

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Agriculture

CS/CS/SB 1676 — Hemp

by Fiscal Policy Committee; Agriculture Committee; and Senators Burton and Rodriguez

This bill makes a number of changes to the regulation of hemp in this state. Specifically, the bill:

- Adds hemp extract to the definition of “food” to clarify that it requires time and temperature control for product safety and integrity.
- Defines “attractive to children” to mean a product manufactured in the shape of humans, cartoons, or animals, in a form resembling candy, or containing color additives.
- Revises the definition of “hemp” to exempt hemp extract, which may not exceed 0.3 percent total delta-9-tetrahydrocannabinol on a wet-weight basis.
- Modifies how hemp extract may be sold in this state, including:
 - Requiring the batch to be processed in a facility that meets certain requirements related to food safety and sanitization;
 - Requiring it to be sold in a container that meets certain requirements, one of which is that the container is not attractive to children; and
 - Limiting the sale of hemp extract to only businesses that meet certain requirements.
- Prohibits hemp extract products intended for human ingestion, including, but not limited to, snuff, gum, and other smokeless products, from being sold to a person who is under 21 years of age. The bill provides that a person who violates this prohibition commits a second degree misdemeanor, and a subsequent violation within one year is a first degree misdemeanor.
- Revises the rulemaking authority of the Department of Agriculture and Consumer Services (department) to reflect the approval of the state hemp plan and to require adoption of rules relating to the packaging, labeling, and advertising of hemp extract products.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2023.

Vote: Senate 39-0; House 119-0