



555404

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
02/04/2016	.	
	.	
	.	
	.	

The Committee on Fiscal Policy (Abruzzo) recommended the following:

Senate Amendment (with directory and title amendments)

Delete lines 21 - 53

and insert:

(a) "Dispensing organization" means an organization approved by the Department of Health under paragraph (10) (d) to cultivate, process, and dispense cannabis pursuant to this section.

(c) ~~(b)~~ "Investigational drug, biological product, or device" means:



555404

11 1. A drug, biological product, or device that has
12 successfully completed phase 1 of a clinical trial but has not
13 been approved for general use by the United States Food and Drug
14 Administration and remains under investigation in a clinical
15 trial approved by the United States Food and Drug
16 Administration; or

17 2. Cannabis that is manufactured and sold by a dispensing
18 organization.

19 (10) (a) Notwithstanding s. 893.13, s. 893.135, s. 893.147,
20 or any other law, but subject to the requirements of this
21 section, an eligible patient and the eligible patient's legal
22 representative may purchase cannabis from a dispensing
23 organization and may possess such cannabis for the patient's
24 medical use.

25 (b) Notwithstanding s. 381.986, s. 893.13, s. 893.135, s.
26 893.147, or any other law, but subject to the requirements of
27 this section, a dispensing organization and its owners,
28 managers, and employees may manufacture, possess, sell, deliver,
29 distribute, dispense, and lawfully dispose of cannabis.

30 (c) A dispensing organization and its owners, managers, and
31 employees are not subject to licensure or regulation under
32 chapter 465 for manufacturing, possessing, selling, delivering,
33 distributing, dispensing, or lawfully disposing of cannabis.

34 (d) By October 1, 2016, the Department of Health shall
35 approve the establishment of 20 additional dispensing
36 organizations to cultivate, process, and dispense cannabis
37 pursuant to this section. An applicant for approval as a
38 dispensing organization must demonstrate that it possesses the
39 qualifications specified in s. 381.986(5)(b)2.-7 or that it is a



555404

40 recognized class member of *Pigford v. Glickman*, 182 F.R.D. 82
41 (D.D.C. 1999) or *In re Black Farmers Litig.*, 856 F. Supp. 2d 1
42 (D.D.C. 2011) and a member of the Black Farmers and
43 Agriculturalists Association.

44 (e) As used in this subsection, the terms "manufacture,"
45 "possession," "deliver," "distribute," and "dispense" have the
46 same meanings as provided in s. 893.02.

47 (f) The Department of Health may adopt rules to administer
48 this subsection.

49
50 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

51 And the directory clause is amended as follows:

52 Delete lines 16 - 17

53 and insert:

54 Section 1. Paragraphs (a) through (d) of subsection (2) of
55 section 499.0295, Florida Statutes, are redesignated as
56 paragraphs (b) through (e), respectively, present paragraph (b)
57 of that subsection is amended, a new paragraph (a) is added to
58 that subsection, and subsection (10) is

59
60 ===== T I T L E A M E N D M E N T =====

61 And the title is amended as follows:

62 Delete lines 4 - 12

63 and insert:

64 revising the definition of the term "investigational
65 drug, biological product, or device"; providing for
66 eligible patients or their legal representatives to
67 purchase cannabis from dispensing organizations and
68 possess such cannabis for medical use; authorizing



555404

69 certain licensed dispensing organizations to
70 manufacture, possess, sell, deliver, distribute,
71 dispense, and dispose of cannabis; exempting
72 dispensing organizations from specified laws;
73 directing the Department of Health to approve the
74 establishment of a limited number of dispensing
75 organizations by a specified date; requiring
76 applicants for approval as dispensing organizations to
77 demonstrate they possess certain qualifications;
78 authorizing the Department of Health to adopt rules;
79 providing an effective date.