

By Senator Bradley

7-00574A-16

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1                   A bill to be entitled  
2           An act relating to experimental treatments for  
3           terminal conditions; amending s. 499.0295, F.S.;  
4           revising the definition of the term "investigational  
5           drug, biological product, or device"; providing for  
6           eligible patients or their legal representatives to  
7           purchase and possess cannabis for medical use;  
8           authorizing certain licensed dispensing organizations  
9           to manufacture, possess, sell, deliver, distribute,  
10          dispense, and dispose of cannabis; exempting such  
11          organizations from specified laws; defining terms;  
12          providing applicability; providing an effective date.

13  
14 Be It Enacted by the Legislature of the State of Florida:

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16           Section 1. Paragraph (b) of subsection (2) of section  
17           499.0295, Florida Statutes, is amended, and subsection (10) is  
18           added to that section, to read:

19           499.0295 Experimental treatments for terminal conditions.—

20           (2) As used in this section, the term:

21           (b) "Investigational drug, biological product, or device"  
22           means:

23           1. A drug, biological product, or device that has  
24           successfully completed phase 1 of a clinical trial but has not  
25           been approved for general use by the United States Food and Drug  
26           Administration and remains under investigation in a clinical  
27           trial approved by the United States Food and Drug  
28           Administration; or

29           2. Cannabis that is manufactured and sold by an approved

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30 dispensing organization as defined in s. 381.986.

31 (10) (a) Notwithstanding s. 893.13, s. 893.135, s. 893.147,  
32 or any other provision of law, but subject to the requirements  
33 of this section, an eligible patient and the eligible patient's  
34 legal representative may purchase and possess cannabis for the  
35 patient's medical use.

36 (b) An eligible patient and the eligible patient's legal  
37 representative may obtain cannabis only from an approved  
38 dispensing organization as defined in s. 381.986.

39 (c) Notwithstanding s. 381.986, s. 893.13, s. 893.135, s.  
40 893.147, or any other provision of law, but subject to the  
41 requirements of this section, an approved dispensing  
42 organization as defined in s. 381.986 and its owners, managers,  
43 and employees may manufacture, possess, sell, deliver,  
44 distribute, dispense, and lawfully dispose of cannabis.

45 (d) An approved dispensing organization as defined in s.  
46 381.986 and its owners, managers, and employees are not subject  
47 to licensure or regulation under chapter 465 for manufacturing,  
48 possessing, selling, delivering, distributing, dispensing, or  
49 lawfully disposing of cannabis. As used in this subsection, the  
50 terms "manufacture," "possession," "deliver," "distribute," and  
51 "dispense" have the same meanings as provided in s. 893.02.

52 (e) This section does not impair the license of an approved  
53 dispensing organization under s. 381.986.

54 Section 2. This act shall take effect July 1, 2016.