

To the Attorney General of Ohio: Pursuant to Ohio Revised Code Section 3519.01(A), the undersigned electors of the State of Ohio, numbering in excess of one thousand, hereby submit to you the full text of a proposed Amendment to the Ohio Constitution and a summary of the same.

INITIATIVE PETITION

Amendment to the Constitution
Proposed by Initiative Petition
To be submitted directly to the electors

Amendment

TITLE: Medicinal Cannabis and Industrial Hemp Amendment

SUMMARY

This amendment guarantees the right of adults to possess, process, transport, use, share, and cultivate cannabis, commonly referred to as marijuana, marihuana, or hemp, for medicinal purposes, and grants the State the power to tax and regulate its commercial production, processing and sale in the interest of health and safety. Others may be administered medicinal cannabis only under the direction of a physician.

Requires that a finding of being under the influence of cannabis be based upon scientific evidence of impairment. Being under the influence would not be determined solely by the presence of active or inactive metabolites of cannabis in an eligible resident's urine, blood, tissue hair or skin, or as detectable by other measures of body chemistry.

Provides the right to a fair and transparent licensing process for cannabis-related commerce and provides equal opportunity for access, ownership and employment for all Ohio citizens who have attained the age of 21 years old.

Defines industrial hemp and gives Ohio farmers the right to cultivate, process, and conduct commerce in non-medicinal products of cannabis. Industrial hemp and medicinal cannabis will be removed from from Schedule I classification in the State's Schedule of Controlled Substances.

This Amendment will not affect the Smoke Free Workplace Act.

No other provision of the Ohio Constitution may override these provisions.

end of summary

CERTIFICATION OF THE ATTORNEY GENERAL

This certification of the Attorney General, pursuant to Ohio Revised Code Section 3519.01(A), will be inserted when it is provided. This initial petition must be submitted with at least one thousand (1000) valid signatures of Ohio electors before the Attorney General will issue that certification.

COMMITTEE TO REPRESENT THE PETITIONERS

The following people are designated as the committee to represent the petitioners in all matters relating to the petition or its circulation:

Joseph L Triscaro, 7721 Chagrin Rd Chagrin Falls, Ohio 44023; Cassandra Young, 3445 Tonti Dr, Dublin, OH 43016; Joseph Brumfield, 6994 State Route 329, Guysville, OH 45735; Tonya Davis, 4524 Croftshire Dr., Kettering, OH 45440; Michael MacGuffie, 3651 Harley, Toledo, Ohio 43613.

NOTICE

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

MUST USE MOST RECENT ADDRESS ON FILE WITH BOARD OF ELECTIONS

(Sign with ink. Your name, residence, and date of signing must be given.)

Signature	County	Township	Rural Route or other Post-office Address	Month / Day/Year
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Full Text of the Amendment

Whereas, cannabis has accepted medical uses in treatment in the United States; and

Whereas, science and common sense reveal cannabis to be a medicinal plant with much potential to relieve human suffering; and

Whereas, Ohio citizens desire to reclaim their freedom to select cannabis as the medicinal treatment of their choice understanding this amendment applies only to Ohio law and state action, and does not immunize violations of federal law.

Now therefore be it resolved by the people of the State of Ohio:

That the Constitution of the State of Ohio be amended by adopting a section to be designated as Section 22 to Article I, thereof, entitled “Medicinal Cannabis and Industrial Hemp” to read as follows:

Medicinal cannabis, or cannabis, commonly referred to as marijuana, marihuana or hemp, is defined as all parts of any plant of the genus Cannabis, whether growing or not. Industrial hemp is defined as non-intoxicating varieties of the plant genus Cannabis grown and processed for non-medicinal purposes.

Residents who have attained the age of majority shall have the right to possess, process, transport, use, share, and cultivate cannabis for medicinal purpose. This right shall not be infringed except that the commercial production of cannabis, extraction of cannabis by solvents, the use of cannabis or cannabis extracts as an additive in foods and the transfer of cannabis by purchase or sale may be taxed and shall be regulated in the interest of public health and safety. Residents who have not attained the age of majority may be administered medicinal cannabis for use under the direction of licensed physician.

Residents shall have the right to farm, process, and conduct commerce in industrial hemp, for all lawful purposes including, but not limited to, paper, seed oil, food, body care products, fuel, building materials, auto parts, and clothing.

Industrial hemp and medicinal cannabis shall be researched, regulated, and promoted by the State in a manner substantially similar to other agricultural crops. Industrial hemp and medicinal cannabis, in all forms, are hereby removed from Schedule I classification in the State’s Schedule of Controlled Substances on January 1, 2018.

Residents who have attained the age of 21 years old shall have the right to participate in a fair and transparent process for determining cannabis-related commercial licensing that provides equal opportunity to access, ownership, and employment for all Ohioans.

Nothing in this Amendment authorizes any person, while under the influence of cannabis, to (1) engage in any task that would endanger others or constitute negligence or professional malpractice, or (2) operate, navigate, or control any motorized vehicle or heavy equipment, and this Amendment does not prohibit the imposition of civil, criminal, or other penalties against a person who does so.

An individual shall not be considered to be under the influence of cannabis under Ohio law solely because of the presence of active or inactive metabolites of cannabis in the individual’s urine, blood, tissue, hair or skin, or as detectable by any other measure of body chemistry. The legal definition of impairment as a result of cannabis use, and applicable testing to determine such impairment, shall be based on scientific evidence of impairment.

Nothing in this Amendment shall interfere with or change the ban on smoking in public places under the Smoke Free Workplace Act passed by Ohio voters in November 2006.

The provisions of this section are intended to be severable, and the invalidity of one or more of such provisions shall not affect the validity of the remaining provisions. No other provision of the Ohio Constitution shall impair the rights enumerated herein. This Amendment will take effect 30 days after passage.

End of full text of Amendment

STATEMENT OF CIRCULATOR

I, _____, declare under penalty of election falsification that I am the circulator of the foregoing petition paper containing the signatures of _____ electors, that the signatures appended hereto were made and appended in my presence on the date set opposite each respective name, and are the signatures of the persons whose names they purport to be or of attorneys in fact acting pursuant to section 3501.382 of the Revised Code, and that the electors signing this petition did so with knowledge of the contents of same. I am employed to circulate this petition by _____ (Name and address of employer). (The preceding sentence shall be completed as required by section 3501.38 of the Revised Code if the circulator is being employed to circulate the petition.)

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

(signed) _____

(address of circulator's permanent address in this state) _____