

# As Introduced

124th General Assembly  
Regular Session  
2001-2002

H. B. No. 627

REPRESENTATIVES Core, Calvert, Carmichael, Allen, Schaffer, Setzer, Latta,  
McGregor, DeBose

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## A B I L L

To enact sections 2925.031, 2925.042, 2925.071, and  
2925.111 of the Revised Code to prohibit the  
possession, sale, transportation, and cultivation  
of spores or mycelium capable of producing  
mushrooms that contain psilocin or psilocybin.

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

**Section 1.** That sections 2925.031, 2925.042, 2925.071, and  
2925.111 of the Revised Code be enacted to read as follows:

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**Sec. 2925.031.** (A) No person shall knowingly sell or offer to  
sell spores or mycelium capable of producing mushrooms that  
contain psilocybin or psilocin.

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(B) It is an affirmative defense to a charge under this  
section that the sale of or the offer to sell spores or mycelium  
capable of producing mushrooms that contain psilocybin or psilocin  
is for bona fide research, instruction, or analysis if the sale of  
the spores or mycelium is not a violation of federal law.

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(C) Whoever violates this section is guilty of trafficking in  
spores, a felony of the fourth degree.

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**Sec. 2925.042.** (A) No person, with intent to violate section

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2925.031 or 2925.071 of the Revised Code, shall knowingly  
cultivate any spores or mycelium capable of producing mushrooms  
that contain psilocybin or psilocin.

(B) It is an affirmative defense to a charge under this  
section that the cultivation of spores or mycelium capable of  
producing mushrooms that contain psilocybin or psilocin is for  
bona fide research, instruction, or analysis if the cultivation of  
the spores or mycelium is not a violation of federal law.

(C) Whoever violates this section is guilty of illegal  
cultivation of spores, a felony of the second degree.

**Sec. 2925.071.** (A) No person shall knowingly prepare for  
shipment, ship, transport, deliver, prepare for distribution, or  
distribute spores or mycelium capable of producing mushrooms that  
contain psilocybin or psilocin when the person intends to sell or  
resell the spores or mycelium or when the person knows or has  
reasonable cause to believe that another person intends to sell or  
resell the spores or mycelium.

(B) Whoever violates this section is guilty of preparation of  
spores for sale, a felony of the fourth degree.

**Sec. 2925.111.** (A) No person shall knowingly obtain, possess,  
or use spores or mycelium capable of producing mushrooms that  
contain psilocybin or psilocin.

(B) It is an affirmative defense to a charge under this  
section that the obtaining, possessing, or using of spores or  
mycelium capable of producing mushrooms that contain psilocybin or  
psilocin is for bona fide research, instruction, or analysis if  
the possession or use is not a violation of federal law.

(C) Whoever violates this section is guilty of possession of  
spores, a felony of the fifth degree.