

THE FLORIDA SENATE
2026 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/SB 432 — Intoxicating Substances

by Fiscal Policy Committee and Senator Yarborough

Effective July 1, 2026, the bill exempts xylazine animal drug products approved by the United States Food and Drug Administration for veterinary purpose from the list of Schedule I controlled substances. The term “xylazine” means the nonopioid tranquilizer methyl benzene compound frequently used in veterinary medicine as an emetic and sedative with analgesic and muscle relaxant properties. The manufacture, importation, distribution, prescribing, or sale of xylazine for human use is not subject to this exception.

The bill provides that it is a first degree felony, with a 3 year mandatory minimum prison term for selling, manufacturing, delivering, or possessing with the intent to sell, manufacture, or deliver certain forms of xylazine.

Additionally, the bill creates a first degree felony for “trafficking in xylazine.” A person may not knowingly sell, purchase, manufacture, deliver, or bring into this state, or knowingly be in actual or constructive possession of, 28 grams or more of xylazine or any salt thereof, or 28 grams or more of any mixture containing any such substance. An offender convicted of such an offense must be sentenced to a mandatory minimum term of imprisonment and fine, the length and amount of which varies depending upon the amount of xylazine involved in the offense. If the quantity involved is:

- Twenty-eight grams or more, but less than 100 grams, such person must be sentenced to a 3 year mandatory minimum term of imprisonment and ordered to pay a fine of \$100,000.
- One-hundred grams or more, but less than 200 grams, such person must be sentenced to a 7 year mandatory minimum term of imprisonment and ordered to pay a fine of \$100,000.
- Two-hundred grams or more, such person must be sentenced to a 25 year mandatory minimum term of imprisonment and ordered to pay a fine of \$500,000.

The bill prohibits licensed retail nicotine products dealers and their employees from possessing, selling, possessing with intent to sell, delivering, or giving, directly or indirectly, nitrous oxide on or from their licensed premises. A violation is a third degree felony. The bill provides exceptions for grocery stores and supermarkets, but such exceptions do not apply to convenience stores. Finished food products using nitrous oxide solely as a propellant are not prohibited. The Department of Business and Professional Regulation is directed to adopt rules to prevent nitrous oxide misuse for intoxication.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect October 1, 2026, except where otherwise provided.

Vote: Senate 37-0; House 111-0