



Ohio Administrative Code

Rule 3796:6-2-03 Medical marijuana dispensary ownership and ownership requirements.

Effective: September 8, 2017

(A) Unless otherwise provided, when an entity is required pursuant to this division to provide information, sign documents or ensure actions are taken, a person identified in this paragraph, and who is twenty-one years of age or older, shall comply with the requirement on behalf of the medical marijuana establishment:

(1) If a natural person is applying for a dispensary license, the natural person;

(2) If a corporation is applying for a dispensary license, a natural person who is an officer of the corporation;

(3) If a partnership is applying for a dispensary license, a natural person who is a partner;

(4) If a limited-liability company is applying for a dispensary license, a manager or, if the limited-liability company does not have a manager a natural person who is a member of the limited-liability company;

(5) If an association or cooperative is applying for a dispensary license, a natural person who is a member of the governing board of the association or cooperative;

(6) If a joint venture is applying for a dispensary license, a natural person who signed the joint venture agreement; and

(7) If a business organization other than those described in paragraphs (A)(1) to (A)(7) of this rule, inclusive, is applying for a dispensary license, a natural person who is a member of the business organization.

(B) For purposes of this division, the following persons must comply with the provisions governing owners, officers and board members of a dispensary and are considered associated key employees:



- (1) If a natural person is applying for a dispensary license, the natural person;
 - (2) If a corporation is applying for a dispensary license, the officers of the corporation;
 - (3) If a partnership is applying for a dispensary license, the partners;
 - (4) If a limited-liability company is applying for a dispensary license, the members of the limited-liability company;
 - (5) If an association or cooperative is applying for a dispensary license, the members of the association or cooperative;
 - (6) If a joint venture is applying for a dispensary license, the natural persons who signed the joint venture agreement; and
 - (7) If a business organization other than those described in paragraphs (B)(2) to (B)(6) of this rule, inclusive, is applying for a dispensary license, the members of the business organization.
- (C) Except as otherwise required in this rule, the requirements concerning owners of medical marijuana dispensaries only apply to a person with an aggregate ownership interest of ten per cent or more in a dispensary.
- (D) The state board of pharmacy may, in its discretion, require an owner or person who exercises substantial control over a prospective or licensed dispensary, but who has less than a ten per cent ownership interest in the prospective or licensed dispensary, to comply with any of the provisions of this division concerning owners of medical marijuana dispensaries. The state board of pharmacy will notify the individual required to comply with the ownership provisions of this division when such a determination is made.
- (E) All owners shall be associated key employees and must be licensed in accordance with rule 3796:6-2-07 of the Administrative Code.