

THE FLORIDA SENATE
2021 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

HB 6095 — Scheduling of Drug Products Containing Cannabidiol

by Reps. Fischer, Persons-Mulicka, and others (SB 1476 by Senator Brodeur)

The bill amends s. 893.03, F.S., which contains Florida’s controlled substance schedules, to remove the following substance from Schedule V: a drug product in finished dosage formulation which has been approved by the U.S. Food and Drug Administration (FDA) and contains cannabidiol (CBD) derived from cannabis and no more than 0.1 percent residual tetrahydrocannabinols. The bill also makes conforming changes to the definition of “cannabis” in s. 893.02, F.S.

In 2019, the Legislature placed the previously-described language in Schedule V. As of 2021, the scheduling language has only applied to Epidiolex®, the first pharmaceutical oral solution containing highly purified CBD to be approved by the FDA. It is used for the treatment of seizures associated with two rare and severe forms of epilepsy. While making Epidiolex® a Schedule V controlled substance was consistent with the federal scheduling in 2019, the substance has since been descheduled by the U.S. Drug Enforcement Administration. Therefore, the bill’s removal of the Schedule V language (and the descheduling of Epidiolex®) is consistent with federal descheduling action.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 39-0; House 117-0