



156382

LEGISLATIVE ACTION

Senate

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House

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Senator Brandes moved the following:

1           **Senate Amendment to Amendment (835218) (with title**  
2 **amendment)**

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4           Delete lines 241 - 295

5 and insert:

6           6. The department shall issue an additional 10 dispensing  
7 organization licenses pursuant to this paragraph one year after  
8 the initial issuance of such licenses and up to an additional 10  
9 dispensing organization licenses every year thereafter until 100  
10 total licensed dispensing organizations have been issued.

11           7. The department shall license an applicant selected



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12 pursuant to subparagraph 4., subparagraph 5., or subparagraph 6.  
13 unless the applicant fails to pay the licensure fee within 20  
14 days of selection.

15 8.a. An unsuccessful applicant may contest the final  
16 selection of applicants by filing a written petition with the  
17 State Surgeon General within 5 days after the final selection  
18 occurs. Within 10 days after receipt of the petition, the State  
19 Surgeon General shall review and issue a final determination  
20 regarding the contested selection.

21 b. An unsuccessful applicant may appeal the State Surgeon  
22 General's final determination to the circuit court within 10  
23 days after issuance of the final determination by filing a  
24 complaint, together with the fees prescribed in chapter 28, with  
25 the clerk of the circuit court. The complaint must set forth the  
26 grounds on which the petitioner requests that the final  
27 selection of applicants be set aside.

28 c. Grounds for contesting the selection process are:  
29 (I) Misconduct, fraud, or corruption by any member of the  
30 selection committee.

31 (II) The ineligibility of a successful applicant.

32 (III) Proof that a member of the selection committee  
33 accepted or intended to accept a bribe or reward in money,  
34 property, or any other thing of value for the purpose of  
35 influencing the selection of applicants.

36 d. A petitioner under sub-subparagraph b. is entitled to an  
37 immediate hearing. However, the court in its discretion may  
38 limit the time for taking testimony.

39 e. The issuance of a license may not be stayed by the  
40 department or the Division of Administrative Hearings during the



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41 pendency of any judicial review proceedings under this  
42 subparagraph.

43 f. A court may grant a stay or an injunction in an action  
44 relating to the denial of a license only if a bond is posted by  
45 the petitioner seeking a stay or injunction and the court finds  
46 that:

47 (I) The petitioner has a substantial likelihood of success  
48 on the merits;

49 (II) The threatened harm or injury to the petitioner  
50 clearly outweighs any possible injury to a qualified patient  
51 occasioned by granting the stay or injunction; and

52 (III) It is in the public interest to grant the stay or  
53 injunction.

54 g. A proceeding pursuant to this subparagraph is the  
55 exclusive means to contest or appeal the final selection of  
56 applicants. Chapter 120 does not apply to this subparagraph  
57 ~~Authorize the establishment of five dispensing organizations to~~  
58 ~~ensure reasonable statewide accessibility and availability as~~  
59 ~~necessary for patients registered in the compassionate use~~  
60 ~~registry and who are ordered low-THC cannabis under this~~  
61 ~~section, one in each of the following regions: northwest~~  
62 ~~Florida, northeast Florida, central Florida, southeast Florida,~~  
63 ~~and southwest Florida.~~

64 9. The timeframes specified in s. 120.60(1) do not apply to  
65 this paragraph.

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

68 And the title is amended as follows:

69 Delete line 829



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70 and insert:  
71 state and statewide; requiring the department to issue  
72 a specified number of additional dispensing  
73 organization licenses each year; limiting the number  
74 of licensed dispensing organizations in this state;  
75 authorizing certain applicants to