

1                   A bill to be entitled  
2           An act relating to medical use of marijuana; amending  
3           s. 212.08, F.S.; providing an exemption from the state  
4           tax on sales, use, and other transactions for  
5           marijuana used for medical purposes; amending s.  
6           381.986, F.S.; providing, revising, and deleting  
7           definitions; providing qualifying medical conditions  
8           for a patient to be eligible to receive marijuana or a  
9           marijuana delivery device; providing requirements for  
10          designating a qualified physician; providing criteria  
11          for certification of a patient for medical marijuana  
12          treatment by a qualified physician; providing for  
13          certain patients registered with the compassionate use  
14          registry to be deemed qualified; requiring the  
15          Department of Health to monitor physician registration  
16          and certifications in the medical marijuana use  
17          registry; requiring the Board of Medicine and the  
18          Board of Osteopathic Medicine to create a physician  
19          certification pattern review panel; providing  
20          rulemaking authority to the department and the boards;  
21          requiring the department to establish a medical  
22          marijuana use registry; specifying entities and  
23          persons who have access to the registry; providing  
24          requirements for registration of, and maintenance of  
25          registered status by, qualified patients and

26 | caregivers; authorizing the department to revoke the  
27 | registration of a patient or caregiver under certain  
28 | circumstances; providing requirements for the issuance  
29 | of medical marijuana use registry identification  
30 | cards; requiring the department to issue licenses to a  
31 | certain number of medical marijuana treatment centers;  
32 | providing for license renewal and revocation;  
33 | providing for continuance of certain entities  
34 | authorized to dispense low-THC cannabis, medical  
35 | cannabis, and cannabis delivery devices; requiring  
36 | background screening of owners, officers, board  
37 | members, and managers of medical marijuana treatment  
38 | centers; requiring the department to establish,  
39 | maintain, and control a computer seed-to-sale  
40 | marijuana tracking system; requiring the department to  
41 | establish protocols and procedures for operation,  
42 | conduct periodic inspections, and restrict location of  
43 | medical marijuana treatment centers; providing a limit  
44 | on county and municipal permit fees; providing  
45 | penalties; authorizing the department to impose  
46 | sanctions on persons or entities engaging in  
47 | unlicensed activities; providing that a person is not  
48 | exempt from prosecution for certain offenses and is  
49 | not relieved from certain requirements of law under  
50 | certain circumstances; providing for certain school

51 personnel to possess marijuana pursuant to certain  
52 established policies and procedures; amending ss.  
53 458.331 and 459.015, F.S.; providing additional acts  
54 by a physician or an osteopathic physician which  
55 constitute grounds for denial of a license or  
56 disciplinary action to which penalties apply; creating  
57 s. 381.988, F.S.; providing for the establishment of  
58 medical marijuana testing laboratories; requiring the  
59 Department of Health, in collaboration with the  
60 Department of Agriculture and Consumer Services and  
61 the Department of Environmental Protection, to develop  
62 certification standards and rules; creating s.  
63 381.989, F.S.; directing the department to institute  
64 public education campaigns relating to cannabis and  
65 marijuana and impaired driving; authorizing the  
66 department to contract with vendors to implement and  
67 evaluate the campaigns; amending ss. 385.211,  
68 499.0295, and 893.02, F.S.; conforming provisions to  
69 changes made by the act; amending s. 1004.441, F.S.;  
70 revising a definition; amending s. 1006.062, F.S.;  
71 requiring district school boards to adopt policies and  
72 procedures for access to medical marijuana by  
73 qualified patients who are students; providing  
74 emergency rulemaking authority; providing for venue  
75 for a cause of action against the department;

76 providing for defense against certain causes of  
 77 action; providing appropriations; providing an  
 78 effective date.

80 Be It Enacted by the Legislature of the State of Florida:

82 Section 1. Paragraph (l) of subsection (2) of section  
 83 212.08, Florida Statutes, is redesignated as paragraph (m), and  
 84 a new paragraph (l) is added to that subsection, to read:

85 212.08 Sales, rental, use, consumption, distribution, and  
 86 storage tax; specified exemptions.—The sale at retail, the  
 87 rental, the use, the consumption, the distribution, and the  
 88 storage to be used or consumed in this state of the following  
 89 are hereby specifically exempt from the tax imposed by this  
 90 chapter.

91 (2) EXEMPTIONS; MEDICAL.—

92 (1) Marijuana, as defined in s. 381.986, is exempt from  
 93 the taxes imposed under this chapter.

94 Section 2. Section 381.986, Florida Statutes, is amended  
 95 to read:

96 (Substantial rewording of section. See  
 97 s. 381.986, F.S., for present text.)

98 381.986 Medical use of marijuana.—

99 (1) DEFINITIONS.—As used in this section, the term:

100 (a) "Caregiver" means a permanent resident of this state

101 who has agreed to assist with a qualified patient's medical use  
102 of marijuana, has a caregiver identification card, and meets the  
103 requirements of subsection (6).

104 (b) "Low-THC cannabis" means a plant of the genus  
105 Cannabis, the dried flowers of which contain 0.8 percent or less  
106 of tetrahydrocannabinol and more than 10 percent of cannabidiol  
107 weight for weight; the seeds thereof; the resin extracted from  
108 any part of such plant; or any compound, manufacture, salt,  
109 derivative, mixture, or preparation of such plant or its seeds  
110 or resin that is dispensed only from a medical marijuana  
111 treatment center.

112 (c) "Marijuana" means all parts of any plant of the genus  
113 Cannabis, whether growing or not; the seeds thereof; the resin  
114 extracted from any part of the plant; and every compound,  
115 manufacture, salt, derivative, mixture, or preparation of the  
116 plant or its seeds or resin, including low-THC cannabis which  
117 are dispensed only from a medical marijuana treatment center for  
118 medical use by a qualified patient.

119 (d) "Marijuana delivery device" means an object used,  
120 intended for use, or designed for use in preparing, storing,  
121 ingesting, inhaling, or otherwise introducing marijuana into the  
122 human body.

123 (e) "Marijuana testing laboratory" means a facility that  
124 collects and analyzes marijuana samples from a medical marijuana  
125 treatment center and has been certified by the department

126 pursuant to s. 381.988.

127 (f) "Medical director" means a person who holds an active,  
128 unrestricted license as an allopathic physician under chapter  
129 458 or osteopathic physician under chapter 459 and is in  
130 compliance with the requirements of paragraph (3)(a).

131 (g) "Medical use" means the acquisition, possession, use,  
132 delivery, transfer, or administration of marijuana authorized by  
133 a physician certification. The term does not include:

134 1. Possession, use, or administration of marijuana that  
135 was not purchased or acquired from a medical marijuana treatment  
136 center.

137 2. Possession, use, or administration of marijuana in a  
138 form for smoking or vaping or in the form of commercially  
139 produced food items made with marijuana or marijuana oils,  
140 except for vapable forms possessed, used, or administered by or  
141 for a qualified patient diagnosed with a terminal condition.

142 3. Use or administration of any form or amount of  
143 marijuana in a manner that is inconsistent with the qualified  
144 physician's directions or physician certification.

145 4. Transfer of marijuana to a person other than the  
146 qualified patient for whom it was authorized or the qualified  
147 patient's caregiver on behalf of the qualified patient.

148 5. Use or administration of marijuana in the following  
149 locations:

150 a. On any form of public transportation.

151 b. In any public place.

152 c. In a qualified patient's place of employment, except  
153 when permitted by his or her employer.

154 d. In a state correctional institution, as defined in s.  
155 944.02, or a correctional institution, as defined in s. 944.241.

156 e. On the grounds of a preschool, primary school, or  
157 secondary school, except as provided in s. 1006.062.

158 f. In a school bus, a vehicle, an aircraft, or a  
159 motorboat.

160 (h) "Physician certification" means a qualified  
161 physician's authorization for a qualified patient to receive  
162 marijuana and a marijuana delivery device from a medical  
163 marijuana treatment center.

164 (i) "Qualified patient" means a resident of this state who  
165 has been added to the medical marijuana use registry by a  
166 qualified physician to receive marijuana or a marijuana delivery  
167 device for a medical use and who has a qualified patient  
168 identification card.

169 (j) "Qualified physician" means a person who holds an  
170 active, unrestricted license as an allopathic physician under  
171 chapter 458 or as an osteopathic physician under chapter 459 and  
172 is in compliance with the physician education requirements of  
173 subsection (3).

174 (k) "Smoking" means burning or igniting a substance and  
175 inhaling the smoke.

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176       (1) "Terminal condition" means a progressive disease or  
177 medical or surgical condition that causes significant functional  
178 impairment, is not considered by a treating physician to be  
179 reversible without the administration of life-sustaining  
180 procedures, and will result in death within 1 year after  
181 diagnosis if the condition runs its normal course.

182       (2) QUALIFYING MEDICAL CONDITIONS.—A patient must be  
183 diagnosed with at least one of the following conditions to  
184 qualify to receive marijuana or a marijuana delivery device:

185       (a) Cancer.

186       (b) Epilepsy.

187       (c) Glaucoma.

188       (d) Positive status for human immunodeficiency virus.

189       (e) Acquired immune deficiency syndrome.

190       (f) Post-traumatic stress disorder.

191       (g) Amyotrophic lateral sclerosis.

192       (h) Crohn's disease.

193       (i) Parkinson's disease.

194       (j) Multiple sclerosis.

195       (k) Medical conditions of the same kind or class as or  
196 comparable to those enumerated in paragraphs (a)-(j).

197       (1) A terminal condition diagnosed by a physician other  
198 than the qualified physician issuing the physician  
199 certification.

200       (3) QUALIFIED PHYSICIANS.—To be approved as a qualified



201 physician, as defined in paragraph (1)(j), a physician must:

202 (a) Successfully complete a 2-hour course and subsequent  
203 examination approved by the applicable board which encompass the  
204 requirements of this section and any rules adopted hereunder.

205 The course and examination shall be administered at least  
206 annually and may be offered in a distance learning format,  
207 including an electronic, online format that is available upon  
208 request. A physician who has met the physician education  
209 requirements of former s. 381.986(4), Florida Statutes 2016,  
210 before the effective date of this section, shall be deemed to be  
211 in compliance with this paragraph from the effective date of  
212 this act until 90 days after the course and examination required  
213 by this paragraph become available.

214 (b) Not be employed by, or have any direct or indirect  
215 economic interest in, a medical marijuana treatment center or  
216 marijuana testing laboratory.

217 (4) PHYSICIAN CERTIFICATION.—

218 (a) A qualified physician may issue a physician  
219 certification only if the qualified physician:

220 1. Conducted a physical examination while physically  
221 present in the same room as the patient and a full assessment of  
222 the medical history of the patient.

223 2. Diagnosed the patient with at least one qualifying  
224 medical condition, and, if the diagnosis is pursuant to  
225 paragraph (2)(k), submits to the applicable board:

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226 a. Documentation supporting the qualified physician's  
227 opinion that the medical condition is of the same kind or class  
228 as the conditions in paragraphs (2) (a)-(j).

229 b. Documentation that establishes the efficacy of  
230 marijuana as treatment for the condition.

231 c. Documentation supporting the qualified physician's  
232 opinion that medical use of marijuana would likely outweigh the  
233 potential health risks for the patient.

234 d. Any other documentation requested by the board.

235 3. Treated the patient for at least 3 months immediately  
236 preceding the patient's registration in the medical marijuana  
237 use registry, except for a patient who has been diagnosed with a  
238 terminal condition.

239 4. Determined that the medical use of marijuana would  
240 likely outweigh the potential health risks for the patient. If a  
241 patient is younger than 18 years of age, a second physician must  
242 concur with this determination, and such determination must be  
243 documented in the patient's medical record.

244 5. Reviewed the medical marijuana use registry and  
245 confirmed that the patient does not have an active physician  
246 certification from another qualified physician.

247 6. Registers as the issuer of the physician certification  
248 for the named qualified patient on the medical marijuana use  
249 registry in an electronic manner determined by the department,  
250 and:

251 a. Enters into the registry the contents of the physician  
252 certification, including the patient's qualifying condition and  
253 the dosage, amount, and form of marijuana authorized for the  
254 patient and any marijuana delivery device needed by the patient  
255 for the medical use of marijuana.

256 b. Updates the registry within 7 days after any change is  
257 made to the original physician certification to reflect such  
258 change.

259 c. Deactivates the registration of the qualified patient  
260 and the patient's caregiver when treatment is discontinued.

261 7. Maintains an individualized patient treatment plan that  
262 includes the qualified patient's qualifying condition and the  
263 dose, route of administration, planned duration, treatment  
264 objectives, plan for assessing and monitoring the qualified  
265 patient's risk of aberrant drug-related behavior, and plan for  
266 monitoring the qualified patient's symptoms and other indicators  
267 of tolerance or reaction to the marijuana.

268 8. Submits the patient treatment plan quarterly to the  
269 University of Florida College of Pharmacy for research on the  
270 safety and efficacy of marijuana.

271 9. Obtains the voluntary and informed written consent of  
272 the patient to treatment with marijuana each time the qualified  
273 physician issues a physician certification for the patient,  
274 which shall be maintained in the patient's medical record. The  
275 patient, or the patient's parent or legal guardian if the

276 patient is a minor, must sign the informed consent acknowledging  
277 that the qualified physician has sufficiently explained its  
278 content. The qualified physician must use a standardized  
279 informed consent form adopted in rule by the Board of Medicine  
280 and the Board of Osteopathic Medicine, which must include, at a  
281 minimum, information related to:

282 a. The Federal Government's classification of marijuana as  
283 a Schedule I controlled substance.

284 b. The approval and oversight status of marijuana by the  
285 Food and Drug Administration.

286 c. The current state of research on the efficacy of  
287 marijuana to treat the qualifying conditions set forth in this  
288 section.

289 d. The potential for addiction.

290 e. The potential effect that marijuana may have on a  
291 patient's coordination, motor skills, and cognition, including a  
292 warning against operating heavy machinery, operating a motor  
293 vehicle, or engaging in activities that require a person to be  
294 alert or respond quickly.

295 f. The potential side effects of marijuana use.

296 g. The risks, benefits, and drug interactions of  
297 marijuana.

298 (b) A qualified physician may not issue a physician  
299 certification for more than a 90-day supply of marijuana. The  
300 department shall quantify by rule a daily dose amount with

301 equivalent dose amounts for each allowable form of marijuana  
302 dispensed by a medical marijuana treatment center. The  
303 department shall use the daily dose amount to calculate the 90-  
304 day supply.

305 1. A qualified physician may request an exception to the  
306 90-day supply limit. The request shall be made electronically on  
307 a form adopted by the department in rule and must include, at a  
308 minimum:

309 a. The qualified patient's qualifying medical condition.

310 b. The dosage and route of administration that was  
311 insufficient to provide relief to the qualified patient.

312 c. A description of how the patient will benefit from an  
313 increased supply.

314 d. The minimum supply of marijuana that would be  
315 sufficient for the treatment of the qualified patient's  
316 qualifying medical condition.

317 2. A qualified physician must provide the qualified  
318 patient's records upon the request of the department.

319 3. The department shall approve or disapprove the request  
320 within 30 days after receipt of the complete documentation  
321 required by this paragraph. The request shall be deemed approved  
322 if the department fails to act within this time period.

323 (c) A qualified physician must evaluate an existing  
324 patient at least once every 90 days to determine if the patient  
325 still meets the requirements of paragraph (a).

326        (d) An active order for low-THC cannabis or medical  
327 cannabis issued pursuant to former s. 381.986, Florida Statutes  
328 2016, and registered with the compassionate use registry before  
329 the effective date of this section, is deemed a physician  
330 certification, and all patients possessing such orders are  
331 deemed qualified patients until the department begins issuing  
332 medical marijuana use registry identification cards.

333        (e) The department shall monitor physician registration in  
334 the medical marijuana use registry and the issuance of physician  
335 certifications for practices that could facilitate unlawful  
336 diversion or misuse of marijuana or a marijuana delivery device  
337 and shall take disciplinary action as appropriate.

338        (f) The Board of Medicine and the Board of Osteopathic  
339 Medicine shall jointly create a physician certification pattern  
340 review panel that shall review all physician certifications  
341 submitted to the medical marijuana use registry. The panel shall  
342 track and report the number of physician certifications and the  
343 qualifying medical conditions, dosage, supply amount, and form  
344 of marijuana certified. The panel shall report the data both by  
345 individual qualified physician and in the aggregate, by county,  
346 and statewide. The physician certification pattern review panel  
347 shall, beginning January 1, 2018, submit an annual report of its  
348 findings and recommendations to the Governor, the President of  
349 the Senate, and the Speaker of the House of Representatives.

350        (g) The department, the Board of Medicine, and the Board

351 of Osteopathic Medicine may adopt rules pursuant to ss.  
352 120.536(1) and 120.54 to implement this subsection.

353 (5) MEDICAL MARIJUANA USE REGISTRY.—

354 (a) The department shall create and maintain a secure,  
355 electronic, and online medical marijuana use registry for  
356 physicians, patients, and caregivers as provided under this  
357 section. The medical marijuana use registry must be accessible  
358 to law enforcement agencies, qualified physicians, and medical  
359 marijuana treatment centers to verify the authorization of a  
360 qualified patient or a caregiver to possess marijuana or a  
361 marijuana delivery device and record the marijuana or marijuana  
362 delivery device dispensed. The medical marijuana use registry  
363 must prevent an active registration of a qualified patient by  
364 multiple physicians.

365 (b) The department shall determine whether an individual  
366 is a permanent resident of this state for the purpose of  
367 registration of qualified patients and caregivers in the medical  
368 marijuana use registry. To prove permanent residency:

369 1. An adult must provide the department with a copy of his  
370 or her valid Florida driver license issued under s. 322.18 or a  
371 valid Florida identification card issued under s. 322.051 and a  
372 copy of one of the following documents:

373 a. Proof of voter registration in this state.

374 b. A utility bill in the individual's name including a  
375 Florida address which matches the address on the individual's

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376 Florida driver license or Florida identification card.

377 c. The address as listed on federal income tax returns  
378 filed by the individual seeking to prove residency which matches  
379 the address on the individual's Florida driver license or  
380 Florida identification card.

381 2. A minor must provide the department with a certified  
382 copy of a birth certificate or a current record of registration  
383 from a Florida K-12 school and must have a parent or legal  
384 guardian who meets the requirements of subparagraph (6)(b)1.

385 (c) The department may suspend the registration of a  
386 qualified patient or caregiver if the qualified patient or  
387 caregiver:

388 1. Provides misleading, incorrect, false, or fraudulent  
389 information to the department;

390 2. Obtains a supply of marijuana in an amount greater than  
391 the amount authorized by the physician certification;

392 3. Falsifies, alters, or otherwise modifies an  
393 identification card;

394 4. Fails to timely notify the department of any changes to  
395 his or her qualified patient status; or

396 5. Violates the requirements of this section or any rule  
397 adopted under this section.

398 (d) The department shall immediately suspend the  
399 registration of a qualified patient charged with a violation of  
400 chapter 893 until final disposition of any alleged offense.



401 Thereafter, the department may extend the suspension, revoke the  
402 registration, or reinstate the registration.

403 (e) The department shall immediately suspend the  
404 registration of any caregiver charged with a violation of  
405 chapter 893 until final disposition of any alleged offense. The  
406 department shall revoke a caregiver registration if the  
407 caregiver does not meet the requirements of subparagraph  
408 (6) (b) 6.

409 (f) The department may revoke the registration of a  
410 qualified patient or caregiver who cultivates marijuana or who  
411 acquires, possesses, or delivers marijuana from any person or  
412 entity other than a medical marijuana treatment center.

413 (g) The department shall revoke the registration of a  
414 qualified patient, and the patient's associated caregiver, upon  
415 notification that the patient no longer meets the criteria of a  
416 qualified patient.

417 (h) The department may adopt rules pursuant to ss.  
418 120.536(1) and 120.54 to implement this subsection.

419 (6) CAREGIVERS.—

420 (a) The department must register an individual as a  
421 caregiver on the medical marijuana use registry and issue a  
422 caregiver identification card if an individual designated by a  
423 qualified patient meets all of the requirements of this  
424 subsection and department rule.

425 (b) A qualified patient may designate one caregiver to

426 assist with the qualified patient's medical use of marijuana. A  
427 caregiver must:

428 1. Not be a qualified physician and not be employed by or  
429 have an economic interest in a medical marijuana treatment  
430 center or a marijuana testing laboratory.

431 2. Be 21 years of age or older and a permanent resident of  
432 this state.

433 3. Agree in writing to assist with the qualified patient's  
434 medical use of marijuana.

435 4. Be registered in the medical marijuana use registry as  
436 a caregiver for no more than one qualified patient, except as  
437 provided in this paragraph.

438 5. Successfully complete a caregiver certification course  
439 and subsequent examination developed and administered by the  
440 department or its designee, which must be renewed biennially.

441 6. Successfully pass a level 2 background screening as  
442 provided under chapter 435, which, in addition to the  
443 disqualifying offenses provided in s. 435.04, shall exclude an  
444 individual who has an arrest awaiting final disposition for, has  
445 been found guilty of, regardless of adjudication, or has entered  
446 a plea of nolo contendere or guilty to an offense under chapter  
447 837, chapter 895, or chapter 896 or similar law of another  
448 jurisdiction.

449 (c) A caregiver may be registered in the medical marijuana  
450 use registry as a designated caregiver for no more than one

451 qualified patient, unless:

452 1. The caregiver is a parent or legal guardian of more  
453 than one minor child who is a qualified patient;

454 2. The caregiver is a parent or legal guardian of more  
455 than one adult child who is a qualified patient and who has an  
456 intellectual or developmental disability that prevents the adult  
457 child from being able to protect or care for himself or herself  
458 without assistance or supervision; or

459 3. All qualified patients the caregiver has agreed to  
460 assist are admitted to a hospice program or are residents of the  
461 same nursing facility and have requested the assistance of that  
462 caregiver with the medical use of marijuana; the caregiver is an  
463 employee of the hospice or nursing facility; and the caregiver  
464 provides personal care or other services directly to clients of  
465 the hospice or nursing facility in the scope of that employment.

466 (d) A caregiver may not receive compensation for any  
467 services provided to the qualified patient but may recover  
468 caregiver certification fees.

469 (e) A caregiver must be in immediate possession of his or  
470 her medical marijuana use registry identification card at all  
471 times when in possession of marijuana or a marijuana delivery  
472 device and must present his or her medical marijuana use  
473 registry identification card upon the request of a law  
474 enforcement officer.

475 (f) The department may adopt rules pursuant to ss.

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476 120.536(1) and 120.54 to implement this subsection.

477 (7) IDENTIFICATION CARDS.-

478 (a) The department shall issue medical marijuana use  
479 registry identification cards for qualified patients and  
480 caregivers who are permanent residents of this state, which must  
481 be renewed annually. The identification cards must be resistant  
482 to counterfeiting and tampering and must include, at a minimum,  
483 the following:

484 1. The name, address, and date of birth of the qualified  
485 patient or caregiver.

486 2. A full-face, passport-type, color photograph of the  
487 qualified patient or caregiver taken within the 90 days  
488 immediately preceding registration.

489 3. Identification as a qualified patient or a caregiver.

490 4. The unique numeric identifier used for the qualified  
491 patient in the medical marijuana use registry.

492 5. For a caregiver, the name and unique numeric identifier  
493 of the qualified patient or patients that the caregiver is  
494 assisting.

495 6. The expiration date of the identification card.

496 (b) The department must receive written consent from a  
497 qualified patient's parent or legal guardian before it may issue  
498 an identification card to a qualified patient who is a minor.

499 (c) The department shall, by July 3, 2017, adopt rules  
500 pursuant to ss. 120.536(1) and 120.54 establishing procedures

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501 for the issuance, renewal, suspension, replacement, surrender,  
502 and revocation of medical marijuana use registry identification  
503 cards and shall begin issuing qualified patient identification  
504 cards by October 3, 2017.

505 (d) Applications for identification cards must be  
506 submitted on a form prescribed by the department. The department  
507 may charge a reasonable fee associated with the issuance,  
508 replacement, and renewal of identification cards. The department  
509 may contract with a third party to issue identification cards.

510 (e) A qualified patient or caregiver must return his or  
511 her identification card to the department within 5 business days  
512 after revocation.

513 (8) MEDICAL MARIJUANA TREATMENT CENTERS.—

514 (a) The department shall license medical marijuana  
515 treatment centers to ensure reasonable statewide accessibility  
516 and availability as necessary for qualified patients registered  
517 in the medical marijuana use registry and who are issued a  
518 physician certification under this section.

519 1. The department shall license as a medical marijuana  
520 treatment center any entity that holds an active, unrestricted  
521 license to cultivate, process, transport, and dispense low-THC  
522 cannabis, medical cannabis, and cannabis delivery devices, under  
523 former s. 381.986 Florida Statutes 2016, before July 1, 2017,  
524 and which meets the requirements of this section. In addition to  
525 the authority granted under this section, these entities are

526 authorized to dispense low-THC cannabis, medical cannabis, and  
527 cannabis delivery devices ordered pursuant to former s. 381.986,  
528 Florida Statutes 2016, which were entered into the compassionate  
529 use registry before July 1, 2017. The department may grant  
530 variances from the representations made in such an entity's  
531 original application for approval under former s. 381.986,  
532 Florida Statutes 2014, pursuant to paragraph (e).

533 2. The department shall also license as a medical  
534 marijuana treatment center any applicant that was denied a  
535 dispensing organization license by the department under former  
536 s. 381.986, Florida Statutes 2014, if the applicant is awarded a  
537 license pursuant to an administrative or legal challenge filed  
538 prior to January 1, 2017, and meets the requirements of this  
539 section.

540 3. Upon the registration of 150,000 active qualified  
541 patients in the medical marijuana use registry, the department  
542 shall also license as a medical marijuana treatment center one  
543 applicant per region which was a dispensing organization  
544 applicant under former s. 381.986, Florida Statutes 2014; was  
545 the next-highest scoring applicant after the applicant or  
546 applicants that were awarded a license for that region; and  
547 meets the requirements of this section.

548 4. Upon the registration of 150,000 active qualified  
549 patients in the medical marijuana use registry, the department  
550 shall also license as a medical marijuana treatment center one

551 applicant that is a recognized class member of Pigford v.  
552 Glickman, 185 F.R.D. 82 (D.D.C. 1999), or In Re Black Farmers  
553 Litig., 856 F. Supp. 2d 1 (D.D.C. 2011); is a member of the  
554 Black Farmers and Agriculturalists Association; and meets the  
555 requirements of this section.

556 5. Upon the registration of 200,000 active qualified  
557 patients in the medical marijuana use registry, the department  
558 shall license five additional medical marijuana treatment  
559 centers that meet the requirements of this section. Thereafter,  
560 the department shall license three medical marijuana treatment  
561 centers upon the registration of each additional 100,000 active  
562 qualified patients in the medical marijuana use registry who  
563 meet the requirements of this section.

564 (b) An applicant for licensure as a medical marijuana  
565 treatment center shall apply to the department on a form  
566 prescribed by the department and adopted in rule. The department  
567 shall adopt rules pursuant to ss. 120.536(1) and 120.54  
568 establishing a procedure for the issuance and biennial renewal  
569 of licenses, including initial application and biennial renewal  
570 fees sufficient to cover the costs of administering this  
571 licensure program. The department shall issue a license to an  
572 applicant if the applicant meets the requirements of this  
573 section and pays the initial application fee. The department  
574 shall renew the licensure of a medical marijuana treatment  
575 center biennially if the licensee meets the requirements of this

576 section and pays the biennial renewal fee. An applicant for  
577 licensure as a medical marijuana treatment center must  
578 demonstrate:

579 1. The technical and technological ability to cultivate  
580 and produce marijuana, including, but not limited to, low-THC  
581 cannabis. The applicant must possess a valid certificate of  
582 registration issued by the Department of Agriculture and  
583 Consumer Services pursuant to s. 581.131 which is issued for the  
584 cultivation of more than 400,000 plants, be operated by a  
585 nurseryman as defined in s. 581.011, and have operated as a  
586 registered nursery in this state for at least 5 continuous  
587 years.

588 2. The ability to secure the premises, resources, and  
589 personnel necessary to operate as a medical marijuana treatment  
590 center.

591 3. The ability to maintain accountability of all raw  
592 materials, finished products, and any byproducts to prevent  
593 diversion or unlawful access to or possession of these  
594 substances.

595 4. An infrastructure reasonably located to dispense  
596 marijuana to registered qualified patients statewide or  
597 regionally as determined by the department.

598 5. The financial ability to maintain operations for the  
599 duration of the 2-year approval cycle, including the provision  
600 of certified financial statements to the department. Upon



601 approval, the applicant must post a \$5 million performance bond.  
602 However, a medical marijuana treatment center serving at least  
603 1,000 qualified patients is only required to maintain a \$2  
604 million performance bond.

605 6. That all owners, officers, board members, and managers  
606 have successfully passed a level 2 background screening as  
607 provided under chapter 435, which, in addition to the  
608 disqualifying offenses provided in s. 435.04, shall exclude an  
609 individual that has an arrest awaiting final disposition for,  
610 has been found guilty of, regardless of adjudication, or entered  
611 a plea of nolo contendere or guilty to an offense under chapter  
612 837, chapter 895, or chapter 896 or similar law of another  
613 jurisdiction.

614 7. The employment of a medical director to supervise the  
615 activities of the medical marijuana treatment center.

616 (c) A medical marijuana treatment center may make a  
617 wholesale purchase of marijuana from, or a distribution of  
618 marijuana to, another medical marijuana treatment center.

619 (d) The department shall establish, maintain, and control  
620 a computer software tracking system that traces marijuana from  
621 seed to sale and allows real-time, 24-hour access by the  
622 department to data from all medical marijuana treatment centers  
623 and marijuana testing laboratories. The tracking system must, at  
624 a minimum, include notification of when marijuana seeds are  
625 planted, when marijuana plants are harvested and destroyed, and

626 when marijuana is transported, sold, stolen, diverted, or lost.  
627 Each medical marijuana treatment center shall use the seed-to-  
628 sale tracking system selected by the department.

629 (e) A licensed medical marijuana treatment center must, at  
630 all times, maintain compliance with the criteria demonstrated  
631 and representations made in the initial application and the  
632 criteria established in this subsection. Upon request, the  
633 department may grant a medical marijuana treatment center a  
634 variance from the representations made in the initial  
635 application. Consideration of such a request shall be based upon  
636 the individual facts and circumstances surrounding the request.  
637 A variance may not be granted unless the requesting medical  
638 marijuana treatment center can demonstrate to the department  
639 that it has a proposed alternative to the specific  
640 representation made in its application which fulfills the same  
641 or a similar purpose as the specific representation in a way  
642 that the department can reasonably determine will not be a lower  
643 standard than the specific representation in the application.

644 1. A medical marijuana treatment center, and any  
645 individual or entity who directly or indirectly owns, controls,  
646 or holds with power to vote 25 percent or more of the voting  
647 shares of a medical marijuana treatment center, may not acquire  
648 direct or indirect ownership or control of more than 5 percent  
649 of the voting shares or other form of ownership of any other  
650 medical marijuana treatment center.

651        2. All employees of a medical marijuana treatment center  
652 must be 21 years of age or older and have successfully passed a  
653 level 2 background screening as provided under chapter 435,  
654 which, in addition to the disqualifying offenses provided in s.  
655 435.04, shall exclude an individual who has an arrest awaiting  
656 final disposition for, has been found guilty of, regardless of  
657 adjudication, or has entered a plea of nolo contendere or guilty  
658 to an offense under chapter 837, chapter 895, or chapter 896 or  
659 similar law of another jurisdiction.

660        3. Each medical marijuana treatment center must adopt and  
661 enforce policies and procedures to ensure employees and  
662 volunteers receive training on the legal requirements to  
663 dispense marijuana to qualified patients.

664        4. When growing marijuana, a medical marijuana treatment  
665 center:

666            a. May use pesticides determined by the department, after  
667 consultation with the Department of Agriculture and Consumer  
668 Services, to be safely applied to plants intended for human  
669 consumption, but may not use pesticides designated as  
670 restricted-use pesticides pursuant to s. 487.042.

671            b. Must grow marijuana within an enclosed structure and in  
672 a room separate from any other plant.

673            c. Must inspect seeds and growing plants for plant pests  
674 that endanger or threaten the horticultural and agricultural  
675 interests of the state, notify the Department of Agriculture and

676 Consumer Services within 10 calendar days after a determination  
677 that a plant is infested or infected by such plant pest, and  
678 implement and maintain phytosanitary policies and procedures.

679 d. Must perform fumigation or treatment of plants, or  
680 remove and destroy infested or infected plants, in accordance  
681 with chapter 581 and any rules adopted thereunder.

682 5. Each medical marijuana treatment center must produce  
683 and make available for purchase at least one low-THC cannabis  
684 product, which must be available in all forms that a medical  
685 marijuana treatment center produces for other products.

686 6. When processing marijuana, a medical marijuana  
687 treatment center must:

688 a. Process the marijuana within an enclosed structure and  
689 in a room separate from other plants or products.

690 b. Not use a hydrocarbon based solvent, such as butane,  
691 hexane, or propane, to extract or separate resin from marijuana.

692 c. Test the processed marijuana using a medical marijuana  
693 testing laboratory before it is dispensed. Results must be  
694 verified and signed by two medical marijuana treatment center  
695 employees. Before dispensing, the medical marijuana treatment  
696 center must determine that the test results indicate that low-  
697 THC cannabis meets the definition of low-THC cannabis and that  
698 all marijuana is safe for human consumption and free from  
699 contaminants that are unsafe for human consumption. The  
700 Department of Health shall determine by rule which contaminants

701 must be tested for and the maximum levels of each contaminant  
702 which are safe for human consumption. The medical marijuana  
703 treatment center must retain records of all testing and samples  
704 of each homogenous batch of marijuana for at least 9 months. The  
705 medical marijuana treatment center must contract with a  
706 marijuana testing laboratory to perform audits on the medical  
707 marijuana treatment center's standard operating procedures,  
708 testing records, and samples and provide the results to the  
709 department to confirm that the marijuana or low-THC cannabis  
710 meets the requirements of this section and that the marijuana or  
711 low-THC cannabis is safe for human consumption. A medical  
712 marijuana treatment center shall reserve two processed samples  
713 from each batch and retain such samples for at least 9 months  
714 for the purpose such audits. A medical marijuana treatment  
715 center may use a laboratory that has not been certified by the  
716 department under s. 381.988 until such time as at least one  
717 laboratory holds the required certification, but in no event  
718 later than July 1, 2018.

719 d. Package the marijuana in compliance with the United  
720 States Poison Prevention Packaging Act of 1970, 15 U.S.C. ss.  
721 1471 et seq.

722 e. Package the marijuana in a receptacle that has a firmly  
723 affixed and legible label stating the following information:

724 (I) The marijuana or low-THC cannabis meets the  
725 requirements of sub-subparagraph c.

- 726        (II) The name of the medical marijuana treatment center  
 727 from which the marijuana originates.
- 728        (III) The batch number and harvest number from which the  
 729 marijuana originates and the date dispensed.
- 730        (IV) The name of the physician who issued the physician  
 731 certification.
- 732        (V) The name of the patient;
- 733        (VI) The product name, if applicable, and dosage form,  
 734 including concentration of THC and CBD.
- 735        (VII) The recommended dose.
- 736        (VIII) A warning that it is illegal to transfer medical  
 737 marijuana to another person.
- 738        (IX) A marijuana universal symbol developed by the  
 739 department.
- 740        7. The medical marijuana treatment center shall include in  
 741 each package a patient package insert with information on the  
 742 specific product dispensed related to:
- 743            a. Clinical pharmacology.
- 744            b. Indications and use.
- 745            c. Dosage and administration.
- 746            d. Dosage forms and strengths.
- 747            e. Contraindications.
- 748            f. Warnings and precautions.
- 749            g. Adverse reactions.
- 750        8. When dispensing marijuana or a marijuana delivery

751 device, a medical marijuana treatment center:

752 a. May dispense any active, valid order for low-THC  
753 cannabis, medical cannabis and cannabis delivery devices issued  
754 pursuant to former s. 381.986 Florida Statutes 2016, which was  
755 been entered into the medical marijuana use registry before July  
756 1, 2017.

757 b. May not dispense more than a 90-day supply of marijuana  
758 to a qualified patient or caregiver.

759 c. Must have the medical marijuana treatment center's  
760 employee who dispenses the marijuana or a marijuana delivery  
761 device enter into the medical marijuana use registry his or her  
762 name or unique employee identifier.

763 d. Must verify that the qualified patient and the  
764 caregiver, if applicable, both have an active and valid  
765 compassionate use registry identification card and that the  
766 amount and type of marijuana dispensed matches the physician's  
767 certification in the medical marijuana use registry for that  
768 qualified patient.

769 e. May not dispense or sell any other type of cannabis,  
770 alcohol, or illicit drug-related product, including pipes,  
771 bongs, or wrapping papers, other than a marijuana delivery  
772 device required for the medical use of marijuana and which is  
773 specified in a physician certification.

774 f. Must verify that the qualified patient has an active  
775 registration in the medical marijuana use registry, the

776 qualified patient or caregiver holds a valid and active medical  
777 marijuana use registry identification card, the physician  
778 certification presented matches the physician certification  
779 contents as recorded in the registry, and the physician  
780 certification has not already been filled.

781 g. Must, upon dispensing the marijuana or marijuana  
782 delivery device, record in the registry the date, time,  
783 quantity, and form of marijuana dispensed; the type of marijuana  
784 delivery device dispensed; and the name and medical marijuana  
785 use registry identification number of the qualified patient or  
786 caregiver to whom the marijuana delivery device was dispensed.

787 (f) To ensure the safety and security of its premises and  
788 any off-site storage facilities, and to maintain adequate  
789 controls against the diversion, theft, and loss of marijuana or  
790 marijuana delivery devices, a medical marijuana treatment center  
791 shall:

792 1.a. Maintain a fully operational security alarm system  
793 that secures all entry points and perimeter windows and is  
794 equipped with motion detectors; pressure switches; and duress,  
795 panic, and hold-up alarms; or

796 b. Maintain a video surveillance system that records  
797 continuously 24 hours a day and meets the following criteria:

798 (I) Cameras are fixed in a place that allows for the clear  
799 identification of persons and activities in controlled areas of  
800 the premises. Controlled areas include grow rooms, processing



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801 rooms, storage rooms, disposal rooms or areas, and point-of-sale  
802 rooms.

803 (II) Cameras are fixed in entrances and exits to the  
804 premises, which shall record from both indoor and outdoor, or  
805 ingress and egress, vantage points.

806 (III) Recorded images must clearly and accurately display  
807 the time and date.

808 (IV) Retain video surveillance recordings for at least 45  
809 days or longer upon the request of a law enforcement agency.

810 2. Ensure that the medical marijuana treatment center's  
811 outdoor premises have sufficient lighting from dusk until dawn.

812 3. Not dispense from its premises marijuana or a marijuana  
813 delivery device between the hours of 9 p.m. and 7 a.m., but may  
814 perform all other operations and deliver marijuana to qualified  
815 patients 24 hours a day.

816 4. Store marijuana in a secured, locked room or a vault.

817 5. Require at least two of its employees, or two employees  
818 of a security agency with whom it contracts, to be on the  
819 premises at all times.

820 6. Require each employee to wear a photo identification  
821 badge at all times while on the premises.

822 7. Require each visitor to wear a visitor pass at all  
823 times while on the premises.

824 8. Implement an alcohol and drug-free workplace policy.

825 9. Report to local law enforcement within 24 hours after

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826 the treatment center is notified or becomes aware of the theft,  
827 diversion, or loss of marijuana.

828 (g) If a medical marijuana treatment center uses a banking  
829 institution, the treatment center must maintain all accounts  
830 that are directly or indirectly associated with the business of  
831 the medical marijuana treatment center at a single bank.

832 (h) To ensure the safe transport of marijuana to medical  
833 marijuana treatment centers, marijuana testing laboratories, or  
834 qualified patients, a medical marijuana treatment center must:

835 1. Maintain a marijuana transportation manifest in any  
836 vehicle transporting marijuana. The marijuana transportation  
837 manifest must be generated from a medical marijuana treatment  
838 center's seed-to-sale tracking system and include the:

839 a. Departure date and approximate time of departure.

840 b. Name, location address, and license number of the  
841 originating medical marijuana treatment center.

842 c. Name and address of the recipient of the delivery.

843 d. Quantity and form of any marijuana or marijuana  
844 delivery device being transported.

845 e. Arrival date and estimated time of arrival.

846 f. Delivery vehicle make and model and license plate  
847 number.

848 g. Name and signature of the medical marijuana treatment  
849 center employees delivering the product.

850 (I) A copy of the marijuana transportation manifest must

851 be provided to each individual, medical marijuana treatment  
852 center, or marijuana testing laboratory that receives a  
853 delivery. The individual, or a representative of the center or  
854 laboratory, must sign a copy of the marijuana transportation  
855 manifest acknowledging receipt.

856 (II) An individual transporting marijuana must present a  
857 copy of the relevant marijuana transportation manifest and his  
858 or her employee identification card to a law enforcement officer  
859 upon request.

860 (III) Medical marijuana treatment centers and marijuana  
861 testing laboratories must retain copies of all marijuana  
862 transportation manifests for at least 5 years.

863 2. Ensure only vehicles in good working order are used to  
864 transport marijuana.

865 3. Lock marijuana in a separate compartment or container  
866 within the vehicle.

867 4. Require employees to have possession of their employee  
868 identification card at all times when transporting marijuana.

869 5. Require at least two persons to be in a vehicle  
870 transporting marijuana, and require at least one person to  
871 remain in the vehicle while the marijuana is being delivered.

872 6. Provide specific safety and security training to  
873 employees transporting or delivering marijuana.

874 (i) A medical marijuana treatment center may not engage in  
875 advertising that is visible to members of the public from any

876 street, sidewalk, park, or other public place, except:

877 1. The dispensing location of a medical marijuana  
878 treatment center may have a sign that is affixed to the outside  
879 or hanging in the window of the premises which identifies the  
880 dispensary by the licensee's business name or by a department-  
881 approved trade name.

882 2. A medical marijuana treatment center may engage in  
883 Internet advertising and marketing under the following  
884 conditions:

885 a. All advertisements must be approved by the department.

886 b. An advertisement may not have any content that  
887 specifically targets individuals under the age of 18, including  
888 cartoon characters or similar images.

889 c. An advertisement may not be an unsolicited pop-up  
890 advertisement.

891 d. Opt-in marketing must include an easy and permanent  
892 opt-out feature.

893 (j) Each medical marijuana treatment center that dispenses  
894 marijuana and marijuana delivery devices shall make available to  
895 the public on its website:

896 1. Each marijuana and low-THC product available for  
897 purchase, including the form, strain of marijuana from which it  
898 was extracted, CBD content, THC content, dose unit, total number  
899 of doses available, and the ratio of CBD to THC for each  
900 product.

901        2. The price for a 30-day supply at a standard dose for  
902 each marijuana and low-THC product available for purchase.

903        3. The price for each marijuana delivery device available  
904 for purchase.

905        4. If applicable, any discount policies and eligibility  
906 criteria for such discounts.

907        (k) Medical marijuana treatment centers are the sole  
908 source from which a qualified patient may legally obtain  
909 marijuana.

910        (l) The department may adopt rules pursuant to ss.  
911 120.536(1) and 120.54 to implement this subsection.

912        (9) MEDICAL MARIJUANA TREATMENT CENTER INSPECTIONS;  
913 ADMINISTRATIVE ACTIONS.—

914        (a) The department shall conduct announced or unannounced  
915 inspections of medical marijuana treatment centers to determine  
916 compliance with this section or rules adopted pursuant to this  
917 section.

918        (b) The department shall inspect a medical marijuana  
919 treatment center upon receiving a complaint or notice that the  
920 medical marijuana treatment center has dispensed marijuana  
921 containing mold, bacteria, or other contaminant that may cause  
922 or has caused an adverse effect to human health or the  
923 environment.

924        (c) The department shall conduct at least a biennial  
925 inspection of each medical marijuana treatment center to

926 evaluate the medical marijuana treatment center's records,  
927 personnel, equipment, processes, security measures, sanitation  
928 practices, and quality assurance practices.

929 (d) The department may enter into interagency agreements  
930 with the Department of Agriculture and Consumer Services, the  
931 Department of Business and Professional Regulation, the  
932 Department of Transportation, the Department of Highway Safety  
933 and Motor Vehicles, and the Agency for Health Care  
934 Administration, and such agencies are authorized to enter into  
935 an interagency agreement with the department to conduct  
936 inspections or perform other responsibilities assigned to the  
937 department under this section.

938 (e) The department shall publish a list of all approved  
939 medical marijuana treatment centers, medical directors, and  
940 qualified physicians on its website.

941 (f) The department may impose reasonable fines not to  
942 exceed \$10,000 on a medical marijuana treatment center for any  
943 of the following violations:

944 1. Violating this section or department rule.  
945 2. Failing to maintain qualifications for approval.  
946 3. Endangering the health, safety, or security of a  
947 qualified patient.

948 4. Improperly disclosing personal and confidential  
949 information of the qualified patient.

950 5. Attempting to procure medical marijuana treatment

951 center approval by bribery, fraudulent misrepresentation, or  
952 extortion.

953 6. Being convicted or found guilty of, or entering a plea  
954 of guilty or nolo contendere to, regardless of adjudication, a  
955 crime in any jurisdiction which directly relates to the business  
956 of a medical marijuana treatment center.

957 7. Making or filing a report or record that the medical  
958 marijuana treatment center knows to be false.

959 8. Willfully failing to maintain a record required by this  
960 section or department rule.

961 9. Willfully impeding or obstructing an employee or agent  
962 of the department in the furtherance of his or her official  
963 duties.

964 10. Engaging in fraud or deceit, negligence, incompetence,  
965 or misconduct in the business practices of a medical marijuana  
966 treatment center.

967 11. Making misleading, deceptive, or fraudulent  
968 representations in or related to the business practices of a  
969 medical marijuana treatment center.

970 12. Having a license or the authority to engage in any  
971 regulated profession, occupation, or business that is related to  
972 the business practices of a medical marijuana treatment center  
973 suspended, revoked, or otherwise acted against by the licensing  
974 authority of any jurisdiction, including its agencies or  
975 subdivisions, for a violation that would constitute a violation

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976 under Florida law.

977 13. Violating a lawful order of the department or an  
978 agency of the state, or failing to comply with a lawfully issued  
979 subpoena of the department or an agency of the state.

980 (g) The department may suspend, revoke, or refuse to renew  
981 a medical marijuana treatment center license if the treatment  
982 center commits any of the violations in paragraph (f).

983 (h) The department shall renew the medical marijuana  
984 treatment center license biennially if the treatment center  
985 meets the requirements of this section and pays the biennial  
986 renewal fee.

987 (i) The department may adopt rules pursuant to ss.  
988 120.536(1) and 120.54 to implement this subsection.

989 (10) PREEMPTION.—Regulation of cultivation, processing,  
990 and delivery of marijuana by medical marijuana treatment centers  
991 is preempted to the state except as provided in this subsection.

992 (a) A medical marijuana treatment center cultivating or  
993 processing facility may not be located within 500 feet of the  
994 real property that comprises a public or private elementary  
995 school, middle school, or secondary school.

996 (b) A municipality may determine by ordinance the criteria  
997 for the number and location of, and other permitting  
998 requirements that do not conflict with state law or department  
999 rule for, medical marijuana treatment center dispensing  
1000 facilities located within the boundaries of the municipality. A



1001 county may determine by ordinance the criteria for the number  
 1002 and location of, and other permitting requirements that do not  
 1003 conflict with state law or department rule for, all such  
 1004 dispensing facilities located within the unincorporated areas of  
 1005 that county. However, a medical marijuana treatment center  
 1006 dispensing facility may not be located within 500 feet of the  
 1007 real property that comprises a public or private elementary  
 1008 school, middle school, or secondary school unless the county or  
 1009 municipality approves the location as promoting the public  
 1010 health, safety, and general welfare of the community under  
 1011 proceedings as provided in s. 125.66(4) for counties, and s.  
 1012 166.041(3)(c) for municipalities. A municipality or county may  
 1013 not enact ordinances determining the location of dispensing  
 1014 facilities which are less restrictive than the county's or  
 1015 municipality's ordinances determining the location of entities  
 1016 licensed to sell alcoholic beverages.

1017 (c) A municipality or county may not charge a medical  
 1018 marijuana treatment center a license or permit fee in an amount  
 1019 greater than the fee charged by such municipality or county to  
 1020 pharmacies.

1021 (11) PENALTIES.—

1022 (a) A qualified physician commits a misdemeanor of the  
 1023 first degree, punishable as provided in s. 775.082 or s.  
 1024 775.083, if the qualified physician orders marijuana for a  
 1025 patient without a reasonable belief that the patient is

1026 suffering from a qualifying medical condition.

1027 (b) A person who fraudulently represents that he or she  
1028 has a qualifying medical condition to a qualified physician for  
1029 the purpose of being issued a physician certification commits a  
1030 misdemeanor of the first degree, punishable as provided in s.  
1031 775.082 or s. 775.083.

1032 (c) A qualified patient's marijuana, and such patient's  
1033 caregiver who administers marijuana, in plain view of or in a  
1034 place open to the general public, in a school bus, a vehicle, an  
1035 aircraft, or a boat, or on the grounds of a school except as  
1036 provided in s. 1006.062, commits a misdemeanor of the first  
1037 degree, punishable as provided in s. 775.082 or s. 775.083.

1038 (d) A qualified patient or caregiver who cultivates  
1039 marijuana or who purchases or acquires marijuana from any person  
1040 or entity other than a medical marijuana treatment center  
1041 violates s. 893.13 and is subject to the penalties provided  
1042 therein.

1043 (e) A qualified patient or caregiver in possession of  
1044 marijuana or a marijuana delivery device who fails or refuses to  
1045 present his or her marijuana use registry identification card  
1046 upon the request of a law enforcement officer commits a  
1047 misdemeanor of the second degree, punishable as provided in s.  
1048 775.082 or s. 775.083.

1049 (f) A caregiver who violates any of the applicable  
1050 provisions of this section or applicable department rules, for

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1051 the first offense, commits a misdemeanor of the second degree,  
1052 punishable as provided in s. 775.082 or s. 775.083 and, for a  
1053 second or subsequent offense, commits a misdemeanor of the first  
1054 degree, punishable as provided in s. 775.082 or s. 775.083.

1055 (g) A qualified physician who issues a physician  
1056 certification for marijuana or a marijuana delivery device and  
1057 receives compensation from a medical marijuana treatment center  
1058 related to the issuance of a physician certification for  
1059 marijuana or a marijuana delivery device is subject to  
1060 disciplinary action under the applicable practice act and s.  
1061 456.072 (1) (n) .

1062 (h) A person transporting marijuana or marijuana delivery  
1063 devices on behalf of a medical marijuana treatment center or  
1064 marijuana testing laboratory who fails or refuses to present a  
1065 transportation manifest upon the request of a law enforcement  
1066 officer commits a misdemeanor of the second degree, punishable  
1067 as provided in s. 775.082 or s. 775.083.

1068 (i) Persons and entities conducting activities authorized  
1069 and governed by this section and s. 381.988 are subject to the  
1070 provisions of ss. 456.053, 456.054, and 817.505, as applicable.

1071 (12) UNLICENSED ACTIVITY.-

1072 (a) If the department has probable cause to believe that a  
1073 person or entity that is not registered or licensed with the  
1074 department has violated this section, s. 381.988, or any rule  
1075 adopted pursuant to this section, the department may issue and

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1076 deliver to such person or entity a notice to cease and desist  
1077 from such violation. The department also may issue and deliver a  
1078 notice to cease and desist to any person or entity who aids and  
1079 abets such unlicensed activity. The issuance of a notice to  
1080 cease and desist does not constitute agency action for which a  
1081 hearing under s. 120.569 or s. 120.57 may be sought. For the  
1082 purpose of enforcing a cease and desist order, the department  
1083 may file a proceeding in the name of the state seeking issuance  
1084 of an injunction or a writ of mandamus against any person or  
1085 entity who violates any provisions of such order.

1086 (b) In addition to the remedies under paragraph (a), the  
1087 department may impose by citation an administrative penalty not  
1088 to exceed \$5,000 per incident. The citation shall be issued to  
1089 the subject and shall contain the subject's name and any other  
1090 information the department determines to be necessary to  
1091 identify the subject, a brief factual statement, the sections of  
1092 the law allegedly violated, and the penalty imposed. If the  
1093 subject does not dispute the matter in the citation with the  
1094 department within 30 days after the citation is served, the  
1095 citation shall become a final order of the department. The  
1096 department may adopt rules pursuant to ss. 120.536(1) and 120.54  
1097 to implement this section. Each day that the unlicensed activity  
1098 continues after issuance of a notice to cease and desist  
1099 constitutes a separate violation. The department shall be  
1100 entitled to recover the costs of investigation and prosecution

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1101 in addition to the fine levied pursuant to the citation. Service  
1102 of a citation may be made by personal service or by mail to the  
1103 subject at the subject's last known address or place of  
1104 practice. If the department is required to seek enforcement of  
1105 the cease and desist or agency order, it shall be entitled to  
1106 collect attorney fees and costs.

1107 (c) In addition to or in lieu of any other administrative  
1108 remedy, the department may seek the imposition of a civil  
1109 penalty through the circuit court for any violation for which  
1110 the department may issue a notice to cease and desist. The civil  
1111 penalty shall be no less than \$5,000 and no more than \$10,000  
1112 for each offense. The court may also award to the prevailing  
1113 party court costs and reasonable attorney fees and, in the event  
1114 the department prevails, may also award reasonable costs of  
1115 investigation and prosecution.

1116 (d) The department must notify local law enforcement of  
1117 such unlicensed activity for a determination of any criminal  
1118 violation of chapter 893.

1119 (13) EXCEPTIONS TO OTHER LAWS.—

1120 (a) Notwithstanding s. 893.13, s. 893.135, s. 893.147, or  
1121 any other provision of law, but subject to the requirements of  
1122 this section, a qualified patient and the qualified patient's  
1123 caregiver may purchase from a medical marijuana treatment center  
1124 for the patient's medical use a marijuana delivery device and up  
1125 to the amount of marijuana authorized in the physician

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1126 certification, but may not possess more than a 90-day supply of  
1127 marijuana at any given time and all marijuana purchased must  
1128 remain in its original packaging.

1129 (b) Notwithstanding s. 893.13, s. 893.135, s. 893.147, or  
1130 any other provision of law, but subject to the requirements of  
1131 this section, an approved medical marijuana treatment center and  
1132 its owners, managers, and employees may manufacture, possess,  
1133 sell, deliver, distribute, dispense, and lawfully dispose of  
1134 marijuana or a marijuana delivery device as provided in this  
1135 section, s. 381.988, and by department rule. For purposes of  
1136 this subsection, the terms "manufacture," "possession,"  
1137 "deliver," "distribute," and "dispense" have the same meanings  
1138 as provided in s. 893.02.

1139 (c) Notwithstanding s. 893.13, s. 893.135, s. 893.147, or  
1140 any other provision of law, but subject to the requirements of  
1141 this section, a certified marijuana testing laboratory,  
1142 including an employee of a certified marijuana testing  
1143 laboratory acting within the scope of his or her employment, may  
1144 acquire, possess, test, transport, and lawfully dispose of  
1145 marijuana as provided in this section, s. 381.988, and by  
1146 department rule.

1147 (d) A licensed medical marijuana treatment center and its  
1148 owners, managers, and employees are not subject to licensure or  
1149 regulation under chapter 465 or chapter 499 for manufacturing,  
1150 possessing, selling, delivering, distributing, dispensing, or

1151 lawfully disposing of marijuana or a marijuana delivery device,  
 1152 as provided in this section, s. 381.988, and by department rule.

1153 (e) This subsection does not exempt a person from  
 1154 prosecution for a criminal offense related to impairment or  
 1155 intoxication resulting from the medical use of marijuana or  
 1156 relieve a person from any requirement under law to submit to a  
 1157 breath, blood, urine, or other test to detect the presence of a  
 1158 controlled substance.

1159 (f) Notwithstanding s. 893.13, s. 893.135, s. 893.147, or  
 1160 any other provision of law, but subject to the requirements of  
 1161 this section and pursuant to policies and procedures established  
 1162 pursuant to s. 1006.62(8), school personnel may possess  
 1163 marijuana that is obtained for medical use pursuant to this  
 1164 section by a student who is a qualified patient.

1165 (14) APPLICABILITY.—This section does not limit the  
 1166 ability of an employer to establish, continue, or enforce a  
 1167 drug-free workplace program or policy.

1168 Section 3. Paragraph (uu) is added to subsection (1) of  
 1169 section 458.331, Florida Statutes, to read:

1170 458.331 Grounds for disciplinary action; action by the  
 1171 board and department.—

1172 (1) The following acts constitute grounds for denial of a  
 1173 license or disciplinary action, as specified in s. 456.072(2):

1174 (uu) Issuing a physician certification, as defined in s.  
 1175 381.986, in a manner out of compliance with the requirements of

1176 | that section and rules adopted thereunder.

1177 |       Section 4. Paragraph (ww) is added to subsection (1) of  
1178 | section 459.015, Florida Statutes, to read:

1179 |       459.015 Grounds for disciplinary action; action by the  
1180 | board and department.—

1181 |       (1) The following acts constitute grounds for denial of a  
1182 | license or disciplinary action, as specified in s. 456.072(2):

1183 |       (ww) Issuing a physician certification, as defined in s.  
1184 | 381.986, in a manner not in compliance with the requirements of  
1185 | that section and rules adopted thereunder.

1186 |       Section 5. Section 381.988, Florida Statutes, is created  
1187 | to read:

1188 |       381.988 Medical marijuana testing laboratories; marijuana  
1189 | tests conducted by a certified laboratory.—

1190 |       (1) A person or entity seeking to be a certified marijuana  
1191 | testing laboratory must:

1192 |       (a) Not be owned or controlled by a medical marijuana  
1193 | treatment center.

1194 |       (b) Submit a completed application accompanied by an  
1195 | application fee, as established by department rule.

1196 |       (c) Submit proof of accreditation issued by an  
1197 | accreditation body of the National Environmental Laboratory  
1198 | Accreditation Program.

1199 |       (d) Require all owners and managers to submit to and pass  
1200 | a level 2 background screening pursuant to s. 435.04 and shall



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1201 deny certification if the person or entity has been found guilty  
1202 of, or has entered a plea of guilty or nolo contendere to,  
1203 regardless of adjudication, any offense listed in chapter 837,  
1204 chapter 895, or chapter 896 or similar law of another  
1205 jurisdiction.

1206 (e) Demonstrate to the department the capability of  
1207 meeting the standards for certification required by this  
1208 subsection, and the testing requirements of s. 381.986 and this  
1209 section and rules adopted thereunder.

1210 (2) The department shall adopt rules pursuant to ss.  
1211 120.536(1) and 120.54 establishing a procedure for initial  
1212 certification and biennial renewal, including initial  
1213 application and biennial renewal fees sufficient to cover the  
1214 costs of administering this certification program. The  
1215 department shall renew the certification biennially if the  
1216 laboratory meets the requirements of this section and pays the  
1217 biennial renewal fee.

1218 (3) The department shall adopt rules pursuant to ss.  
1219 120.536(1) and 120.54 establishing the standards for  
1220 certification of marijuana testing laboratories under this  
1221 section. The Department of Agriculture and Consumer Services and  
1222 the Department of Environmental Protection shall assist the  
1223 department in developing the rule, which must include, but is  
1224 not limited to:

1225 (a) Security standards.

- 1226 (b) Minimum standards for personnel.
- 1227 (c) Sample collection method and process standards.
- 1228 (d) Proficiency testing.
- 1229 (e) Reporting content, format, and frequency.
- 1230 (f) Onsite inspections.
- 1231 (g) Quality assurance.
- 1232 (h) Any other standard the department deems necessary to
- 1233 ensure the health and safety of the public.

1234 (4) A marijuana testing laboratory may acquire marijuana  
 1235 only from a medical marijuana treatment center. A marijuana  
 1236 testing laboratory is prohibited from selling, distributing, or  
 1237 transferring marijuana received from a marijuana treatment  
 1238 center, except that a marijuana testing laboratory may transfer  
 1239 a sample to another marijuana testing laboratory in this state.

1240 (5) A marijuana testing laboratory must properly dispose  
 1241 of all samples it receives, unless transferred to another  
 1242 marijuana testing laboratory, after all necessary tests have  
 1243 been conducted and any required period of storage has elapsed,  
 1244 as established by department rule.

1245 (6) A marijuana testing laboratory shall use the computer  
 1246 software tracking system selected by the department under s.  
 1247 381.986.

1248 (7) The following acts constitute grounds for which  
 1249 disciplinary action specified in subsection (8) may be taken  
 1250 against a certified marijuana testing laboratory:

- 1251 (a) Permitting unauthorized persons to perform technical  
 1252 procedures or issue reports.
- 1253 (b) Demonstrating incompetence or making consistent errors  
 1254 in the performance of testing or erroneous reporting.
- 1255 (c) Performing a test and rendering a report thereon to a  
 1256 person or entity not authorized by law to receive such services.
- 1257 (d) Failing to file any report required under this section  
 1258 or s. 381.986 or the rules adopted thereunder.
- 1259 (e) Reporting a test result if the test was not performed.
- 1260 (f) Failing to correct deficiencies within the time  
 1261 required by the department.
- 1262 (g) Violating or aiding and abetting in the violation of  
 1263 any provision of s. 381.986 or this section or any rules adopted  
 1264 thereunder.
- 1265 (8) The department may refuse to issue or renew, or may  
 1266 suspend or revoke, the certification of a marijuana testing  
 1267 laboratory that is found to be in violation of this section or  
 1268 any rules adopted hereunder. The department may impose fines for  
 1269 violations of this section or rules adopted thereunder, based on  
 1270 a schedule adopted in rule. In determining the administrative  
 1271 action to be imposed for a violation, the department must  
 1272 consider the following factors:
- 1273 (a) The severity of the violation, including the  
 1274 probability of death or serious harm to the health or safety of  
 1275 any person that may result or has resulted; the severity or

1276 potential harm; and the extent to which the provisions of s.  
 1277 381.986 or this section were violated.

1278 (b) The actions taken by the marijuana testing laboratory  
 1279 to correct the violation or to remedy the complaint.

1280 (c) Any previous violation by the marijuana testing  
 1281 laboratory.

1282 (d) The financial benefit to the marijuana testing  
 1283 laboratory of committing or continuing the violation.

1284 (9) The department may adopt rules pursuant to ss.  
 1285 120.536(1) and 120.54 to implement this section.

1286 Section 6. Section 381.989, Florida Statutes, is created  
 1287 to read:

1288 381.989 Public education campaigns.-

1289 (1) DEFINITIONS.-As used in this section, the term:

1290 (a) "Cannabis" has the same meaning as in s. 893.02.

1291 (b) "Department" means the Department of Health.

1292 (c) "Marijuana" has the same meaning as in s. 381.986.

1293 (2) STATEWIDE CANNABIS AND MARIJUANA EDUCATION AND USE  
 1294 PREVENTION CAMPAIGN.-

1295 (a) The department shall implement a statewide cannabis  
 1296 and marijuana education and use prevention campaign to publicize  
 1297 accurate information regarding:

1298 1. The short-term and long-term health effects of cannabis  
 1299 and marijuana use, particularly on minors and young adults.

1300 2. The legal requirements for licit use and possession of

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1301 marijuana in this state.

1302 3. Safe use of marijuana, including preventing access by  
1303 persons other than qualified patients as defined in s. 381.986,  
1304 particularly children.

1305 4. Other cannabis-related and marijuana-related education  
1306 determined by the department to be necessary to the public  
1307 health and safety.

1308 (b) The department may use television messaging, radio  
1309 broadcasts, print media, digital strategies, social media, and  
1310 any other form of messaging deemed necessary and appropriate by  
1311 the department to implement the campaign. The department may  
1312 work with school districts, community organizations and  
1313 businesses and business organizations and other entities to  
1314 provide training and programming.

1315 (c) The department may contract with one or more vendors  
1316 to implement the campaign.

1317 (d) The department shall contract with an independent  
1318 entity to conduct annual evaluations of the campaign. The  
1319 evaluations shall assess the reach and impact of the campaign,  
1320 success in educating the citizens of the state regarding the  
1321 legal parameters for marijuana use, success in preventing  
1322 illicit access by adults and youth, and success in preventing  
1323 negative health impacts from the legalization of marijuana. The  
1324 first year of the program, the evaluator shall conduct surveys  
1325 to establish baseline data on youth and adult cannabis use, the

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1326 attitudes of youth and the general public toward cannabis and  
1327 marijuana, and any other data deemed necessary for long-term  
1328 analysis. By January 31 of each year, the department shall  
1329 submit to the Governor, the President of the Senate, and the  
1330 Speaker of the House of Representatives the annual evaluation of  
1331 the campaign.

1332 (3) STATEWIDE IMPAIRED DRIVING EDUCATION CAMPAIGN.—The  
1333 Department of Highway Safety and Motor Vehicles shall implement  
1334 a statewide impaired driving education campaign to raise  
1335 awareness and prevent marijuana-related and cannabis-related  
1336 impaired driving and may contract with one or more vendors to  
1337 implement the campaign. The Department of Highway Safety and  
1338 Motor Vehicles may use television messaging, radio broadcasts,  
1339 print media, digital strategies, social media, and any other  
1340 form of messaging deemed necessary and appropriate by the  
1341 department to implement the campaign.

1342 Section 7. Subsection (1) of section 385.211, Florida  
1343 Statutes, is amended to read:

1344 385.211 Refractory and intractable epilepsy treatment and  
1345 research at recognized medical centers.—

1346 (1) As used in this section, the term "low-THC cannabis"  
1347 means "low-THC cannabis" as defined in s. 381.986 that is  
1348 dispensed only from a dispensing organization as defined in  
1349 former s. 381.986, Florida Statutes 2016, or a medical marijuana  
1350 treatment center as defined in s. 381.986.

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1351 Section 8. Paragraphs (b) through (e) of subsection (2) of  
1352 section 499.0295, Florida Statutes, are redesignated as  
1353 paragraphs (a) through (d), respectively, and present paragraphs  
1354 (a) and (c) of that subsection, and subsection (3) of that  
1355 section are amended to read:

1356 499.0295 Experimental treatments for terminal conditions.—

1357 (2) As used in this section, the term:

1358 ~~(a) "Dispensing organization" means an organization~~  
1359 ~~approved by the Department of Health under s. 381.986(5) to~~  
1360 ~~cultivate, process, transport, and dispense low-THC cannabis,~~  
1361 ~~medical cannabis, and cannabis delivery devices.~~

1362 (b) ~~(e)~~ "Investigational drug, biological product, or  
1363 device" means:

1364 ~~1.~~ a drug, biological product, or device that has  
1365 successfully completed phase 1 of a clinical trial but has not  
1366 been approved for general use by the United States Food and Drug  
1367 Administration and remains under investigation in a clinical  
1368 trial approved by the United States Food and Drug  
1369 Administration; ~~or~~

1370 ~~2. Medical cannabis that is manufactured and sold by a~~  
1371 ~~dispensing organization.~~

1372 (3) Upon the request of an eligible patient, a  
1373 manufacturer may, ~~or upon a physician's order pursuant to s.~~  
1374 ~~381.986, a dispensing organization may:~~

1375 (a) Make its investigational drug, biological product, or

1376 | device available under this section.

1377 |       (b) Provide an investigational drug, biological product,  
 1378 | or device, ~~or cannabis delivery device as defined in s. 381.986~~  
 1379 | to an eligible patient without receiving compensation.

1380 |       (c) Require an eligible patient to pay the costs of, or  
 1381 | the costs associated with, the manufacture of the  
 1382 | investigational drug, biological product, or device, ~~or cannabis~~  
 1383 | ~~delivery device as defined in s. 381.986.~~

1384 |       Section 9. Subsection (3) of section 893.02, Florida  
 1385 | Statutes, is amended to read:

1386 |       893.02 Definitions.—The following words and phrases as  
 1387 | used in this chapter shall have the following meanings, unless  
 1388 | the context otherwise requires:

1389 |       (3) "Cannabis" means all parts of any plant of the genus  
 1390 | Cannabis, whether growing or not; the seeds thereof; the resin  
 1391 | extracted from any part of the plant; and every compound,  
 1392 | manufacture, salt, derivative, mixture, or preparation of the  
 1393 | plant or its seeds or resin. The term does not include  
 1394 | "marijuana," ~~"low-THC cannabis,"~~ as defined in s. 381.986, if  
 1395 | manufactured, possessed, sold, purchased, delivered,  
 1396 | distributed, or dispensed, in conformance with s. 381.986.

1397 |       Section 10. Subsection (1) of section 1004.441, Florida  
 1398 | Statutes, is amended to read:

1399 |       1004.441 Refractory and intractable epilepsy treatment and  
 1400 | research.—



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1401 (1) As used in this section, the term "low-THC cannabis"  
1402 means "low-THC cannabis" as defined in s. 381.986 that is  
1403 dispensed only from a dispensing organization as defined in  
1404 former s. 381.986, Florida Statutes 2016, or a medical marijuana  
1405 treatment center as defined in s. 381.986.

1406 Section 11. Subsection (8) is added to section 1006.062,  
1407 Florida Statutes, to read:

1408 1006.062 Administration of medication and provision of  
1409 medical services by district school board personnel.—

1410 (8) Each district school board shall adopt a policy and a  
1411 procedure for allowing a student who is a qualified patient, as  
1412 defined in s. 381.986, to use marijuana obtained pursuant to  
1413 that section. Such policy and procedure shall ensure access by  
1414 the qualified patient; identify how the marijuana will be  
1415 received, accounted for, and stored; and establish processes to  
1416 prevent access by other students and school personnel  
1417 unnecessary to the implementation of the policy.

1418 Section 12. Department of Health; authority to adopt  
1419 rules; cause of action.—

1420 (1) EMERGENCY RULEMAKING.—

1421 (a) The Department of Health and the applicable boards  
1422 shall adopt emergency rules pursuant to s. 120.54(4), Florida  
1423 Statutes, and this subsection necessary to implement ss. 381.986  
1424 and 381.988, Florida Statutes. If an emergency rule adopted  
1425 under this subsection is held to be unconstitutional or an

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1426 invalid exercise of delegated legislative authority, and becomes  
1427 void, the department or the applicable boards may adopt an  
1428 emergency rule to replace the rule that has become void. If the  
1429 emergency rule adopted to replace the void emergency rule is  
1430 also held to be unconstitutional or an invalid exercise of  
1431 delegated legislative authority and becomes void, the department  
1432 and the applicable boards must follow the nonemergency  
1433 rulemaking procedures of the Administrative Procedures Act to  
1434 replace the rule that has become void.

1435 (b) For emergency rules adopted under this section, the  
1436 department and the applicable boards need not make the findings  
1437 required by s. 120.54(4)(a), Florida Statutes. Emergency rules  
1438 adopted under this section are exempt from ss. 120.54(3)(b) and  
1439 120.541, Florida Statutes. The department and the applicable  
1440 boards shall meet the procedural requirements in s. 120.54(a),  
1441 Florida Statutes, if the department or the applicable boards  
1442 have, prior to the effective date of this act, held any public  
1443 workshops or hearings on the subject matter of the emergency  
1444 rules adopted under this subsection. Challenges to emergency  
1445 rules adopted under this subsection shall be subject to the time  
1446 schedules provided in s. 120.56(5), Florida Statutes.

1447 (c) Emergency rules adopted under this section are exempt  
1448 from s. 120.54(4)(c), Florida Statutes, and shall remain in  
1449 effect until replaced by rules adopted under the nonemergency  
1450 rulemaking procedures of the Administrative Procedures Act. By

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1451 January 1, 2018, the department and the applicable boards shall  
1452 initiate nonemergency rulemaking pursuant to the Administrative  
1453 Procedures Act to replace all emergency rules adopted under this  
1454 subsection by publishing a notice of rule development in the  
1455 Florida Administrative Register. Except as provided in paragraph  
1456 (a), after January 1, 2018, the department and applicable boards  
1457 may not adopt rules pursuant to the emergency rulemaking  
1458 procedures provided in this subsection.

1459 (2) CAUSE OF ACTION.—

1460 (a) As used in s. 29(d)(3), Art X, of the State  
1461 Constitution, the term:

1462 1. "Issue regulations" means the filing by the department  
1463 of a rule or emergency rule for adoption with the Department of  
1464 State.

1465 2. "Judicial relief" means an action for declaratory  
1466 judgment pursuant to chapter 86, Florida Statutes.

1467 (b) The venue for actions brought against the department  
1468 pursuant to s. 29(d)(3), Art X, of the State Constitution shall  
1469 be in the circuit court in and for Leon County.

1470 (c) If the department is not issuing patient and caregiver  
1471 identification cards or licensing medical marijuana treatment  
1472 centers by October 3, 2016, the following shall be a defense to  
1473 a cause of action brought under s. 29(d)(3), Art X, of the State  
1474 Constitution:

1475 1. The department is unable to issue patient and caregiver

1476 identification cards or license medical marijuana treatment  
 1477 centers due to litigation challenging a rule as an invalid  
 1478 exercise of delegated legislative authority or unconstitutional.

1479 2. The department is unable to issue patient or caregiver  
 1480 identification cards or license medical marijuana treatment  
 1481 centers due to a rule being held as an invalid exercise of  
 1482 delegated legislative authority or unconstitutional.

1483 Section 13. (1) For the 2017-2018 fiscal year, 10 full-  
 1484 time equivalent positions, with associated salary rate of  
 1485 411,811, are authorized and the sum of \$1,008,463 in  
 1486 nonrecurring funds from the General Revenue Fund is appropriated  
 1487 to the Department of Health for the purpose of implementing the  
 1488 requirements of the act.

1489 (2) For the 2017-2018 fiscal year, the sum of \$2,050,000  
 1490 in nonrecurring funds from the General Revenue Fund is  
 1491 appropriated to the Department of Health for contracted  
 1492 consultant services, information technology improvements for the  
 1493 medical marijuana use registry, and litigation costs for the  
 1494 purpose of implementing the requirements of the act.

1495 (3) For the 2017-2018 fiscal year, the sums of \$1,000,000  
 1496 in recurring funds and \$2,000,000 in nonrecurring funds from the  
 1497 General Revenue Fund are appropriated to the Department of  
 1498 Health to implement the statewide cannabis and marijuana  
 1499 education and use prevention campaign established under s.  
 1500 381.989, Florida Statutes.

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1501        (4) For the 2017-2018 fiscal year, the sums of \$1,000,000  
 1502 in recurring funds and \$1,000,000 in nonrecurring funds from the  
 1503 General Revenue Fund are appropriated to the Department of  
 1504 Highway Safety and Motor Vehicles to implement the statewide  
 1505 impaired driving education campaign established under s.  
 1506 381.989, Florida Statutes.

1507        (5) For the 2017-2018 fiscal year, the sum of \$1,000,000  
 1508 in nonrecurring funds from the General Revenue Fund is  
 1509 appropriated to the University of Florida College of Pharmacy to  
 1510 implement the requirements of s. 381.986(4)(a)8., Florida  
 1511 Statutes.

1512        (6) For the 2017-2018 fiscal year, the sum of \$100,000 in  
 1513 recurring funds from the Highway Safety Operating Trust Fund is  
 1514 appropriated to the Department of Highway Safety and Motor  
 1515 Vehicles for the purpose of training additional law enforcement  
 1516 officers as drug recognition experts.

1517        Section 14. This act shall take effect upon becoming a  
 1518 law.