



943584

LEGISLATIVE ACTION

Senate

.  
. .  
. .  
. .  
. .

House

---

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

1           **Senate Amendment to Amendment (466428) (with directory and**  
2 **title amendments)**

3  
4           Delete lines 466 - 533  
5 and insert:

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

10           (c) ~~(b)~~ "Investigational drug, biological product, or



943584

11 device" means:

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

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

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

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

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

35 (d) By October 1, 2016, the Department of Health shall  
36 approve the establishment of 20 additional dispensing  
37 organizations to cultivate, process, and dispense cannabis  
38 pursuant to this section. An applicant for approval as a  
39 dispensing organization must demonstrate that it possesses the



943584

40 qualifications specified in s. 381.986(5)(b)2.-7 or that it is a  
41 recognized class member of *Pigford v. Glickman*, 182 F.R.D. 82  
42 (D.D.C. 1999) or *In re Black Farmers Litig.*, 856 F. Supp. 2d 1  
43 (D.D.C. 2011) and a member of the Black Farmers and  
44 Agriculturalists Association.

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

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

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

52 And the directory clause is amended as follows:

53 Delete lines 461 - 462

54 and insert:

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

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

62 And the title is amended as follows:

63 Delete lines 591 - 604

64 and insert:

65 499.0295, F.S.; defining the term "dispensing  
66 organization"; revising the definition of the term  
67 "investigational drug, biological product, or device";  
68 providing for eligible patients or their legal



943584

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