners shall be appointed jointly, by the first five (5) appointed commissioners.
3. This Amendment provides that the Commissioners shall be responsible for applications, renewals and operations rules to properly administrate this Amendment.
4. The Commission shall provide organizational rules for applications, registry cards, certificate and renewals, including an internet base verification system for the Commission and Law Enforcement to track all the patients, caregivers and agents for Commercial Cultivation Centers, Dispensaries and Medical Testing Facilities.
5. This Amendment shall not allow a display of signage shall be limited to the use of a cannabis leaf or a green cross on the building that sells cannabis/cannabis products, infused cannabis or paraphernalia. All outdoor signs shall be subjected to outdoor graphics per local code (Counties, Cities, Villages, Townships). The letters for the word "cannabis" shall not be more than 18" (high) x 4' (long).
6. A patient with a qualified medical condition shall have the right to use up to 240 grams of useable cannabis within a 30-day period. The patient has to be at least twenty-one (21) years of age to have in their possession eight (8) flowering plants, and up to twenty-four (24) seedling plants at any one time. All cannabis or cannabis products must be purchased through a Dispensary or their Caregiver.

7. A Minor Patient under the age of twenty-one (21) years of age shall have the right to use up to 240 grams of medical cannabis or cannabis products, within a thirty (30) day period but under the supervision of a parents, grandparents, legal guardian, City, County or State Institution.
8. A visiting patient being a minor, under the age of 21 years old or visiting patient over the age 21 years old, shall have the right to purchase cannabis or cannabis products through a Dispensary but must have a State Medical Cannabis Card. Subject to same conditions as # 6 & 7 above and maybe a non resident of Ohio.
9. Retail sales of cannabis or cannabis products shall pay sales tax in the same manner that all businesses pay tax in Ohio.
10. The State of Ohio Legislatures shall have the authority and right to amend this Amendment by introducing and passing an "Initiative" or "enact laws" to implement changes, and/or adopt additional rules to this "Ohio Medical Cannabis Amendment" that may increase and/or decrease the number of Caregivers, Dispensaries, Cultivating Centers, Medical Testing Facilities or fees for the well being and health of all Ohioans. The State of Ohio Legislations (House and Senate) shall have the authority to replace or implement changes up to two years after passage of this Amendment, after two years the full authority and supervisor of the Ohio Medical Cannabis Commission shall be transfer to the Ohio Department of Commerce. However, no Initiative shall affect businesses approved by the OMMC to cultivate (grow), manufactures, test, sell, process, distribute or extractions cannabis/cannabis products for medical treatment as allowed by this Amendment and approved by the Commission "OMCC."
11. The Petitioners shall perform all the requirements set by this proposed Amendments and with the right to use the service of others, including third party or parties to bring the Amendment to the electorate. A third party may provide funds, obtaining the signatures needed for the ballot, campaign funds, and organization experience. No third party or parties shall be prohibited from obtaining a registry card/certificate as a holder for a Dispensary or Commercial Cultivation Center. All Commissioners must be residents and Voters in the State of Ohio.
12. All information received and records kept for any Individual or entity for the purpose of administering this Amendment are confidential and not subject to disclosure to any individual or entity without the cardholders and the OMCC permission. Although, OMCC must provide information by order of the Ohio Courts and/or Ohio Law Enforcement Agency, without the permission of the individual or patient; as it relates to an Individual record, such information as provided to the OMCC by the Individual applications forms.
13. Any Agent, CCC, Doctor or Practitioner, Medical Patient, Caregivers, Medical Testing Facility or Dispensary with a registry card or registry certificate from the OMCC shall not be subject to disciplinary action, arrest, face any penalties or denial of any rights. A caregiver may receive compensation of assisting patients that will not constitute a sale of controlled substance. A caregiver with a registry card may deliver cannabis or cannabis product to a cardholder.
14. Annually Registry fees for medical patients shall be no more than \$100 annually. Annually Registry fees for a Caregiver will be \$500. Annually Registry fees for a Dispensary shall be \$10,000. Annually Registry fees for a Commercial Cultivation Center shall be \$20,000, Annually Registry fees for a Medical Testing Facility shall be \$5,000. All renewals for the second (2nd) year shall remain the same. All registration fees will be paid to the OMCC for their operational expenses after that it will be paid to the Ohio Department of Medical Cannabis.
15. The number of patients having a qualified medical shall be unlimited. Caregivers will be limited to one caregiver per 1,000 residents within a County, Dispensary one per 40,000 residents within a County, CCC's one per 100,000 residents within a County. In addition, there will be five (5) testing facilities throughout the State of Ohio; Central, Western, Eastern, Southern and Northern. Commission can approve additional MTF's if needed.
16. No person applying for a registry card that has committed a violent offense or financial felony within the past five (5) years will be allowed to grow/sell or receive a registry card.
17. The Ohio Medical Cannabis Commission shall have the right to inspect all locations for CCC at any time, in addition no one shall be permitted to grow or sale cannabis or cannabis products if they have provided incorrect information or if they have committed a serious offense. The OMCC shall have the right to suspend or revoke any registered card or certificate.
18. Anyone over the age of 21 years of age, Corporations, LLC, or Partnerships must first obtain a registration card and certificate from the OMCC including filing their proper business name and business with the Secretary of State of Ohio to grow medical cannabis.
19. A Caregiver who is 21 years of age or older, shall have no more than five (5) patients with a qualified medical condition; he/she may also, grow for themselves, as a medical patient. Caregivers can grow eight (8) flowering plants, and 24 seedlings per medical patient.

20. Dispensaries shall have the right to possess unlimited amount of useable cannabis and cannabis products. All products sold must have an approved label by the Medical Testing Facility.
21. Medical Testing Facility shall be independently owned. The Testing Facility will test for THC potency, residual solvents and other items. All potency and testing results shall be listed on the product labels (items being sold). Medical Cannabis Testing Facility must have a registry certificate through the OMCC.
22. Limitation for Medical Testing facilities, Dispensary and CCC shall not be located on a property zoned residential and must be a minimum 1,000 feet from a corner of any pre-existing school, drug and alcohol rehabilitation, YMCA, YWCA, place of worship, daycare facility or any similar community recreation center. This Amendment shall not require any County or State Medical Assistance Program or a Private Insurance Company to reimburse a patient for cost accumulated or associated with the Medical Use of Cannabis.
23. A Commercial Cultivating Center shall only operate to provide medical cannabis and cannabis products. A CCC will only sell to a Dispensary. but will be required to have their product tested by a Medical Testing Facility. CCC may grow an unlimited supply of flowering or seedling cannabis.
24. All agents or persons transporting useable cannabis or cannabis products must have documentation and a registry card from the OMCC.
25. A Licensed Doctor or Practitioner shall not be arrested, prosecution or penalized or denied any right or privileges including but not limited to civil penalty or disciplinary action for recommendations in good faith to persons diagnosed with qualified condition during the course of a bona fide doctor, practitioner, patient relationship.
26. If any section or subsection of this Amendment is held invalid it shall not effect any other part of this Amendment. The Amendment shall be voted on by the Ohio electors in the next General Election; after the approval of the signatures for the ballot by the Secretary of State.
27. For the purpose of this proposed Amendment "Medical Use" means the use of cannabis and cannabis infused products or intended for the treatment of medical purpose to treat or alleviate a patient's qualifying medical condition.

END OF SUMMARY

COMMITTEE REPRESENTING PETITIONERS

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 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 Ave. 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:

Article XV

Section 12

Legalization, Regulation, of Cannabis for Medical Purpose (Ohio Medical Cannabis Amendment Text)

RECEIVED

MAR 08 2016

Ohio Attorney General
Constitutional Offices Section

Brief 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, manufacture and sales. The OMCC would regulated and license the use of medical cannabis and cannabis products. The OMCC would provide for the legalization and to end the prohibition of cannabis for medical use, and to decriminalize the users and providers of medical cannabis. The OMCC would allow doctors and/or practitioners, during the course of a bona fide practitioner/patient relationship to recommend cannabis to patients as a treatment for qualifying medical conditions. The OMCC would also, allow Caregivers and patients over 21 years of age to grow up to eight (8) flowering plants and up to twenty-four (24) seedlings. This Amendment affirms that a minor patient, with qualifying medical conditions, would qualify for cannabis treatment if he/she has the recommendation from a doctor/practitioner and is under the supervision of a parents, grandparents, legal guardian, city, county or state institution. This Amendment protects patients and their providers from penalties or disciplinary action for the medical use of cannabis, and establishes a registry and tracking program for Law Enforcement and the OMCC. 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.

TEXT:

1). This Amendment provides for Medical Cannabis only. Therefore, it does not allow a person to provide cannabis to a minor, expose a minor to second hand cannabis smoke, or allow anyone to smoke cannabis in any public place. Persons with a Qualified Medical Condition may 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 qualify for cannabis treatment. "Medical Condition" means a disease or a condition 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 may be added by the Commission. 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 must 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, city, county or state institution. All persons (patients) may obtain their cannabis from a Dispensary or "Caregiver" if the person 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 and purchase up to two hundred forty (240) grams of cannabis, cannabis products including cannabis/solids/liquid concentrate and/or infused products over a thirty (30) day period.

2). Ohio Medical Cannabis Commission ("Commission"). There hereby is created the Ohio Medical Cannabis Commission ("Commissions") that shall administer these the law and adopt the rules for this Amendment. The Commission shall have seven (7) Commissioners appointed within forty-five (45) days after the approval of this Amendment by the electoral vote.

a). One Commissioner may be appointed by the Governor for a four (4) year term that has administrative law experience.

b). One Commissioner may be appointed by the Ohio House of Representatives for a three (3) year term with experience as a medical provider.

c). One Commissioner may be appointed by the Ohio State Senate for a four (4) year term, being a Medical Doctor or Practitioner.

d). Two (2) Commissioners shall be appointed by the petitioners one Commissioner for a three (3) year term having an Ohio Law Enforcement background; the second commissioner appointed by the Petitioners having four (4) year term, with accounting and administrative experience.

e). The final two (2) shall be appointed jointly within thirty (30) days after the first five commissioners have been appointed. Each appointed shall be for a two (2) year term with experience in mental health and/or human resources.

f). Four commissioners shall make up a quorum to prolongate the rules for adoption and for implement the operations of this Amendment.

g). If any commissioner's position remains vacated, so that no quorum exists, sixty (60) days after this Amendment has been approved by the electoral vote than the vacant position may be filled by the prior appointed commissioners that will represent the Amendment in accordance with the Commissioner's qualifications.

h). The OMCC will set the fees to be paid to it's commissioners and will reimburse them for their expense to and from meetings.

i). Within two (2) years, after the passing of this Amendment; the Commissioners shall transfer their authority to the State of Ohio Department of Commerce. Within two years after this Amendment passes, the Ohio Department of Commerce would create, a new department, known as the Ohio Department of Medical Cannabis. The department may change the method of appointments to the commission, including the prolongating of new rules of operations (including applications and renewals). However, such rules shall be reasonable and not cause hardship to entities that have obtained approved applications and/or renewals and shall not deny renewals to prior applicants, nor increase application or renewal fee other than the cost of inflation.

All commissioners must be residents of the State of Ohio. No Commissioner shall have the ownership interest in any CCC, MTF, or Dispensary at the time he or she serves as a Commissioner. As a Commissioner's position is vacated either through resignation, expiration death or incapacity, the original appointing authority shall appoint a replacement Commissioner according to the Commission's qualifications stated above. If the original appointing authority is not available to perform that task, the remaining Commissioner shall appoint a replacement Commissioner according to the Commissioner's qualifications stated above. Commissioners with expiring terms may seek reappointment for one additional term only.

3). The OMCC Commissioners shall be responsible for the applications and rules of operations for this Amendment. Duties, Powers and Responsibilities of the Ohio Medical Cannabis Commission (OMCC) shall provide for the following within ninety (90) days after the appointment of the Commission. The Commission shall establish:

1) The forms and contents 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 and to update a cardholder's registry information.

2) 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.

3) An internet based verification system available to Ohio Law Enforcement personnel on a twenty-four hour basis to ascertain the information when presented with a registry card or registry certificate: (a) that a person is a patient or a caregiver, or they are entities of a cultivation, dispensary center, or testing facility; (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 each entity as determined through the commission's registry program.

4) An internet based verification system allowing the commission (OMCC) on a twenty-four-hour basis to perform the following duties when presented with a registry card or registry certificate; (a) to identify that person is a patient, a caregiver, a Commercial Cultivation Center (CCC) agent, or a medical testing facility agent.

5) A procedure for notifying cardholders, caregivers, CCC, Dispensaries, and Medical Testing Facilities of the loss of the right to possess a patient's cannabis plants, and the revocation of a registry card or a registry certificate.

6) The Commissioners shall write and regulate the manner in which the commission 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, and/or present new conditions that maybe added to the operating rules.

7) OMCC shall make electronically available all forms for applications for: cultivating centers, caregivers, dispensaries and testing facilities, minor patients, patients, doctors/practitioners and other recommended forms needed to file for a patient's registry card or registry certificate.

8) All applicants are to submit to the Commission the following with their applications for a new or renewal registry card and/or registry certificate:

a) A signed 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 for 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, (1) a written recommendation issued by a doctor/practitioner preceding the date of the application, and (2) 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 Cultivation Center will be situated, and if they are not the owners, they shall provide written consent to the Commission from the landowner approving the Commercial Cultivation Center

4). The Commission will provide organizational rules of the OMCC operation and forms of applications for a registry card/registry certificate and renewals, along with rules for the re-appointment of new commissioners. Within ninety (90) 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 and/or attempting to renew while having a serious violation. The Commission shall maintain the right to change or add other violations to deny an application. The Commission will respond to the first applications on or before ninety (90) days after the appointment of the Commission and shall rule on the applications as approved or denied within ninety (90) days after receipt, on or before when possible. 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.

a) The OMCC may inspect all locations or entities of a CCC, Dispensaries, Caregivers, and Medical Test Facility before issuing a registry card/registry certificate. All locations and operation of entities shall be available for inspection to insure a professional operation with all of the OMCC rules, regulations and policies being followed and obeyed.

b) The OMCC may revoke a registry card/registry certificate for a disqualifying offense or conviction and for not providing accurate information to the OMCC. 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. The commission shall set up a disqualifying offense list that will eliminate felons from being a caregiver, a patient or owning a Medical Testing Facility, Commercial Cultivation Center or Dispensary.

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

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

5). This Amendment shall not authorize any person to engage in, the medical use of cannabis, on the grounds of any school, in any correctional facility, that when doing so would constitute negligence, subject to the following limitation in the effort to avoid the placement of a Commercial Cultivation Center (CCC) Dispensaries and Medical Testing Facilities (MTFs) in a socially unacceptable area. The following are limitations on Commercial Cultivation Centers (CCC), Dispensaries and Medical Testing Facilities to avoid socially unacceptable areas: (a) all CCCs, Dispensaries and Testing Centers, prior to permitting must obtain written verification 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 these entities. (b) A Commercial Cultivation Center, (“CCC”) Caregivers location, Dispensary or Testing Facility may not be physically located within 1,000 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 CCC’s, Dispensary, Medical Testing Facility may not display, in public view, advertisements or signage containing the word "cannabis (marijuana). Display of signage shall be limited to the use of a cannabis leaf or a green cross on the building that sells cannabis/cannabis products, infused cannabis or paraphernalia. All outdoor signs shall be subjected to outdoor graphics per local code Counties, Cities, Townships, and/or Villages. (c). The letter for the word “cannabis” shall not be more than 18” (high) x 4’. (d) A CCC, Dispensary or Testing Facility shall not knowingly allow cannabis to be ingested or smoked, and no more than one Medical Testing Facility per any one individual or company in Ohio and must be independently owned and operated.

6). Medical Patient shall have the Right to Possess

a) A medical patient of any age who has a valid patient registry card, and has been diagnosed as having a qualified medical condition from their doctor/practitioner, has the right to possess up to two-hundred forty (240) grams of usable cannabis during a thirty (30) day period. All medical patients over the age of twenty-one (21) years of age shall possess the right to grow medical cannabis in their home, their property or rental, in a secured locked area away from public view and inaccessible to minors or any unauthorized persons. Medical patients shall not grow more than eight (8) flowering plants an up to twenty four (24) seedlings.

7). Minor Medical Patients

a) Shall be a person under the age of twenty-one (21) years, having a qualifying medical condition and must be supervised and under the guidance of mother/father, legal guardian, grandmother/grandfather or city, county or state 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, for their medical treatment from a licensed doctor or a practitioner. A minor patient may be a resident of the State of Ohio or any other State, but must obtain a registry card from the OMCC.

8). A Visiting Patient

a). An Individual of any age with a State Medical Cannabis Card and has been diagnosed as having a qualified medical condition.

b). A visiting patient, (outside the State of Ohio) can be an adult (over the age of 21 years old) or a minor (under the age of 21 years old) and may purchase their cannabis product within the state of Ohio through a dispensary, but may not purchase cannabis products by mail and may not take cannabis products outside of the State of Ohio. A minor shall have the same rights as a visiting patient or patient subject to qualification set out in Paragraph 7 above.

c) Shall have the right to possess up to two hundred forty (240) grams of usable cannabis within a thirty (30) 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.

9). All retail sales from cannabis or cannabis products shall pay sales tax.

10). The State of Ohio Legislatures shall have the authority and right to amend this Amendment by introducing and passing an “Initiative” or “enact laws” to implement changes, and/or adopt additional rules to this “Ohio Medical Cannabis Amendment” that may increase and/or decrease the number of Caregivers, Dispensaries, Cultivating Centers, Medical Testing Facilities or fees for the well being and health of all Ohioans. The State of Ohio Legislations

(House and Senate) shall have the authority to replace or implement changes up to two years after passage of this Amendment, after two years the full authority and supervisor of the Ohio Medical Cannabis Commission shall be transfer to the Ohio Department of Commerce. However, no Initiative shall affect businesses approved by the OMMC to cultivate (grow), manufactures, test, sell, process, distribute or extractions cannabis/cannabis products for medical treatment as allowed by this Amendment and approved by the Commission "OMCC."

11). 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 advise. 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 Corporation(s) 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. The Commission shall be prohibited from being a registered or registry certificate holder for a Dispensary or Commercial Cultivating Center. All commissioners of the Ohio Medical Cannabis Commission shall be residents and registered voters of the State of Ohio.

12). All information received and records kept for any individual or entity for the purpose of administering this Amendment are confidential, and are not subject to disclosure to any individual or entity without the cardholder's and the Ohio Medical Cannabis Commission "OMCC" permission. Except OMCC shall provide and release information by order of the Ohio Courts and/or Ohio Law Enforcement Agency, without the permission of the individual or patient; as it relates to Individual Records for information as provided to the OMCC from the Individual application form.

13). Commercial Cultivation Centers, Medical Patients, Caregivers, Dispensaries and Medical Testing Facilities, 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 shall not be subject to disciplinary action for 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, and/or possession of cannabis plants. Caregivers 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.

a). A caregiver shall have the right to transport/deliver cannabis, cannabis products and seedlings to a medical patient at his/her home, providing that a registration card has been issued by the Commission to the person doing the delivery and receiving. Each caregiver making a delivery must provide a statement with the patient's 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; plus, himself/herself at any one time.

14). Annual Registry fees, Annual Card License Fees, Annual Registry Applications or Annual Renewals

1) The fee for a registry card for medical patient, visiting patient or medical patient is not refundable and shall be no more than \$100.00.

2) The fee for caregiver registry certificate shall be \$500.00 and must be refunded within thirty (30) days if denied.

3) The fee for a Dispensary registry certificate shall be \$10,000.00 and must be refunded within thirty (30) days if denied.

4) The fee for a Commercial Cultivation Center registry certificate shall be \$20,000.00 and must be refunded within thirty (30) days if denied.

5) The fee for a Medical Testing Facility registry certificate shall be \$5,000 and must be refunded within 30 days if denied.

6) All Registration fees shall be paid to the Commission (“OMCC”) for operating expenses, and the enforcement for of this Amendment.

7) The Commission shall review at the end of every two (2) years the fees paid as to whether they are reasonable and fair.

15). Number of Patients, Caregivers, Dispensaries, CCCs, and Medical Testing Facilities to be allowed.

a) No limit to patients with a medical condition as recommended by their doctor/practitioner for the use of medical cannabis.

b) Caregiver - The Commissions shall provide that each of the 88 counties of Ohio shall be eligible for one caregiver per each 1,000 residents within any given county.

c) Dispensaries - Each of the 88 counties shall be allowed to have one Dispensary per 40,000 residents within a county.

d) Commercial Cultivating Center - The Commission shall provide for up to one CCC per 100,000 residents in any given County. If a county is less in population than 100,000 residents, than adjoining counties can join to make one.

e) Medical Testing Facilities - The Commission shall provide for permitting up to five (5) medical testing facilities within the State of Ohio divided in areas of Central, Northern, Southern, Eastern and Western. But may increase additional sites if necessary.

f) 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 for their treatment will be within a reasonable distance.

16). All medical patients, caregivers, or individuals applying for a registry card from the OMCC shall not be or become a registered card holder to provide, grow, test or sell medical cannabis if they have committed a violent offense or a financial felony within the past five (5) years. After five (5) years the applicant may reapply. No medical patient 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. 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.

17). The Ohio Medical Cannabis Commission (OMCC) Shall Be Permitted to:

a) The right to inspect where medical cannabis will be grown, sold or used for medical reasons in the State of Ohio.

b) 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.

c) The Commission shall have the right to contract with a third (3rd) party to process registry cards to improve working operations.

d) 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 unsatisfactory criminal background check. All OMCC actions are considered final, and may be subject to judicial review in the Franklin County Court of Common Pleas.

18). Registered Certificate Holder, as an Individual, Corporation, LLC or Partnership:

Must be a person over the age of 21, any corporation to own and operate a Dispensaries, Medical Testing Facilities or a Commercial Cultivation Centers must procure a registry certificate, and meet all of the requirements of 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 doing business in Ohio.

19). A Caregiver Shall have the Rights to:

a) A person who is at least 21 years of age, shall have no more than five (5) patients, plus himself if he is a qualified medical patient through the OMCC and allowed up to eight (8) flowering plants and twenty-four (24) seedlings per patient and possesses a valid caregiver registry card/registry certificate by the Ohio Medical Cannabis Commission registry program.

b) 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 two hundred forty (240) 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/people. 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.

20). A Dispensary Shall Have the Right to:

1) Have Unlimited amount of usable medical cannabis and cannabis products.

2) Sell cannabis/cannabis products, accessories and supplies, as approved by the Ohio Medical Cannabis Commission, and licensed by the Commission. Each usable medical cannabis item shall have an approved label from the Medical Testing Facility to insure that the item is qualified for sale and will meet the standards and potency as required by the Commission.

3) A Dispensary must obtain/purchase all medical cannabis from a Commercial Cultivation Center, with a stamp of approval from a Medical Testing Facility as approved by the OMCC Licensing Commission.

4) A Dispensary shall sell cannabis and cannabis products, accessories and supplies to caregivers, medical patients that have qualifying medical conditions.

21.) Medical 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 THIC 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, by the Medical Testing Facility prior to being sold by a Dispensary. A Testing Facility shall not sell cannabis products to the public but only operate as a Testing Facility.

22). Limitations for Dispensary, Medical Testing Facilities and Commercial Cultivating Centers:

a) Shall be physically located over one thousand (1,000) feet from any corner of a building of preexisting school, place of worship, daycare facility, drug or alcohol rehabilitation facility, boys club, girls club, YMCA, YWCA, or any similar community recreation center.

b) Shall not be physically located in a building and/or on property zoned for residential use.

c) Not allowed cannabis to be smoked or ingested on its property.

d). This Amendment shall not require a State Medical Assistance Program or a Private Insurance Company to reimburse a patient for cost accumulated or associated with the Medical Use of Cannabis.

23). Commercial Cultivating Center ("CCC")

a) Are engaged in the cultivation of cannabis for medical use of cannabis as allowed under this Amendment and 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:

b) Acquire usable flowering cannabis or cannabis plants, and grow medical cannabis

c) Provide usable medical cannabis, cannabis product or cannabis plants to Dispensaries that possess a registry card and registry certificate from the OMCC to supply medical cannabis to and for State approved testing or clinical trials.

d) Possession of cannabis that is incidental to medical use

e) Possession of medical cannabis accessories and supplies, usable cannabis, or cannabis seedling plants.

f) A CCC may grow unlimited supply of flowering cannabis or seedlings, and produce or manufacture and medical infused products.

g) Supply for wholesale medical cannabis and or any cannabis product and seedlings to Dispensaries.

24). Requirements for Commercial Cultivation Center Agent

a) A CCC agent must have documentation when transporting usable medical cannabis or medical cannabis plants on behalf of the CCC specifying (a) the amount of usable medical cannabis or medical cannabis plants being transported.

25). A Licensed Doctor or 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.

a) 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 cannabis recommendations to his or her patient.

26). 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. 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.

27). For the purpose of this Amendment, the following definitions shall be applied: .

1) "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.

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

3) "Cannabis Paraphernalia" means an instrument used for the purpose of administering usable medical cannabis such as vaporizer, pipe, or rolling papers.

4) "Cannabis Plant"/Medical Cannabis Plant means a living plant of the genus cannabis with a root system at least 3" or longer. This plant may be used to help cure patient's medical issues.

5) "Cardholder/Registry Cardholder" means a patient, a caregiver, a medical testing facility agent, or an agent for a Commercial Cultivation Center (CCC), that possess a valid registry card from the OMCC and has not been convicted of a disqualifying offense.

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' medical cannabis plants as determined through the Ohio Medical Cannabis Commission and possess a valid registry card.

7) "Commercial Cultivation Center" (CCC) is the location of the enclosed, locked facility disclosed to the Commission through the OMCC registry program. (a) possessing a valid registry certificate from the OMCC (b) To grow Medical Cannabis and to manufacture medical infused cannabis products OMCC has agreed to License the CCC to grow medical cannabis and other medical cannabis products in unlimited quantity and must operate under the rules established by the OMCC.

8) "Commission" means the appointment of a 7-member board appointed by Petitioners, Governor, House of Representatives and the Ohio State Senate. After the appointment, the commissioners shall be responsible for writing the rules, and adopting rules to appoint future Commission. Rules for applications, registry cards/cardholders and certificate for applicants to make applications. Including forms for registry certificate to operate as a Caregiver, CCC, CCC agent, Dispensary, and Medical Testing Facility. OMCC will perform all other responsibilities to enforce this Amendment.

9). "Dispensary" means a retail location that will sell unlimited amounts of medical cannabis and other products related to medical cannabis.

10) "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.

11). "Doctor/Practitioner" means a person who is a Doctor and/or Practitioner authorized by law to prescribe medical cannabis to humans.

12) "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.

13). "Medical Use" means the use of cannabis and cannabis infused products or intended for the treatment of medical purpose to treat or alleviate a patient's qualifying medical condition.

14). "Minor Patient" means an individual under the age of twenty-one (21) who has a qualifying medical condition, possesses a registry card from the Commission, with a recommendation for cannabis or a cannabis product for their medical from a licensed doctor/practitioner. The minor must have the supervision and guidance of his/her mother/father, grandparents, guardian, state, city or county institution.

15). "Patient" means an individual who has been diagnosed by a doctor /practitioner as having (a) qualifying medical condition,

16). "Qualifying Medical Condition" means a disease or a condition 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 OMCC, like epilepsy, autism, seizures, Tourette's or any other neurological disease.

17). "Qualifying medical patient" means an individual who is any age with a disease or pain from a disease.

18). Quorum means having a majority of the OMCC commissioners will vote to agree or disagree on policies dealing with the operations of the OMCC.

19) "Registry Cardholder" means a document issued by the Commission that (a) identifies a person as a patient, a caregiver, or a CCC agent, CCC, Caregiver, Dispensary, Testing Facility (b) displays a picture of the cardholder, (c) displays the cardholder's name, and (d) displays a registry number unique to the cardholder.

20) "Registry Certificate" means a document issued by the Commission identifying a CCC/Caregiver/Dispensary/Medical Testing Facility that has been approved through the Commission's registry programs.

21). "Signage" Dispensaries and CCC will be the only companies that will be allowed to have a sign on their outside building with a green cross or cannabis leaf, per local code.

22). Testing Facility/Medical Testing Facility means shall be a Testing Facility permitted through the OMCC as an independent private laboratory to conduct research for contamination, potency for the use of cannabis and products.

23). Testing Facility Agent shall be a person licensed with a registry card from the OMCC to receive and deliver flowering cannabis plants, medical cannabis products seedlings and testing each product for potency, solvents and other items set out in paragraph 21 of this text. A testing agent must be qualified and have experience in testing plants, as approved by the OMCC.

24) "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, as ingredients added to prepare a topical administration, food, or drink, (b) cannabis in the process of drying and cured.

25) "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.

26) "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.

27) "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 professional's 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.

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

END OF TEXT