



322608

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/13/2019	.	
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The Committee on Innovation, Industry, and Technology (Brandes) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Paragraphs (g) and (j) of subsection (1),  
paragraph (a) of subsection (4), paragraph (e) of subsection  
(8), subsection (14), and subsection (15) of section 381.986,  
Florida Statutes, are amended to read:

381.986 Medical use of marijuana.—

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



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11 (g) "Marijuana delivery device" means an object used,  
12 intended for use, or designed for use in preparing, storing,  
13 ingesting, inhaling, or otherwise introducing marijuana into the  
14 human body, and which is dispensed from a medical marijuana  
15 treatment center for medical use by a qualified patient, except  
16 that delivery devices intended for the medical use of marijuana  
17 by smoking need not be dispensed from a medical marijuana  
18 treatment center in order to qualify as marijuana delivery  
19 devices.

20 (j) "Medical use" means the acquisition, possession, use,  
21 delivery, transfer, or administration of marijuana authorized by  
22 a physician certification. The term does not include:

23 1. Possession, use, or administration of marijuana that was  
24 not purchased or acquired from a medical marijuana treatment  
25 center.

26 2. Possession, use, or administration of marijuana in a  
27 ~~form for smoking, in~~ the form of commercially produced food  
28 items other than edibles, ~~or of marijuana seeds or flower,~~  
29 ~~except for flower in a sealed, tamper-proof receptacle for~~  
30 ~~vaping.~~

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

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

37 5. The smoking of marijuana in an enclosed indoor workplace  
38 as defined in s. 386.203(5).

39 6.5- Use or administration of marijuana in the following



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40 locations:

41 a. On any form of public transportation, except for low-THC  
42 cannabis.

43 b. In any public place, except for low-THC cannabis.

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

46 d. In a state correctional institution, as defined in s.  
47 944.02, or a correctional institution, as defined in s. 944.241.

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

50 f. In a school bus, a vehicle, an aircraft, or a motorboat,  
51 except for low-THC cannabis.

52

53 For the purposes of this subparagraph, the exceptions for low-  
54 THC cannabis do not include the smoking of low-THC cannabis.

55 (4) PHYSICIAN CERTIFICATION.—

56 (a) A qualified physician may issue a physician  
57 certification only if the qualified physician:

58 1. Conducted a physical examination while physically  
59 present in the same room as the patient and a full assessment of  
60 the medical history of the patient.

61 2. Diagnosed the patient with at least one qualifying  
62 medical condition.

63 3. Determined that the medical use of marijuana would  
64 likely outweigh the potential health risks for the patient, and  
65 such determination must be documented in the patient's medical  
66 record. If a patient is younger than 18 years of age, a second  
67 physician must concur with this determination, and such  
68 concurrence must be documented in the patient's medical record.



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69           4. Determined whether the patient is pregnant and  
70 documented such determination in the patient's medical record. A  
71 physician may not issue a physician certification, except for  
72 low-THC cannabis, to a patient who is pregnant.

73           5. Reviewed the patient's controlled drug prescription  
74 history in the prescription drug monitoring program database  
75 established pursuant to s. 893.055.

76           6. Reviews the medical marijuana use registry and confirmed  
77 that the patient does not have an active physician certification  
78 from another qualified physician.

79           7. Registers as the issuer of the physician certification  
80 for the named qualified patient on the medical marijuana use  
81 registry in an electronic manner determined by the department,  
82 and:

83           a. Enters into the registry the contents of the physician  
84 certification, including the patient's qualifying condition and  
85 the dosage not to exceed the daily dose amount determined by the  
86 department, the amount and forms of marijuana authorized for the  
87 patient, and any types of marijuana delivery devices needed by  
88 the patient for the medical use of marijuana.

89           b. Updates the registry within 7 days after any change is  
90 made to the original physician certification to reflect such  
91 change.

92           c. Deactivates the registration of the qualified patient  
93 and the patient's caregiver when the physician no longer  
94 recommends the medical use of marijuana for the patient.

95           8. Obtains the voluntary and informed written consent of  
96 the patient for medical use of marijuana each time the qualified  
97 physician issues a physician certification for the patient,



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98 which shall be maintained in the patient's medical record. The  
99 patient, or the patient's parent or legal guardian if the  
100 patient is a minor, must sign the informed consent acknowledging  
101 that the qualified physician has sufficiently explained its  
102 content. The qualified physician must use a standardized  
103 informed consent form adopted in rule by the Board of Medicine  
104 and the Board of Osteopathic Medicine, which must include, at a  
105 minimum, information related to:

106 a. The Federal Government's classification of marijuana as  
107 a Schedule I controlled substance.

108 b. The approval and oversight status of marijuana by the  
109 Food and Drug Administration.

110 c. The current state of research on the efficacy of  
111 marijuana to treat the qualifying conditions set forth in this  
112 section.

113 d. The potential for addiction.

114 e. The potential effect that marijuana may have on a  
115 patient's coordination, motor skills, and cognition, including a  
116 warning against operating heavy machinery, operating a motor  
117 vehicle, or engaging in activities that require a person to be  
118 alert or respond quickly.

119 f. The potential side effects of marijuana use.

120 g. The risks, benefits, and drug interactions of marijuana.

121 h. The risks specifically associated with smoking  
122 marijuana.

123 ~~i.h.~~ That the patient's de-identified health information  
124 contained in the physician certification and medical marijuana  
125 use registry may be used for research purposes.  
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127 For a patient not diagnosed with a terminal condition, if the  
128 patient is younger than 18 years of age and the certifying  
129 physician intends to certify the patient's medical use of  
130 marijuana by way of smoking, the certifying physician must  
131 determine that smoking is the most effective means of  
132 administering medical marijuana for the patient and a second  
133 physician must concur with that determination. The second  
134 physician must be a pediatrician. Such determination and  
135 concurrence must be documented in the patient's medical record.

136 (8) MEDICAL MARIJUANA TREATMENT CENTERS.—

137 (e) A licensed medical marijuana treatment center shall  
138 cultivate, process, transport, and dispense marijuana for  
139 medical use. A licensed medical marijuana treatment center may  
140 not contract for services directly related to the cultivation,  
141 processing, and dispensing of marijuana or marijuana delivery  
142 devices, except that a medical marijuana treatment center  
143 licensed pursuant to subparagraph (a)1. may contract with a  
144 single entity for the cultivation, processing, transporting, and  
145 dispensing of marijuana and marijuana delivery devices. A  
146 licensed medical marijuana treatment center must, at all times,  
147 maintain compliance with the criteria demonstrated and  
148 representations made in the initial application and the criteria  
149 established in this subsection. Upon request, the department may  
150 grant a medical marijuana treatment center a variance from the  
151 representations made in the initial application. Consideration  
152 of such a request shall be based upon the individual facts and  
153 circumstances surrounding the request. A variance may not be  
154 granted unless the requesting medical marijuana treatment center  
155 can demonstrate to the department that it has a proposed



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156 alternative to the specific representation made in its  
157 application which fulfills the same or a similar purpose as the  
158 specific representation in a way that the department can  
159 reasonably determine will not be a lower standard than the  
160 specific representation in the application. A variance may not  
161 be granted from the requirements in subparagraph 2. and  
162 subparagraphs (b)1. and 2.

163 1. A licensed medical marijuana treatment center may  
164 transfer ownership to an individual or entity who meets the  
165 requirements of this section. A publicly traded corporation or  
166 publicly traded company that meets the requirements of this  
167 section is not precluded from ownership of a medical marijuana  
168 treatment center. To accommodate a change in ownership:

169 a. The licensed medical marijuana treatment center shall  
170 notify the department in writing at least 60 days before the  
171 anticipated date of the change of ownership.

172 b. The individual or entity applying for initial licensure  
173 due to a change of ownership must submit an application that  
174 must be received by the department at least 60 days before the  
175 date of change of ownership.

176 c. Upon receipt of an application for a license, the  
177 department shall examine the application and, within 30 days  
178 after receipt, notify the applicant in writing of any apparent  
179 errors or omissions and request any additional information  
180 required.

181 d. Requested information omitted from an application for  
182 licensure must be filed with the department within 21 days after  
183 the department's request for omitted information or the  
184 application shall be deemed incomplete and shall be withdrawn



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185 from further consideration and the fees shall be forfeited.

186

187 Within 30 days after the receipt of a complete application, the  
188 department shall approve or deny the application.

189         2. A medical marijuana treatment center, and any individual  
190 or entity who directly or indirectly owns, controls, or holds  
191 with power to vote 5 percent or more of the voting shares of a  
192 medical marijuana treatment center, may not acquire direct or  
193 indirect ownership or control of any voting shares or other form  
194 of ownership of any other medical marijuana treatment center.

195         3. A medical marijuana treatment center may not enter into  
196 any form of profit-sharing arrangement with the property owner  
197 or lessor of any of its facilities where cultivation,  
198 processing, storing, or dispensing of marijuana and marijuana  
199 delivery devices occurs.

200         4. All employees of a medical marijuana treatment center  
201 must be 21 years of age or older and have passed a background  
202 screening pursuant to subsection (9).

203         5. Each medical marijuana treatment center must adopt and  
204 enforce policies and procedures to ensure employees and  
205 volunteers receive training on the legal requirements to  
206 dispense marijuana to qualified patients.

207         6. When growing marijuana, a medical marijuana treatment  
208 center:

209             a. May use pesticides determined by the department, after  
210 consultation with the Department of Agriculture and Consumer  
211 Services, to be safely applied to plants intended for human  
212 consumption, but may not use pesticides designated as  
213 restricted-use pesticides pursuant to s. 487.042.



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

216           c. Must inspect seeds and growing plants for plant pests  
217 that endanger or threaten the horticultural and agricultural  
218 interests of the state in accordance with chapter 581 and any  
219 rules adopted thereunder.

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

223           7. Each medical marijuana treatment center must produce and  
224 make available for purchase at least one low-THC cannabis  
225 product.

226           8. A medical marijuana treatment center that produces  
227 edibles must hold a permit to operate as a food establishment  
228 pursuant to chapter 500, the Florida Food Safety Act, and must  
229 comply with all the requirements for food establishments  
230 pursuant to chapter 500 and any rules adopted thereunder.  
231 Edibles may not contain more than 200 milligrams of  
232 tetrahydrocannabinol, and a single serving portion of an edible  
233 may not exceed 10 milligrams of tetrahydrocannabinol. Edibles  
234 may have a potency variance of no greater than 15 percent.  
235 Edibles may not be attractive to children; be manufactured in  
236 the shape of humans, cartoons, or animals; be manufactured in a  
237 form that bears any reasonable resemblance to products available  
238 for consumption as commercially available candy; or contain any  
239 color additives. To discourage consumption of edibles by  
240 children, the department shall determine by rule any shapes,  
241 forms, and ingredients allowed and prohibited for edibles.  
242 Medical marijuana treatment centers may not begin processing or



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243 dispensing edibles until after the effective date of the rule.  
244 The department shall also adopt sanitation rules providing the  
245 standards and requirements for the storage, display, or  
246 dispensing of edibles.

247       9. Within 12 months after licensure, a medical marijuana  
248 treatment center must demonstrate to the department that all of  
249 its processing facilities have passed a Food Safety Good  
250 Manufacturing Practices, such as Global Food Safety Initiative  
251 or equivalent, inspection by a nationally accredited certifying  
252 body. A medical marijuana treatment center must immediately stop  
253 processing at any facility which fails to pass this inspection  
254 until it demonstrates to the department that such facility has  
255 met this requirement.

256       10. When processing marijuana, a medical marijuana  
257 treatment center must:

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

260       b. Comply with department rules when processing marijuana  
261 with hydrocarbon solvents or other solvents or gases exhibiting  
262 potential toxicity to humans. The department shall determine by  
263 rule the requirements for medical marijuana treatment centers to  
264 use such solvents or gases exhibiting potential toxicity to  
265 humans.

266       c. Comply with federal and state laws and regulations and  
267 department rules for solid and liquid wastes. The department  
268 shall determine by rule procedures for the storage, handling,  
269 transportation, management, and disposal of solid and liquid  
270 waste generated during marijuana production and processing. The  
271 Department of Environmental Protection shall assist the



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272 department in developing such rules.

273         d. Test the processed marijuana using a medical marijuana  
274 testing laboratory before it is dispensed. Results must be  
275 verified and signed by two medical marijuana treatment center  
276 employees. Before dispensing, the medical marijuana treatment  
277 center must determine that the test results indicate that low-  
278 THC cannabis meets the definition of low-THC cannabis, the  
279 concentration of tetrahydrocannabinol meets the potency  
280 requirements of this section, the labeling of the concentration  
281 of tetrahydrocannabinol and cannabidiol is accurate, and all  
282 marijuana is safe for human consumption and free from  
283 contaminants that are unsafe for human consumption. The  
284 department shall determine by rule which contaminants must be  
285 tested for and the maximum levels of each contaminant which are  
286 safe for human consumption. The Department of Agriculture and  
287 Consumer Services shall assist the department in developing the  
288 testing requirements for contaminants that are unsafe for human  
289 consumption in edibles. The department shall also determine by  
290 rule the procedures for the treatment of marijuana that fails to  
291 meet the testing requirements of this section, s. 381.988, or  
292 department rule. The department may select a random sample from  
293 edibles available for purchase in a dispensing facility which  
294 shall be tested by the department to determine that the edible  
295 meets the potency requirements of this section, is safe for  
296 human consumption, and the labeling of the tetrahydrocannabinol  
297 and cannabidiol concentration is accurate. A medical marijuana  
298 treatment center may not require payment from the department for  
299 the sample. A medical marijuana treatment center must recall  
300 edibles, including all edibles made from the same batch of



301 marijuana, which fail to meet the potency requirements of this  
302 section, which are unsafe for human consumption, or for which  
303 the labeling of the tetrahydrocannabinol and cannabidiol  
304 concentration is inaccurate. The medical marijuana treatment  
305 center must retain records of all testing and samples of each  
306 homogenous batch of marijuana for at least 9 months. The medical  
307 marijuana treatment center must contract with a marijuana  
308 testing laboratory to perform audits on the medical marijuana  
309 treatment center's standard operating procedures, testing  
310 records, and samples and provide the results to the department  
311 to confirm that the marijuana or low-THC cannabis meets the  
312 requirements of this section and that the marijuana or low-THC  
313 cannabis is safe for human consumption. A medical marijuana  
314 treatment center shall reserve two processed samples from each  
315 batch and retain such samples for at least 9 months for the  
316 purpose of such audits. A medical marijuana treatment center may  
317 use a laboratory that has not been certified by the department  
318 under s. 381.988 until such time as at least one laboratory  
319 holds the required certification, but in no event later than  
320 July 1, 2018.

321 e. Package the marijuana in compliance with the United  
322 States Poison Prevention Packaging Act of 1970, 15 U.S.C. ss.  
323 1471 et seq.

324 f. Package the marijuana in a receptacle that has a firmly  
325 affixed and legible label stating the following information:

326 (I) The marijuana or low-THC cannabis meets the  
327 requirements of sub-subparagraph d.

328 (II) The name of the medical marijuana treatment center  
329 from which the marijuana originates.



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330 (III) The batch number and harvest number from which the  
331 marijuana originates and the date dispensed.

332 (IV) The name of the physician who issued the physician  
333 certification.

334 (V) The name of the patient.

335 (VI) The product name, if applicable, and dosage form,  
336 including concentration of tetrahydrocannabinol and cannabidiol.  
337 The product name may not contain wording commonly associated  
338 with products marketed by or to children.

339 (VII) The recommended dose.

340 (VIII) A warning that it is illegal to transfer medical  
341 marijuana to another person.

342 (IX) A marijuana universal symbol developed by the  
343 department.

344 11. The medical marijuana treatment center shall include in  
345 each package a patient package insert with information on the  
346 specific product dispensed related to:

- 347 a. Clinical pharmacology.
- 348 b. Indications and use.
- 349 c. Dosage and administration.
- 350 d. Dosage forms and strengths.
- 351 e. Contraindications.
- 352 f. Warnings and precautions.
- 353 g. Adverse reactions.

354 12. In addition to the packaging and labeling requirements  
355 in subparagraphs 10. and 11., marijuana in a form for smoking  
356 must be packaged in a sealed receptacle with a legible and  
357 prominent warning to keep away from children and a warning that  
358 states marijuana smoke contains carcinogens and may negatively



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359 affect health. Such receptacles for marijuana in a form for  
360 smoking must be plain, opaque, and white without depictions of  
361 the product or images other than the medical marijuana treatment  
362 center's department-approved logo and the marijuana universal  
363 symbol.

364 ~~13.12.~~ Each edible shall be individually sealed in plain,  
365 opaque wrapping marked only with the marijuana universal symbol.  
366 Where practical, each edible shall be marked with the marijuana  
367 universal symbol. In addition to the packaging and labeling  
368 requirements in subparagraphs 10., ~~and 11., and 12.,~~ edible  
369 receptacles must be plain, opaque, and white without depictions  
370 of the product or images other than the medical marijuana  
371 treatment center's department-approved logo and the marijuana  
372 universal symbol. The receptacle must also include a list all of  
373 the edible's ingredients, storage instructions, an expiration  
374 date, a legible and prominent warning to keep away from children  
375 and pets, and a warning that the edible has not been produced or  
376 inspected pursuant to federal food safety laws.

377 ~~14.13.~~ When dispensing marijuana or a marijuana delivery  
378 device, a medical marijuana treatment center:

379 a. May dispense any active, valid order for low-THC  
380 cannabis, medical cannabis and cannabis delivery devices issued  
381 pursuant to former s. 381.986, Florida Statutes 2016, which was  
382 entered into the medical marijuana use registry before July 1,  
383 2017.

384 b. May not dispense more than a 70-day supply of marijuana  
385 to a qualified patient or caregiver.

386 c. Must have the medical marijuana treatment center's  
387 employee who dispenses the marijuana or a marijuana delivery



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388 device enter into the medical marijuana use registry his or her  
389 name or unique employee identifier.

390 d. Must verify that the qualified patient and the  
391 caregiver, if applicable, each have an active registration in  
392 the medical marijuana use registry and an active and valid  
393 medical marijuana use registry identification card, the amount  
394 and type of marijuana dispensed matches the physician  
395 certification in the medical marijuana use registry for that  
396 qualified patient, and the physician certification has not  
397 already been filled.

398 e. May not dispense marijuana to a qualified patient who is  
399 younger than 18 years of age. If the qualified patient is  
400 younger than 18 years of age, marijuana may only be dispensed to  
401 the qualified patient's caregiver.

402 f. May not dispense or sell any other type of cannabis,  
403 alcohol, or illicit drug-related product, ~~including pipes,~~  
404 ~~bongs, or wrapping papers,~~ other than a marijuana delivery  
405 device required for the medical use of marijuana and which is  
406 specified in a physician certification.

407 g. Must, upon dispensing the marijuana or marijuana  
408 delivery device, record in the registry the date, time,  
409 quantity, and form of marijuana dispensed; the type of marijuana  
410 delivery device dispensed; and the name and medical marijuana  
411 use registry identification number of the qualified patient or  
412 caregiver to whom the marijuana delivery device was dispensed.

413 h. Must ensure that patient records are not visible to  
414 anyone other than the qualified patient, his or her caregiver,  
415 and authorized medical marijuana treatment center employees.

416 (14) EXCEPTIONS TO OTHER LAWS.—



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417 (a) Notwithstanding s. 893.13, s. 893.135, s. 893.147, or  
418 any other provision of law, but subject to the requirements of  
419 this section, a qualified patient and the qualified patient's  
420 caregiver may purchase from a medical marijuana treatment center  
421 for the patient's medical use a marijuana delivery device and up  
422 to the amount of marijuana authorized in the physician  
423 certification, but may not possess more than a 70-day supply of  
424 marijuana at any given time and all marijuana purchased must  
425 remain in its original packaging.

426 (b) Notwithstanding paragraph (a), s. 893.13, s. 893.135,  
427 s. 893.147, or any other provision of law, a qualified patient  
428 and the qualified patient's caregiver may purchase and possess a  
429 marijuana delivery device intended for the medical use of  
430 marijuana by smoking from a vendor other than a medical  
431 marijuana treatment center if such delivery device, or a similar  
432 delivery device, is specified in that patient's certification  
433 issued by a qualified physician.

434 (c)~~(b)~~ Notwithstanding s. 893.13, s. 893.135, s. 893.147,  
435 or any other provision of law, but subject to the requirements  
436 of this section, an approved medical marijuana treatment center  
437 and its owners, managers, and employees may manufacture,  
438 possess, sell, deliver, distribute, dispense, and lawfully  
439 dispose of marijuana or a marijuana delivery device as provided  
440 in this section, s. 381.988, and by department rule. For the  
441 purposes of this subsection, the terms "manufacture,"  
442 "possession," "deliver," "distribute," and "dispense" have the  
443 same meanings as provided in s. 893.02.

444 (d)~~(e)~~ Notwithstanding s. 893.13, s. 893.135, s. 893.147,  
445 or any other provision of law, but subject to the requirements



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446 of this section, a certified marijuana testing laboratory,  
447 including an employee of a certified marijuana testing  
448 laboratory acting within the scope of his or her employment, may  
449 acquire, possess, test, transport, and lawfully dispose of  
450 marijuana as provided in this section, in s. 381.988, and by  
451 department rule.

452 (e)~~(d)~~ A licensed medical marijuana treatment center and  
453 its owners, managers, and employees are not subject to licensure  
454 or regulation under chapter 465 or chapter 499 for  
455 manufacturing, possessing, selling, delivering, distributing,  
456 dispensing, or lawfully disposing of marijuana or a marijuana  
457 delivery device, as provided in this section, in s. 381.988, and  
458 by department rule.

459 (f)~~(e)~~ This subsection does not exempt a person from  
460 prosecution for a criminal offense related to impairment or  
461 intoxication resulting from the medical use of marijuana or  
462 relieve a person from any requirement under law to submit to a  
463 breath, blood, urine, or other test to detect the presence of a  
464 controlled substance.

465 (g)~~(f)~~ Notwithstanding s. 893.13, s. 893.135, s. 893.147,  
466 or any other provision of law, but subject to the requirements  
467 of this section and pursuant to policies and procedures  
468 established pursuant to s. 1006.62(8), school personnel may  
469 possess marijuana that is obtained for medical use pursuant to  
470 this section by a student who is a qualified patient.

471 (h)~~(g)~~ Notwithstanding s. 893.13, s. 893.135, s. 893.147,  
472 or any other provision of law, but subject to the requirements  
473 of this section, a research institute established by a public  
474 postsecondary educational institution, such as the H. Lee



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475 Moffitt Cancer Center and Research Institute, Inc., established  
476 under s. 1004.43, or a state university that has achieved the  
477 preeminent state research university designation under s.  
478 1001.7065 may possess, test, transport, and lawfully dispose of  
479 marijuana for research purposes as provided by this section.

480 (15) APPLICABILITY.—

481 (a) This section does not limit the ability of an employer  
482 to establish, continue, or enforce a drug-free workplace program  
483 or policy.

484 (b) This section does not require an employer to  
485 accommodate the medical use of marijuana in any workplace or any  
486 employee working while under the influence of marijuana.

487 (c) This section does not create a cause of action against  
488 an employer for wrongful discharge or discrimination.

489 (d) This section does not impair the ability of any party  
490 to restrict or limit smoking on his or her private property.

491 (e) This section does not prohibit the medical use of  
492 marijuana, or a caregiver assisting with the medical use of  
493 marijuana, in a nursing home, licensed under part II of chapter  
494 400; in a hospice facility, licensed under part IV of chapter  
495 400; or in an assisted living facility, licensed under part I of  
496 chapter 429, if the medical use of marijuana is not prohibited  
497 in the facility's policies.

498 (f) Marijuana, as defined in this section, is not  
499 reimbursable under chapter 440.

500 Section 2. The proviso following Specific Appropriation 422  
501 in section 3 of chapter 2018-9, Laws of Florida, and the proviso  
502 following Specific Appropriation 424 in section 3 of chapter  
503 2018-9, Laws of Florida, are repealed and the funds appropriated



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504 by those specific appropriations which were affected by those  
505 provisos are released from reserve.

506 Section 3. This act shall take effect upon becoming a law.

507

508 ===== T I T L E A M E N D M E N T =====

509 And the title is amended as follows:

510 Delete everything before the enacting clause

511 and insert:

512 A bill to be entitled

513 An act relating to the safe medical use of marijuana;  
514 amending s. 381.986, F.S.; redefining the term  
515 "marijuana delivery device" to eliminate the  
516 requirement that such devices must be purchased from a  
517 medical marijuana treatment center; redefining the  
518 term "medical use" to include the possession, use, or  
519 administration of marijuana in a form for smoking;  
520 restricting smoking of marijuana in enclosed indoor  
521 workplaces; conforming a provision to changes made by  
522 the act; requiring a patient's informed consent form  
523 to include the risks specifically associated with  
524 smoking marijuana; requiring a certifying physician to  
525 make a determination in concurrence with a second  
526 physician who meets specified requirements before  
527 certifying a patient under 18 years of age who is not  
528 diagnosed with a terminal condition to smoke marijuana  
529 for medical use; requiring that marijuana in a form  
530 for smoking meet certain packaging and labeling  
531 requirements; deleting a provision prohibiting a  
532 medical marijuana treatment center from dispensing or



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533 selling specified products; allowing marijuana  
534 delivery devices to be purchased from a vendor other  
535 than a medical marijuana treatment center; providing  
536 applicability; repealing proviso language in s. 3, ch.  
537 2018-9, Laws of Florida, relating to salaries and  
538 benefits positions and other personnel services of the  
539 Department of Health; providing an effective date.  
540