

By Senator Brandes

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1 A bill to be entitled
2 An act relating to medical marijuana; repealing s.
3 381.986, F.S., relating to the compassionate use of
4 low-THC cannabis; creating s. 381.99, F.S.; providing
5 a short title; creating s. 381.991, F.S.; defining
6 terms; creating s. 381.992, F.S.; authorizing a
7 registered patient or a designated caregiver to
8 purchase, acquire, and possess up to the allowed
9 amount of medical marijuana for a patient's medical
10 use; requiring a registered patient or a designated
11 caregiver to demonstrate certain actions in order to
12 maintain the specified protections; authorizing a
13 cultivation licensee, processing licensee, and
14 cultivation and processing licensee and an employee or
15 contractor of such licensee to take specified actions;
16 authorizing a retail licensee or an employee of a
17 retail licensee to take specified actions; authorizing
18 a licensed independent testing laboratory and an
19 employee of an independent testing laboratory to
20 receive and process marijuana for the sole purpose of
21 testing the marijuana for certification as medical
22 marijuana; providing that specified actions are not
23 authorized; providing that a person is not exempt from
24 the prohibition against driving under the influence;
25 providing that all provisions of part II of ch. 386,
26 F.S., other than s. 386.2045, F.S., apply to the
27 smoking of medical marijuana; providing that medical
28 marijuana may be smoked in a private residence only in
29 certain circumstances; creating s. 381.993, F.S.;

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30 requiring a qualified patient to submit specified
31 information to the Department of Health in order to
32 register for a medical marijuana patient registry
33 identification card; requiring a physician to submit
34 to the department a patient-certification form with
35 specified information before registration for and
36 issuance of the card to the qualified patient;
37 authorizing the physician to submit the patient-
38 certification form electronically through the
39 department's website; authorizing a qualified patient
40 to designate a caregiver at specified times to assist
41 him or her with the medical use of medical marijuana;
42 requiring the designated caregiver to meet specified
43 qualifications; prohibiting a designated caregiver
44 from registering to assist more than one patient at
45 any given time unless specified circumstances are met;
46 requiring the department to notify the qualified
47 patient that the designated caregiver's registration
48 is denied; requiring the department to create a
49 patient and caregiver registration form and a patient-
50 certification form and make those forms available to
51 the public by a specified date; requiring the
52 registration form to allow the patient to include
53 specified information; requiring the department to
54 create and make available to the public a specified
55 training course by a specified date; requiring the
56 department to enter the information for the qualified
57 patient or his or her designated caregiver into the
58 medical marijuana patient registry and to issue a

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59 medical marijuana patient registry identification card
60 to the patient and the designated caregiver after the
61 receipt of specified documents; requiring that medical
62 marijuana registry identification cards be resistant
63 to counterfeiting and include specified information;
64 providing that patient and designated caregiver
65 registration and medical marijuana patient registry
66 identification cards expire 1 year after the date of
67 issuance; requiring a qualified patient to submit
68 proof of continued residency and a physician to
69 certify specified information in order to renew a
70 registration or medical marijuana patient registry
71 identification card; requiring a second physician to
72 submit a patient-certification form to the department
73 in certain circumstances; requiring the department to
74 notify specified persons of a change in registration
75 status in specified circumstances; requiring the
76 department to give notice within a specified timeframe
77 to the registered patient and the designated caregiver
78 before removing the patient or designated caregiver
79 from the medical marijuana patient registry; requiring
80 the registered patient or designated caregiver to
81 return specified items within a specified timeframe
82 after receiving the notification; requiring a retail
83 facility to notify the department upon the receipt of
84 such items; authorizing the retail facility to notify
85 the department electronically; requiring the next of
86 kin of a patient or a designated caregiver to return
87 the identification card of the patient or designated

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88 caregiver to the retail facility after his or her
89 death; requiring the retail facility to update the
90 medical marijuana patient registry and notify the
91 department after the return of the identification
92 cards; authorizing the retail facility to notify the
93 department electronically; requiring the department to
94 compare all registered patients and designated
95 caregivers in the medical marijuana patient registry
96 with the records of deaths on file on the electronic
97 death registration system and to adjust the file of
98 the patient or designated caregiver accordingly;
99 requiring the department to notify law enforcement of
100 the expired or cancelled identification card in
101 certain circumstances; creating s. 381.994, F.S.;
102 requiring that the department create a secure, online,
103 electronic medical marijuana patient registry
104 containing a file and specified information regarding
105 each registered patient, designated caregiver, and
106 certifying physician; requiring that the medical
107 marijuana patient registry have specified
108 capabilities; creating s. 381.995, F.S.; requiring the
109 department to establish operating standards for the
110 cultivation, processing, packaging, and labeling of
111 marijuana by a specified date; requiring the
112 department to develop licensure application forms for
113 specified licenses and to make such forms available to
114 the public by a specified date; requiring the
115 department to establish procedures and requirements
116 for specified licenses and renewals by a specified

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117 date; authorizing the department to charge specified
118 fees for an initial application, for licensure, and
119 for biennial renewal; requiring the department to
120 begin issuing specified licenses by specified dates;
121 authorizing the department to issue specified licenses
122 to an applicant who provides specified materials;
123 authorizing specified dispensing organizations to
124 renew their licenses upon a showing that the licensee
125 meets certain criteria; providing that specified
126 licenses expire 2 years after the date the licenses
127 are issued; requiring a licensee to apply for a
128 renewed license before the expiration date; requiring
129 a licensee to demonstrate continued compliance with
130 specified requirements before renewal; authorizing
131 specified licensees to cultivate marijuana at one or
132 more facilities only if the licensed facility has been
133 inspected by the department; requiring that a facility
134 be inspected and issued a specified license before
135 beginning cultivation or processing; requiring each
136 cultivation facility, processing facility, and
137 cultivation and processing facility to be secure,
138 closed to the public, and not within a specified
139 proximity to specified schools, child care facilities,
140 or licensed service providers; authorizing the
141 department to establish rules for additional security
142 and zoning requirements; providing that specified
143 licensees may cultivate or process marijuana only for
144 the purpose of producing medical marijuana and only at
145 a facility licensed for the activity being performed;

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146 authorizing a dispensing organization licensee to
147 transport, or contract to be transported, medical
148 marijuana and medical marijuana product; authorizing
149 specified licensees to sell, transport, and deliver
150 medical marijuana and medical marijuana product to
151 retail licensees throughout the state; authorizing
152 specified licensees to wholesale, transport, and
153 deliver medical marijuana to another dispensing
154 organization; restricting the number of available
155 retail licenses in a county based on population;
156 authorizing a governing body of a county or
157 municipality to refuse to allow a retail facility
158 within its jurisdiction; prohibiting the department
159 from licensing a retail facility in a county or
160 municipality that has forbidden retail facilities by
161 ordinance; providing that a county or municipality may
162 not prohibit retail deliveries of medical marijuana to
163 registered patients within the county or municipality;
164 authorizing a county or municipality to levy a local
165 business tax on a retail facility; restricting the
166 locations of retail facilities; requiring an applicant
167 for a retail license to provide the department with
168 specified materials; prohibiting the department from
169 issuing a retail license for the same location as
170 other specified facilities; requiring the department
171 to use a lottery system to award licenses in certain
172 circumstances; providing that dispensing organizations
173 that were issued licenses before a specified date may
174 be issued a specified license in certain

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175 circumstances; providing an exemption; providing that
176 a retail license expires 2 years after the date it is
177 issued; providing the procedure by which a retail
178 licensee renews its license; requiring a retail
179 facility to be inspected by the department before
180 beginning to dispense medical marijuana; authorizing a
181 retail licensee to dispense the allowed amount of
182 medical marijuana to a registered patient or the
183 patient's designated caregiver if specified
184 circumstances are met; prohibiting a retail facility
185 from repackaging medical marijuana products;
186 authorizing a retail facility to deliver medical
187 marijuana to registered patients at a location other
188 than the licensed location in certain circumstances;
189 authorizing a retail licensee to contract with
190 licensed and bonded carriers to transport in vehicles
191 registered by the department medical marijuana and
192 medical marijuana product for specified purposes;
193 requiring the department to adopt rules governing the
194 transportation of medical marijuana and medical
195 marijuana products; prohibiting the transportation of
196 medical marijuana on the property of an airport,
197 seaport, or spaceport; authorizing a dispensing
198 organization to transport medical marijuana or medical
199 marijuana products in vehicles in certain
200 circumstances; requiring such vehicles to be operated
201 by specified persons in certain circumstances;
202 requiring a fee for a vehicle permit; requiring the
203 signature of the designated driver with a vehicle

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204 permit application; providing for expiration of the
205 permit in certain circumstances; requiring the
206 department to cancel a vehicle permit upon the request
207 of specified persons; providing that the licensee
208 authorizes the inspection and search of his or her
209 vehicle without a search warrant by specified persons;
210 prohibiting a licensee from advertising its medical
211 marijuana or medical marijuana product; defining the
212 term "advertise"; providing that inspections of
213 dispensing organization facilities are preempted to
214 the state and may be conducted by the department;
215 requiring the department to inspect and license
216 specified facilities of dispensing organizations
217 before those facilities begin operations; requiring
218 the department to conduct such inspection at least
219 once every 2 years; authorizing the department to
220 conduct additional or unannounced inspections at
221 reasonable hours; authorizing the department to test
222 medical marijuana or medical marijuana product to
223 ensure that it meets the standards established by the
224 department; authorizing the department, through an
225 interagency agreement, to perform joint inspections of
226 such facilities; requiring the department to adopt
227 rules governing access to licensed facilities and
228 delineating limited access areas, restricted access
229 areas, and general access areas at all licensed
230 facilities; providing that a licensee is responsible
231 for knowing and complying with specified laws and
232 rules; requiring that the licensed premises comply

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233 with all security and surveillance requirements
234 established by the department by rule before the
235 licensee can undertake specified actions; requiring
236 that specified areas of the licensed facility be
237 clearly identified as such by signage approved by the
238 department; requiring that a licensee possess and
239 maintain possession of the premises for which the
240 license is issued; requiring a licensee to keep a
241 complete set of all records necessary to show fully
242 the business transactions of the licensee for
243 specified tax years; requiring a licensee to establish
244 an inventory tracking system that is approved by the
245 department; requiring that medical marijuana or
246 medical marijuana product meet the labeling and
247 packaging requirements as established by the
248 department by rule; requiring the department to create
249 a schedule of violations by rule in order to impose
250 reasonable fines not to exceed a specified amount per
251 violation; requiring the department to consider
252 specified factors in determining the amount of the
253 fine to be levied; authorizing the department to
254 suspend, revoke, deny, or refuse to renew a license of
255 a dispensing organization or impose a specified
256 administrative penalty for specified acts and
257 omissions; requiring the department to maintain a
258 publicly available, easily accessible list on its
259 website of all licensed retail facilities; creating s.
260 381.9951, F.S.; providing that the sale of medical
261 marijuana and medical marijuana product is subject to

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262 the sales tax under ch. 212, F.S.; requiring the
263 Department of Revenue to deposit, in the same month as
264 the Department of Revenue collects such taxes, all
265 proceeds of sales taxes collected on the sale of
266 medical marijuana and medical marijuana product into
267 the Education/General Student and Other Fees Trust
268 Fund; creating s. 381.996, F.S.; authorizing a
269 physician to certify a patient to the department as a
270 qualified patient if the patient meets certain
271 criteria; prohibiting a physician from certifying a
272 patient as a qualified patient if the physician has a
273 financial interest in a medical marijuana or medical
274 marijuana product business, enterprise, or independent
275 testing laboratory; requiring the physician to
276 electronically transfer an original copy of the
277 physician recommendation for medical marijuana for
278 that patient to the medical marijuana patient
279 registry; requiring the recommendation to include the
280 allowed amount of medical marijuana and the
281 concentration ranges for individual cannabinoids, if
282 any; requiring the physician to update the medical
283 marijuana patient registry with changes in the
284 recommendation within a specified timeframe after the
285 change; requiring a physician to complete a specified
286 course and examination in order to qualify to issue
287 patient certifications for medical marijuana;
288 requiring the appropriate boards to offer the first
289 course and examination for certification by a
290 specified date and annually thereafter; providing that

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291 completion of the course satisfies the continuing
292 medical education requirements imposed by a
293 physician's respective board for licensure renewal;
294 creating s. 381.997, F.S.; requiring the department to
295 adopt a certification process and testing standards
296 for independent testing laboratories; requiring the
297 Department of Agriculture and Consumer Services to
298 provide resources to the department; prohibiting a
299 cultivation licensee, processing licensee, and
300 cultivation and processing licensee from distributing
301 or selling medical marijuana or medical marijuana
302 product to a retail licensee unless specified
303 conditions are met; requiring an independent testing
304 laboratory to report specified findings to the
305 department; requiring that such findings include
306 specified information; requiring the department to
307 establish by rule a comprehensive tracking and
308 labeling system for medical marijuana plants and
309 products; requiring that medical marijuana and medical
310 marijuana products that meet testing standards be
311 packaged in a specified manner; providing an
312 exception; requiring a retail licensee to affix an
313 additional label to each medical marijuana product
314 which includes specified information; requiring the
315 department to establish specified standards for
316 quality, testing procedures, and maximum levels of
317 unsafe contaminants by a specified date; creating s.
318 381.998, F.S.; providing penalties; creating s.
319 381.999, F.S.; providing that this act does not

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320 require a specified insurance provider or a health
 321 care services plan to cover a claim for reimbursement
 322 for the purchase of medical marijuana, though it does
 323 not restrict such coverage; creating s. 381.9991,
 324 F.S.; authorizing the department to adopt rules to
 325 implement this act; amending ss. 381.987, 385.211,
 326 893.02, and 1004.441, F.S.; conforming provisions to
 327 changes made by the act; authorizing the University of
 328 Florida, in consultation with a veterinary research
 329 organization, to conduct specified research for
 330 treatment of animals with seizure disorders or other
 331 life-limiting illnesses; prohibiting the use of state
 332 funds for such research; providing for severability;
 333 providing an effective date.

334

335 Be It Enacted by the Legislature of the State of Florida:

336

337 Section 1. Section 381.986, Florida Statutes, is repealed.

338 Section 2. Section 381.99, Florida Statutes, is created to
 339 read:

340 381.99 Short title.—Sections 381.99-381.9991 may be cited
 341 as the “Florida Medical Marijuana Act.”

342 Section 3. Section 381.991, Florida Statutes, is created to
 343 read:

344 381.991 Definitions.—As used in ss. 381.991-381.9991, the
 345 term:

346 (1) “Allowed amount of medical marijuana” means the amount
 347 of medical marijuana, or the equivalent amount in processed
 348 form, which a physician determines is necessary to treat a

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349 registered patient's qualifying condition or qualifying symptom
350 for 30 days.

351 (2) "Batch" means a specifically identified quantity of
352 medical marijuana or medical marijuana product that is uniform
353 in strain; cultivated using the same herbicides, pesticides, and
354 fungicides; and harvested at the same time from a single
355 licensed cultivation facility, processing facility, or
356 cultivation and processing facility.

357 (3) "Cultivation" means the use of land for the growth and
358 harvesting of medical marijuana.

359 (4) "Cultivation and processing facility" means a single
360 facility licensed by the department for the cultivation and
361 processing of marijuana.

362 (5) "Cultivation and processing license" means a license
363 issued by the department which authorizes the licensee to
364 cultivate and process marijuana at the same facility.

365 (6) "Cultivation facility" means a facility licensed by the
366 department for the cultivation of marijuana.

367 (7) "Cultivation license" means a license issued by the
368 department which authorizes the licensee to cultivate marijuana
369 at one or more cultivation facilities.

370 (8) "Department" means the Department of Health.

371 (9) "Designated caregiver" means a person who is registered
372 with the department as the caregiver for one or more registered
373 patients.

374 (10) "Dispense" means to transfer or sell at a retail
375 facility the allowed amount of medical marijuana from a
376 dispensing organization to a registered patient or the
377 registered patient's designated caregiver.

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378 (11) "Dispensing organization" means an organization that
379 holds a cultivation license, a processing license, a retail
380 license, or a combination of these licenses.

381 (12) "Independent testing laboratory" means a laboratory,
382 and the managers, employees, and contractors of the laboratory,
383 which does not have a direct or indirect interest in, and is not
384 owned by or affiliated with, a dispensing organization or a
385 cultivation, processing, or retail facility, individually or in
386 combination.

387 (13) "Marijuana" means all parts of any plant of the genus
388 Cannabis, whether growing or not; the seeds thereof; the resin
389 extracted from any part of the plant; and every compound,
390 manufacture, salt, derivative, mixture, or preparation of the
391 plant or its seeds or resin.

392 (14) "Medical marijuana" means marijuana that has been
393 tested in accordance with s. 381.997; meets the standards
394 established by the department for sale to registered patients;
395 and is packaged, labeled, and ready to be dispensed.

396 (15) "Medical marijuana patient registry" means an online
397 electronic registry created and maintained by the department to
398 store identifying information for all registered patients,
399 designated caregivers, and certifying physicians.

400 (16) "Medical marijuana patient registry identification
401 card" means a card issued by the department to registered
402 patients and designated caregivers.

403 (17) "Medical marijuana product" means any product derived
404 from medical marijuana, including oils, tinctures, creams,
405 encapsulations, and food products containing marijuana or any
406 part of the marijuana plant.

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407 (18) "Medical use" means the acquisition, possession,
408 transportation, use, and administration of the allowed amount of
409 medical marijuana by a person registered on the medical
410 marijuana registry.

411 (19) "Physician" means a physician who is licensed under
412 chapter 458 or chapter 459, who meets the requirements of s.
413 381.996(4), and who has an active Drug Enforcement
414 Administration registration number.

415 (20) "Principal" means any officer, director, billing
416 agent, or managing employee of a dispensing organization or any
417 person or shareholder who has an ownership interest equal to 5
418 percent or more of the dispensing organization.

419 (21) "Processing" means the processing of medical marijuana
420 into medical marijuana product for a registered patient's use.

421 (22) "Processing facility" means a facility licensed by the
422 department for the processing of marijuana.

423 (23) "Processing license" means a license issued by the
424 department which authorizes the licensee to process marijuana at
425 one or more processing facilities.

426 (24) "Qualified patient" means a resident of this state who
427 has been certified by a physician and diagnosed with:

428 (a) Cancer;

429 (b) Positive status for human immunodeficiency virus (HIV);

430 (c) Acquired immune deficiency syndrome (AIDS);

431 (d) Epilepsy;

432 (e) Amyotrophic lateral sclerosis (ALS);

433 (f) Multiple sclerosis;

434 (g) Crohn's disease;

435 (h) Parkinson's disease;

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- 436 (i) Paraplegia;
437 (j) Quadriplegia;
438 (k) A terminal illness; or
439 (l) Any physical medical condition or treatment for a
440 medical condition that chronically produces one or more
441 qualifying symptoms.
- 442 (25) "Qualifying symptom" means:
443 (a) Cachexia or wasting syndrome;
444 (b) Severe and persistent pain;
445 (c) Severe and persistent nausea;
446 (d) Persistent seizures; or
447 (e) Severe and persistent muscle spasms.
- 448 (26) "Registered patient" means a qualified patient who has
449 registered with the department on the medical marijuana patient
450 registry and has been issued a medical marijuana patient
451 registry identification card.
- 452 (27) "Retail facility" means a facility licensed by the
453 department to dispense medical marijuana to registered patients
454 and designated caregivers.
- 455 (28) "Retail license" means a license issued by the
456 department which authorizes the licensee to dispense medical
457 marijuana to registered patients and designated caregivers from
458 a retail facility.
- 459 (29) "Smoking" or "smoke" means inhaling, exhaling,
460 burning, carrying, or possessing any lighted medical marijuana
461 or medical marijuana product. It does not include the use of a
462 vaporizer.
- 463 Section 4. Section 381.992, Florida Statutes, is created to
464 read:

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465 381.992 Medical marijuana.-

466 (1) Notwithstanding s. 893.13, s. 893.135, s. 893.147, or
467 any other law, but subject to the requirements in ss. 381.991-
468 381.9991, a registered patient or a designated caregiver may
469 purchase, acquire, and possess up to the allowed amount of
470 medical marijuana, including paraphernalia, for a patient's
471 medical use. In order to maintain the protections under this
472 section, a registered patient or a designated caregiver must
473 demonstrate that:

474 (a) He or she is legally in possession of the medical
475 marijuana by producing his or her medical marijuana patient
476 registry identification card; and

477 (b) Any medical marijuana in his or her possession is
478 within the registered patient's allowed amount of medical
479 marijuana, which shall be determined by referring to the medical
480 marijuana patient registry. Dispensing organizations may provide
481 a physical or an electronic receipt to qualified caregivers or
482 patients as determined by rule of the department.

483 (2) Notwithstanding s. 893.13, s. 893.135, s. 893.147, or
484 any other law, but subject to the requirements in ss. 381.991-
485 381.9991, a cultivation licensee, a processing licensee, or a
486 cultivation and processing licensee and an employee or
487 contractor of a cultivation licensee, a processing licensee, or
488 a cultivation and processing licensee may acquire, cultivate,
489 and possess marijuana while on the property of the facility;
490 transport marijuana between licensed facilities owned by the
491 licensee; transport marijuana to independent laboratories for
492 certification as medical marijuana; transport and sell marijuana
493 to other cultivation licensees, processing licensees, and

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494 cultivation and processing licensees; and transport and sell
495 medical marijuana to retail facilities.

496 (3) Notwithstanding s. 893.13, s. 893.135, s. 893.147, or
497 any other law, but subject to the requirements in ss. 381.991-
498 381.9991, a retail licensee and an employee of a retail licensee
499 may purchase and receive medical marijuana from a cultivation
500 licensee, a processing licensee, and a cultivation and
501 processing licensee or its employee or contractor; possess,
502 store, and hold medical marijuana for retail sale; and dispense
503 the allowed amount of medical marijuana to a registered patient
504 or a designated caregiver at a retail facility. A retail
505 licensee and an employee or contractor of a retail licensee may
506 deliver medical marijuana to a registered patient or designated
507 caregiver.

508 (4) Notwithstanding s. 893.13, s. 893.135, s. 893.147, or
509 any other law, but subject to the requirements in ss. 381.991-
510 381.9991, a licensed independent testing laboratory and an
511 employee of an independent testing laboratory may receive and
512 possess marijuana for the sole purpose of testing the marijuana
513 for certification as medical marijuana.

514 (5) This section does not authorize:

515 (a) The acquisition, purchase, transportation, or
516 possession of any type of marijuana other than medical marijuana
517 by a registered patient or designated caregiver.

518 (b) The use of medical marijuana by anyone other than the
519 registered patient for whom the medical marijuana was
520 recommended.

521 (c) The transfer or administration of medical marijuana to
522 anyone other than the registered patient for whom the medical

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523 marijuana was recommended.

524 (d) The acquisition or purchase of medical marijuana by a
525 registered patient or designated caregiver from an entity other
526 than a dispensing organization that has a retail license.

527 (e) The transfer of medical marijuana by a registered
528 patient or a designated caregiver to any entity except for the
529 purpose of returning unused medical marijuana to a dispensing
530 organization.

531 (f) The use or administration of medical marijuana:

532 1. On any form of public transportation.

533 2. In any public place, as that term is defined in s.
534 877.21.

535 3. In a registered patient's place of work, if restricted
536 by his or her employer.

537 (g) The possession, use, or administration of medical
538 marijuana:

539 1. In a correctional facility.

540 2. On the grounds of any preschool, primary school, or
541 secondary school.

542 3. On a school bus.

543 (6) This section does not exempt any person from the
544 prohibition against driving under the influence provided in s.
545 316.193.

546 (7) All provisions of part II of chapter 386 other than s.
547 386.2045 apply to the smoking of medical marijuana. Medical
548 marijuana may be smoked in a private residence only if the
549 owner, lessee, or other person occupying or controlling the use
550 of the private residence is not providing in the private
551 residence, or causing or allowing to be provided in the private

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552 residence, child care, adult care, or health care, or any
553 combination thereof, and receiving or expecting to receive
554 compensation therefor.

555 Section 5. Section 381.993, Florida Statutes, is created to
556 read:

557 381.993 Medical marijuana patient and designated caregiver
558 registration.—

559 (1) PATIENT REGISTRATION.—In order to register for a
560 medical marijuana patient registry identification card, a
561 qualified patient must submit to the department:

562 (a) A patient-registration form;

563 (b) Proof of residency in this state; and

564 (c) A passport-style photograph taken within 90 days before
565 the application is submitted.

566 (2) PHYSICIAN CERTIFICATION.—Before the registration for
567 and issuance of a medical marijuana patient registry
568 identification card to a qualified patient, a physician must
569 submit a patient-certification form to the department. The
570 physician may submit the patient-certification form
571 electronically through the department's website. The patient-
572 certification form must include the following:

573 (a) A certification by a physician that:

574 1. The patient suffers from one or more qualifying
575 conditions or symptoms specified in s. 381.991(24) or s.
576 381.991(25); and

577 2. Unless the patient suffers from a condition listed in s.
578 381.991(24) (a)-(k), in the physician's good faith medical
579 judgment, there are no reasonable alternative medical options
580 for the relief of the patient's symptoms.

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581 (b) If the patient has no other condition or symptom other
582 than pain, a second physician who is a board-certified pain
583 management physician, as defined in s. 456.44, must also submit
584 a patient-certification form to the department certifying that,
585 in the physician's good faith medical judgment, there are no
586 reasonable alternative medical options for the relief of the
587 patient's pain.

588 (c) If the patient is a minor, a second physician must also
589 submit a patient-certification form directly to the department
590 certifying that, in the physician's good faith medical judgment,
591 there are no reasonable alternative medical options for the
592 relief of the patient's conditions or symptoms.

593 (d) In addition to the requirement in paragraph (c), a
594 parent or legal guardian of a minor patient must submit written
595 consent for the patient's use of medical marijuana to the
596 department before the minor patient is registered. A parent or
597 guardian of a minor patient must be designated as a caregiver
598 for that patient. A minor patient may not purchase medical
599 marijuana. The designated caregiver for a minor patient is
600 responsible for all medical marijuana purchased, acquired, and
601 possessed for the minor patient. As used in this subsection, the
602 term "minor" means a patient who is younger than 21 years of
603 age.

604 (e) A patient may not smoke medical marijuana unless two
605 physicians have separately submitted recommendations on patient-
606 certification forms to the department.

607 (f) On the patient-certification form, the patient's
608 physician, or the patient's primary physician if two patient-
609 certification forms are required, must indicate the allowed

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610 amount of marijuana recommended for the patient's use. The
611 department must enter the recommended amount into the medical
612 marijuana patient registry as the patient's allowed amount of
613 medical marijuana. Except for patients who qualify under
614 paragraph (b), the patient's prescription for the allowed amount
615 of medical marijuana expires when the patient's medical
616 marijuana patient registry identification card expires. The
617 patient's physician or primary physician may recommend a new
618 allowed amount of medical marijuana to the department at any
619 time. The department must notify a registered patient of the
620 pending expiration of the patient's prescription for the allowed
621 amount of medical marijuana at least 21 days before the
622 expiration date. Upon expiration, the department must update the
623 medical marijuana patient registry to reflect that the patient's
624 prescription for the allowed amount of medical marijuana is
625 expired. A retail facility may not dispense any medical
626 marijuana to a patient whose prescription for the allowed amount
627 of medical marijuana is expired.

628 (g) For patients who qualify under paragraph (b), the
629 patient's allowed amount of medical marijuana expires 90 days
630 after the allowed amount of medical marijuana is prescribed or
631 upon expiration of the patient's medical marijuana patient
632 registry identification card, whichever occurs first. In order
633 to renew the patient's prescription for the allowed amount of
634 medical marijuana, the patient's primary physician must
635 reexamine the patient and submit an updated physician
636 recommendation on a patient-certification form for the patient's
637 allowed amount of medical marijuana.

638 (3) DESIGNATED CAREGIVER REGISTRATION.—A qualified patient

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639 may, at his or her initial registration or while a registered
640 patient, designate a caregiver, as well as up to two additional
641 caregivers who are the patient's spouse, parents, children, or
642 siblings, to assist him or her with the medical use of medical
643 marijuana.

644 (a) A designated caregiver must:

645 1. Be at least 21 years of age;

646 2. Meet the background screening requirements in s. 408.809
647 unless the caregiver is assisting only his or her own spouse,
648 parents, children, or siblings; and

649 3. Complete the 2-hour medical marijuana caregiver training
650 course offered by the department.

651 (b) A designated caregiver may not be registered to assist
652 more than one patient at any given time unless all of the
653 caregiver's registered patients:

654 1. Are the caregiver's parents, siblings having a common
655 parent or legal guardian with the caregiver, or children;

656 2. Are first-degree relations to each other who share a
657 residence; or

658 3. Reside in an assisted living facility, nursing home, or
659 other such facility and the caregiver is an employee of that
660 facility.

661 (c) If the department determines, for any reason, that a
662 caregiver designated by a registered patient may not assist that
663 patient, the department must notify the qualified patient that
664 the caregiver's registration is denied.

665 (4) DEPARTMENT RESPONSIBILITIES.-

666 (a) By January 1, 2017, the department shall:

667 1. Create a patient and caregiver registration form and a

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668 patient-certification form and make the forms available to the
669 public. The registration form must allow the patient to include,
670 at a minimum, the information required to be on the patient's
671 medical marijuana patient registry identification card and on
672 his or her designated caregiver's medical marijuana patient
673 registry identification card if the patient designates a
674 caregiver.

675 2. Create and make available to the public a 2-hour medical
676 marijuana designated caregiver training course that must be
677 available online and be given in retail facilities. The training
678 course must include, at a minimum, routes of administration,
679 details on possible side effects of and adverse reactions to
680 medical marijuana, and patient and caregiver restrictions and
681 responsibilities under this act and any rules adopted by the
682 department to implement the act.

683 (b) Beginning July 1, 2017, if the department receives a
684 registration form, the supporting patient-certification form,
685 and proof of the patient's residency, the department must,
686 within 14 days after the receipt of such documents:

687 1. Enter the qualified patient's and his or her designated
688 caregiver's information into the medical marijuana patient
689 registry; and

690 2. Issue a medical marijuana patient registry
691 identification card to the qualified patient and to the
692 patient's designated caregiver, if applicable. The department is
693 not required to issue an additional medical marijuana patient
694 registry identification card to a designated caregiver who
695 already possesses a valid identification card if the caregiver
696 is registered as the caregiver for additional registered

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697 patients unless the required information under paragraph (c) has
698 changed. The expiration date for a designated caregiver's
699 medical marijuana patient registry identification card must
700 coincide with the last occurring expiration date on the
701 identification card of the patient the caregiver is registered
702 to assist.

703 (c) Medical marijuana patient registry identification cards
704 issued to registered patients and designated caregivers must be
705 resistant to counterfeiting and include, but are not limited to,
706 all of the following information:

- 707 1. The person's full legal name.
- 708 2. The person's photograph.
- 709 3. A randomly assigned identification number.
- 710 4. An expiration date.
- 711 5. Whether the registered patient is authorized to smoke
712 medical marijuana.

713 (5) EXPIRATION AND RENEWAL OF PATIENT REGISTRATION AND
714 MEDICAL MARIJUANA PATIENT REGISTRY IDENTIFICATION CARDS.—

715 (a) Except as provided in subparagraph (4) (b) 2., patient
716 and designated caregiver registration and medical marijuana
717 patient registry identification cards expire 1 year after the
718 date the cards are issued. In order to renew the registration
719 and medical marijuana patient registry identification cards, a
720 qualified patient must submit proof of continued residency, and
721 a physician must certify to the department:

- 722 1. That he or she has examined the patient during the
723 course of the patient's treatment with medical marijuana;
- 724 2. That the patient suffers from one or more qualifying
725 conditions or symptoms specified in s. 381.991(24) or s.

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726 381.991(25);

727 3. That, except for patients suffering from the conditions
728 listed in s. 381.991(24)(a)-(k), in the physician's good faith
729 medical judgment, there are no reasonable alternative medical
730 options for the relief of the symptoms;

731 4. That, in the physician's good faith medical judgment,
732 the use of medical marijuana gives the patient some relief from
733 his or her symptoms; and

734 5. The allowed amount of medical marijuana that the
735 physician recommends for the patient's use.

736 (b) For the renewal of a patient registration and medical
737 marijuana patient registry identification card of a patient who
738 qualifies under paragraph (2)(b), a second physician who is a
739 board-certified pain management physician, as defined in s.
740 456.44, must also submit a patient-certification form to the
741 department certifying that, in the physician's good faith
742 medical judgment, there are no reasonable alternative medical
743 options for the relief of the patient's pain.

744 (6) PATIENT AND CAREGIVER DISQUALIFICATION.—If the
745 department becomes aware of information that would disqualify a
746 patient or designated caregiver from being registered, the
747 department must notify that person of the change in his or her
748 status as follows:

749 (a) For a registered patient, the department must give
750 notice at least 30 days before removing the patient from the
751 medical marijuana patient registry. The patient must return all
752 medical marijuana, medical marijuana product, and his or her
753 medical marijuana patient registry identification card to a
754 retail facility within 30 days after receiving such notice. The

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755 retail facility must notify the department within 24 hours after
756 it has received such a return. The retail facility may notify
757 the department electronically.

758 (b) For any designated caregiver, the department must give
759 notice to the registered patient and the designated caregiver at
760 least 15 days before removing the designated caregiver from the
761 medical marijuana patient registry. The designated caregiver
762 must return his or her medical marijuana patient registry
763 identification card to a retail facility within 15 days after
764 receiving such notice. The retail facility must notify the
765 department within 24 hours after it has received such a return.
766 The retail facility may notify the department electronically.

767 (c) If a registered patient or designated caregiver dies,
768 the patient's designated caregiver or the patient's or
769 designated caregiver's next of kin must return the patient's or
770 designated caregiver's medical marijuana patient registry
771 identification card to a retail facility within 30 days after
772 the patient's or designated caregiver's death. If the deceased
773 is a patient with a designated caregiver who is not registered
774 to assist other patients, the designated caregiver must also
775 return his or her medical marijuana patient registry
776 identification card to the retail facility at that time. When
777 receiving such medical marijuana patient registry identification
778 cards, the retail facility must update the medical marijuana
779 patient registry with the patient's or caregiver's death and
780 notify the department of the return of the medical marijuana
781 patient registry identification cards. The retail facility may
782 notify the department electronically.

783 (d) Quarterly, the department must compare all the

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784 registered patients and designated caregivers in the medical
785 marijuana patient registry with the records of deaths on file on
786 the electronic death registration system in order to identify
787 any registered patients or designated caregivers who are
788 deceased but are not yet identified as such. If the department
789 becomes aware that a registered patient or designated caregiver
790 is deceased, the department must adjust that patient's or
791 designated caregiver's file in the medical marijuana patient
792 registry.

793 (e) If a registered patient or designated caregiver is
794 disqualified or deceased or his or her registration expires and
795 the department becomes aware that the patient or designated
796 caregiver's medical marijuana patient registry identification
797 card has not been returned to a retail facility, the department
798 must notify a law enforcement agency of the expired or cancelled
799 medical marijuana patient registry identification card.

800 Section 6. Section 381.994, Florida Statutes, is created to
801 read:

802 381.994 Electronic medical marijuana patient registry.—

803 (1) By July 1, 2017, the department must create a secure,
804 online medical marijuana patient registry that is accessible by
805 the department and that contains a file for each registered
806 patient and designated caregiver and for each certifying
807 physician consisting of, but not limited to, all of the
808 following:

809 (a) For a registered patient:

810 1. His or her full legal name;

811 2. His or her photograph;

812 3. The randomly assigned identification number on his or

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813 her identification card;
814 4. The expiration date of the medical marijuana patient
815 registry identification card;
816 5. The full legal name of his or her designated caregiver,
817 if any;
818 6. His or her allowed amount of medical marijuana;
819 7. The concentration ranges of specified cannabinoids, if
820 any, recommended by the patient's certifying physician; and
821 8. Whether or not the patient is authorized to smoke
822 medical marijuana.

823 (b) For a designated caregiver:
824 1. His or her full legal name;
825 2. His or her photograph;
826 3. The randomly assigned identification number on his or
827 her identification card;
828 4. The expiration date of the medical marijuana patient
829 registry identification card;
830 5. The full legal name or names of all registered patients
831 the caregiver is registered to assist;
832 6. The allowed amount of medical marijuana for each patient
833 the caregiver is registered to assist; and
834 7. The concentration ranges of specified cannabinoids, if
835 any, recommended by the certifying physician for each respective
836 patient the caregiver is registered to assist.

837 (c) For a physician:
838 1. His or her full legal name; and
839 2. His or her license number.

840 (d) The date and time of dispensing, and the allowed amount
841 of medical marijuana dispensed, for each of that registered

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842 patient's or designated caregiver's transactions with a
843 dispensing organization.

844 (2) The medical marijuana patient registry must be able to:

845 (a) Be accessed by a retail licensee or employee to verify
846 the authenticity of a medical marijuana patient registry

847 identification card, to verify the allowed amount and any
848 specified type of medical marijuana recommended by a registered

849 patient's physician, and to determine the prior dates on which,
850 and times at which, medical marijuana was dispensed to the

851 registered patient and the amount dispensed on each occasion;

852 (b) Accept in real time the original and updated physician
853 recommendation for medical marijuana from certifying physicians;

854 (c) Be accessed by law enforcement agencies in order to
855 verify a patient or caregiver authorization for possession of an
856 allowed amount of medical marijuana; and

857 (d) Accept and post initial and updated information to each
858 registered patient's file from the dispensing organization which
859 shows the date, time, and amount of medical marijuana dispensed
860 to that registered patient at the point of sale.

861 Section 7. Section 381.995, Florida Statutes, is created to
862 read:

863 381.995 Dispensing organizations.—

864 (1) DEPARTMENT RESPONSIBILITIES.—By January 1, 2017, the
865 department shall establish operating standards for the
866 cultivation, processing, packaging, and labeling of marijuana;
867 establish standards for the sale of medical marijuana; develop
868 licensure application forms for cultivation licenses, processing
869 licenses, cultivation and processing licenses, and retail
870 licenses and make such forms available to the public; establish

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871 procedures and requirements for cultivation facility licenses
872 and renewals, processing facility licenses and renewals,
873 cultivation and processing facility licenses and renewals, and
874 retail licenses and renewals; and begin accepting applications
875 for licensure.

876 (2) LICENSE APPLICATION AND RENEWAL FEES.—

877 (a) For a cultivation and processing license, the
878 department may charge an initial application fee not to exceed
879 \$1,000, a licensure fee not to exceed \$100,000, and a biennial
880 renewal fee not to exceed \$100,000.

881 (b) For a cultivation license, the department may charge an
882 initial application fee not to exceed \$1,000, a licensure fee
883 not to exceed \$50,000, and a biennial renewal fee not to exceed
884 \$50,000.

885 (c) For a processing license, the department may charge an
886 initial application fee not to exceed \$1,000, a licensure fee
887 not to exceed \$50,000, and a biennial renewal fee not to exceed
888 \$50,000.

889 (d) For a retail license, the department may charge an
890 initial application fee not to exceed \$1,000, a licensure fee
891 not to exceed \$10,000, and a biennial renewal fee not to exceed
892 \$10,000.

893 (e) Upon payment of an initial application fee not to
894 exceed \$1,000, a licensure fee not to exceed \$110,000, and a
895 biennial renewal fee not to exceed \$110,000, as applicable, the
896 department shall issue to applicants that meet all of the
897 licensing requirements imposed by this section a combined multi-
898 use license that includes all of the licenses issued under this
899 section and allows the licensee, upon issuance of the license,

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900 to simultaneously engage in cultivation, processing, and retail
901 activities under this section. Applicants for the combined
902 multi-use license must meet all of the requirements for each
903 individual license. The licensee of a combined multi-use license
904 issued under this paragraph must comply with all of the
905 requirements imposed on licensees under this act. An entity that
906 holds a license issued pursuant to former s. 381.986, Florida
907 Statutes 2015, or rules adopted pursuant to that section are
908 grandfathered and shall be issued a combined multi-use permit
909 upon application to the department on or after March 1, 2017.

910 (3) CULTIVATION AND PROCESSING LICENSES.—The department
911 must begin issuing cultivation and processing licenses,
912 cultivation licenses, and processing licenses by March 1, 2017,
913 and retail licenses by July 1, 2017.

914 (a) The department may issue a cultivation and processing
915 license, a cultivation license, or a processing license to an
916 applicant who provides:

- 917 1. A completed license application form;
- 918 2. The initial application fee;
- 919 3. The full legal name of the applicant;
- 920 4. The physical address of each location where marijuana
921 will be cultivated, processed, or cultivated and processed;
- 922 5. The name, address, and date of birth of each principal,
923 if applicable;
- 924 6. The name, address, and date of birth of each of the
925 applicant's current employees who will participate in the
926 operations of the dispensing organization;
- 927 7. Proof that all principals, contractors, and employees of
928 the applicant have passed a level 2 background screening

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929 pursuant to chapter 435 within the prior year;

930 8. Proof of an established infrastructure or the ability to
931 establish an infrastructure in a reasonable amount of time
932 designed to, as applicable to the license requested, cultivate,
933 process, test, package, and label marijuana and to deliver
934 medical marijuana to retail facilities throughout the state;

935 9. Proof that the applicant possesses the technical and
936 technological ability to cultivate, process, test, or cultivate
937 and process medical marijuana, as applicable to the license
938 requested;

939 10. Proof of operating procedures designed to secure and
940 maintain accountability for all marijuana and marijuana-related
941 byproducts it may possess;

942 11. Proof of the financial ability to maintain operations
943 for the duration of the license;

944 12. Proof of at least \$1 million of hazard and liability
945 insurance for each licensed cultivation facility or processing
946 facility; and

947 13. A \$1 million performance and compliance bond, to be
948 forfeited if the licensee fails to maintain its license for the
949 duration of the licensure period or fails to comply with the
950 substantive requirements of this subsection and applicable
951 agency rules for the duration of the licensure period.

952 (b) A dispensing organization that was issued a license
953 before July 1, 2016, may renew its license as cultivation
954 licensee, processing licensee, or cultivation and processing
955 licensee upon a showing that it meets the requirements in this
956 section.

957 (c) A cultivation license, a processing license, or a

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958 cultivation and processing license expires 2 years after the
959 date it is issued. The licensee must apply for a renewed license
960 before the expiration date. In order to receive a renewed
961 license, the licensee must provide all documents required under
962 paragraph (a) and must not have any outstanding substantial
963 violation of the standards established by the department for the
964 cultivation, processing, testing, packaging, and labeling of
965 marijuana and medical marijuana.

966 (d) A cultivation licensee, a processing licensee, and a
967 cultivation and processing licensee may cultivate marijuana at
968 one or more facilities only if each licensed facility has been
969 inspected by the department. A cultivation and processing
970 licensee may process marijuana at one or more processing
971 facilities. A cultivation and processing licensee may cultivate
972 and process marijuana at the same facility only if that facility
973 has been inspected by the department and issued both a
974 cultivation facility license and a processing facility license.

975 (e) Before beginning cultivation, processing, or
976 cultivation and processing at a facility, the facility must be
977 inspected and issued a cultivation facility license, a
978 processing facility license, or a cultivation and processing
979 license by the department. The department must inspect and
980 certify a facility within 30 days after receiving a request for
981 certification from a dispensing organization.

982 (f) After the license of a cultivation facility, a
983 processing facility, or a cultivation and processing facility
984 expires, the facility must be reinspected and reissued a new
985 license if the facility passes inspection. Each cultivation
986 facility, processing facility, or cultivation and processing

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987 facility must be secure and closed to the public and may not be
988 located within 1,000 feet of an existing public or private
989 elementary or secondary school, a child care facility as defined
990 in s. 402.302, or a licensed service provider offering substance
991 abuse services. The department may establish by rule additional
992 security and zoning requirements for cultivation facilities,
993 processing facilities, and cultivation and processing
994 facilities. All matters regarding the licensure and regulation
995 of cultivation, processing, and cultivation and processing
996 facilities, including the location of such facilities, are
997 preempted to the state.

998 (g) A cultivation licensee, a processing licensee, and a
999 cultivation and processing licensee may cultivate or process
1000 marijuana only for the purpose of producing medical marijuana
1001 and may do so only at a facility licensed for the activity being
1002 performed. The processing may include, but is not limited to,
1003 processing marijuana into medical marijuana and processing
1004 medical marijuana into various forms, including, but not limited
1005 to, topical applications, oils, and food products for a
1006 registered patient's use. A dispensing organization may use a
1007 contractor to cultivate marijuana, to process marijuana into
1008 medical marijuana, or to process medical marijuana into other
1009 forms, but the dispensing organization is responsible for all of
1010 the operations performed by each contractor relating to the
1011 cultivation and processing of marijuana and the physical
1012 possession of all marijuana and medical marijuana. All work done
1013 by a contractor must be performed at a facility licensed for the
1014 activity being performed. All marijuana byproducts that cannot
1015 be processed or reprocessed into medical marijuana must be

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1016 destroyed by the dispensing organization or its contractor
1017 within 48 hours after processing is completed.

1018 (h) A dispensing organization licensee may transport, or
1019 contract to have transported, medical marijuana and medical
1020 marijuana product to one or more independent testing
1021 laboratories to be tested and licensed as medical marijuana.

1022 (i) A cultivation licensee, a processing licensee, and a
1023 cultivation and processing licensee may sell, transport, and
1024 deliver medical marijuana and medical marijuana product to
1025 retail licensees throughout the state. A cultivation licensee, a
1026 processing licensee, and a cultivation and processing licensee
1027 may also wholesale, transport, and deliver medical marijuana to
1028 another dispensing organization.

1029 (4) RETAIL LICENSES.—The number of retail licenses in any
1030 county may not exceed one license to each 50,000 residents in
1031 the county. The governing body of a county or municipality may,
1032 by ordinance, refuse to allow retail facilities to be located
1033 within its jurisdiction. The department may not license any
1034 retail facility in a county or municipality if the board of
1035 county commissioners for that county or the city council or
1036 other legislative body of the municipality determines by
1037 ordinance that retail facilities may not be located within that
1038 county or municipality. A county or municipality may not
1039 prohibit retail deliveries of medical marijuana to registered
1040 patients within the county or municipality. A county or
1041 municipality may levy a local business tax on a retail facility.
1042 A retail facility may not be located on the same property as a
1043 cultivation facility, a processing facility, or a cultivation
1044 and processing facility or within 1,000 feet of an existing

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1045 public or private elementary or secondary school, a child care
1046 facility as defined in s. 402.302, or a licensed service
1047 provider that offers substance abuse services.

1048 (a) An applicant for a retail license must provide the
1049 department with, at a minimum, all of the following:

1050 1. A completed retail license application form.

1051 2. The initial application fee.

1052 3. The full legal name of the applicant.

1053 4. The physical address of the retail facility where
1054 medical marijuana will be dispensed.

1055 5. Identifying information for all other current or
1056 previous retail licenses held by the applicant.

1057 6. The name, address, and date of birth for each of the
1058 applicant's principals.

1059 7. The name, address, and date of birth of each of the
1060 applicant's current employees who will participate in the
1061 operations of the dispensing organization.

1062 8. Proof that all principals, contractors, and employees of
1063 the applicant have passed a level 2 background screening
1064 pursuant to chapter 435 within the prior year.

1065 9. Proof of an established infrastructure or the ability to
1066 establish an infrastructure in a reasonable amount of time which
1067 is designed to receive medical marijuana from a cultivation
1068 licensee, a processing licensee, or a cultivation and processing
1069 licensee, the ability to maintain the security of the retail
1070 facility to prevent theft or diversion of any medical marijuana
1071 product received, the ability to correctly dispense the allowed
1072 amount and specified type of medical marijuana to a registered
1073 patient or his or her designated caregiver pursuant to a

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1074 physician's recommendation, the ability to check the medical
1075 marijuana patient registry, and the ability to electronically
1076 update the medical marijuana patient registry with dispensing
1077 information.

1078 10. Proof of operating procedures designed to secure and
1079 maintain accountability for all medical marijuana and medical
1080 marijuana product that it may receive and possess.

1081 11. Proof of the financial ability to maintain operations
1082 for the duration of the license.

1083 12. Proof of at least \$500,000 of hazard and liability
1084 insurance for each license.

1085 13. A \$1 million performance and compliance bond, for each
1086 license, to be forfeited if the licensee fails to maintain the
1087 license for the duration of the licensure period or fails to
1088 comply with the requirements of this paragraph for the duration
1089 of the licensure period.

1090 (b) The department may not issue a retail license for a
1091 facility that is located on the same property as a cultivation
1092 facility, processing facility, or cultivation and processing
1093 facility.

1094 (c) If the number of completed applications received
1095 exceeds the number of available licenses in a county, the
1096 department shall use a lottery system to award licenses. The
1097 department may issue multiple retail licenses to a single
1098 qualified entity; however, to encourage a competitive
1099 marketplace, when multiple entities have applied for a license
1100 in the same county, the department shall deny an applicant's
1101 inclusion in the lottery if the applicant, or a person with a
1102 direct or indirect interest in the applicant, has a direct or

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1103 indirect interest in another applicant in the lottery or another
1104 retail facility licensed within the county.

1105 (d) A dispensing organization that was issued a license
1106 before July 1, 2016, may be issued a retail facility license
1107 upon a showing that the licensee meets the requirements in this
1108 subsection. Such licensee is exempt from the limitation on the
1109 number of retail facility licenses that may be issued per county
1110 as provided in this subsection.

1111 (e) A retail license expires 2 years after the date it is
1112 issued. The retail licensee must reapply for renewed licensure
1113 before the expiration date. In order to qualify for a renewed
1114 license, a retail licensee must meet all of the requirements for
1115 initial licensure and have no outstanding substantial violations
1116 of the applicable standards established by the department.

1117 (f) Before beginning to dispense, each retail facility must
1118 be inspected by the department. Retail licensees may dispense
1119 the allowed amount of medical marijuana to a registered patient
1120 or the patient's designated caregiver only if the dispensing
1121 organization's employee:

1122 1. Verifies the authenticity of the patient's or
1123 caregiver's identification card with the medical marijuana
1124 patient registry;

1125 2. Verifies the physician's recommendation for medical
1126 marijuana with the medical marijuana patient registry;

1127 3. Determines that the registered patient has not been
1128 dispensed the allowed amount of marijuana within the previous 30
1129 days;

1130 4. Issues the registered patient or the patient's caregiver
1131 a receipt that details the date and time of dispensing, the

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1132 amount of medical marijuana dispensed, and the person to whom
1133 the medical marijuana was dispensed; and

1134 5. Updates the medical marijuana patient registry with the
1135 date and time of dispensing and the amount and type of medical
1136 marijuana being dispensed to the registered patient before
1137 dispensing to that patient or that patient's designated
1138 caregiver.

1139 (g) A retail facility may not repackage or modify a medical
1140 marijuana product that has already been packaged for retail sale
1141 by cultivation or processing facilities.

1142 (h) Retail facilities may deliver medical marijuana to
1143 registered patients at a location other than the licensed
1144 location of the facility in vehicles registered with the
1145 department, as provided in subsection (5).

1146 (i) Retail licensees may contract with licensed and bonded
1147 carriers to transport in vehicles registered with the
1148 department, as provided in subsection (5), medical marijuana and
1149 medical marijuana product between properties owned by the
1150 licensee and to deliver it to the residence of a registered
1151 patient.

1152 (5) VEHICLES AND TRANSPORTATION.-

1153 (a) The department shall adopt rules to:

1154 1. Establish a documentation system, including
1155 transportation manifests, for the transportation of medical
1156 marijuana and medical marijuana products between licensed
1157 facilities.

1158 2. Establish health and sanitation standards for the
1159 transportation of medical marijuana and medical marijuana
1160 products.

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1161 3. Require all medical marijuana and medical marijuana
1162 products transported between licensed facilities to be
1163 transported in tamper-evident shipping containers.

1164 4. Require all medical marijuana and medical marijuana
1165 products to be packaged for sale by a cultivation or processing
1166 licensee.

1167 (b) Medical marijuana may not be transported on the
1168 property of an airport, seaport, or spaceport.

1169 (c) A dispensing organization may transport medical
1170 marijuana or medical marijuana products departing from their
1171 places of business only in vehicles that are owned or leased by
1172 the licensee or by a person designated by the dispensing
1173 organization, and for which a valid vehicle permit has been
1174 issued for such vehicle by the department.

1175 (d) Only a person designated by the dispensing organization
1176 may operate a permitted vehicle to transport medical marijuana
1177 from the licensee's place of business.

1178 (e) A vehicle owned or leased by the dispensing
1179 organization or a person designated by the dispensing
1180 organization and approved by the department must be operated by
1181 such person when transporting medical marijuana or medical
1182 marijuana product from the licensee's place of business.

1183 (f) A vehicle permit may be obtained by a dispensing
1184 organization upon application and payment of a fee of \$500 per
1185 vehicle to the department. The signature of the person
1186 designated by the dispensing organization to drive the vehicle
1187 must be included on the vehicle permit application. Such permit
1188 remains valid and does not expire unless the licensee or any
1189 person designated by the dispensing organization disposes of his

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1190 or her vehicle, or the licensee's license is transferred,
1191 cancelled, not renewed, or revoked by the department, whichever
1192 occurs first. The department shall cancel a vehicle permit upon
1193 request of the licensee or owner of the vehicle.

1194 (g) By acceptance of a license issued under this section,
1195 the licensee agrees that the licensed vehicle is, at all times
1196 it is being used to transport medical marijuana or medical
1197 marijuana product, subject to inspection and search without a
1198 search warrant by authorized employees of the department,
1199 sheriffs, deputy sheriffs, police officers, or other law
1200 enforcement officers to determine that the licensee is
1201 transporting such products in compliance with this section.

1202 (6) ADVERTISING PROHIBITED.—A licensee under this act may
1203 not advertise its medical marijuana or medical marijuana
1204 product. For the purpose of this subsection, the term
1205 "advertise" means to advise, announce, give notice of, publish,
1206 or call attention by use of oral, written, or graphic statement
1207 made in a newspaper or other publication or on radio or
1208 television, any electronic medium, or contained in any notice,
1209 handbill, sign, including signage on any vehicle, flyer,
1210 catalog, or letter, or printed on or contained in any tag or
1211 label attached to or accompanying medical marijuana or medical
1212 marijuana product.

1213 (7) INSPECTIONS OF DISPENSING ORGANIZATION FACILITIES.—
1214 Inspections of dispensing organization facilities, other than
1215 those inspections required for fire and building safety, are
1216 preempted to the state and may be conducted by the department.
1217 The department must inspect and license each dispensing
1218 organization's cultivation facilities, processing facilities,

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1219 cultivation and processing facilities, and retail facilities
 1220 before those facilities begin operations. The department must
 1221 also inspect each licensed facility, as well as any property
 1222 used for cultivation of marijuana, at least once every 2 years.
 1223 The department may also conduct additional announced or
 1224 unannounced inspections at reasonable hours in order to ensure
 1225 that such facilities and properties meet the standards set by
 1226 the department. The department may test any medical marijuana or
 1227 medical marijuana product in order to ensure that such medical
 1228 marijuana or medical marijuana product meets the standards
 1229 established by the department. The department may, by
 1230 interagency agreement with the Department of Business and
 1231 Professional Regulation or with the Department of Agriculture
 1232 and Consumer Services, perform joint inspections of such
 1233 facilities with those agencies.

1234 (8) ACCESS TO LICENSED FACILITIES.—The department shall
 1235 adopt rules governing access to licensed facilities and
 1236 delineating limited access areas, restricted access areas, and
 1237 general access areas at all licensed facilities. Access to
 1238 limited access areas must be limited to licensees and their
 1239 employees and escorted visitors. Access to restricted access
 1240 areas must be limited to licensees and their employees,
 1241 qualified patients, personal caregivers, and escorted visitors.
 1242 The department may adopt rules governing visitor access to
 1243 limited access and restricted access areas, including, but not
 1244 limited to, the number of visitors that may be escorted on the
 1245 premises at any given time and the number of visitors that may
 1246 be escorted by a single employee.

1247 (9) ADDITIONAL REQUIREMENTS.—

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1248 (a) A licensee is responsible for knowing and complying
1249 with all state laws and rules governing medical marijuana.

1250 (b) The licensed premises must comply with all security and
1251 surveillance requirements established by the department by rule
1252 before the licensee can cultivate, sell, dispense, possess,
1253 process, or test any medical marijuana on the licensed premises.
1254 All areas of ingress or egress to limited access areas of the
1255 licensed facility must be clearly identified as such by signage
1256 approved by the department.

1257 (c) A licensee must possess and maintain possession of the
1258 premises for which the license is issued by ownership, lease,
1259 rental, or other arrangement for possession of the premises.

1260 (d) A licensee must keep a complete set of all records
1261 necessary to show fully the business transactions of the
1262 licensee, all of which shall be open at all times during
1263 business hours for inspections and examination by the department
1264 and the duly authorized representatives of the Department of Law
1265 Enforcement. A licensee must retain all books and records
1266 necessary to show fully the business transactions of the
1267 business for a period of the current tax year and the 3
1268 preceding tax years as required by the department by rule.

1269 (e) A licensee must establish an inventory tracking system
1270 that is approved by the department.

1271 (f) Any medical marijuana or medical marijuana product must
1272 meet the labeling and packaging requirements as established by
1273 the department by rule.

1274 (10) VIOLATIONS, FINES, AND ADMINISTRATIVE PENALTIES.—

1275 (a) The department must create a schedule of violations in
1276 rule in order to impose reasonable fines not to exceed \$10,000

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1277 per violation on a dispensing organization. In determining the
1278 amount of the fine to be levied for a violation, the department
1279 shall consider:

1280 1. The severity of the violation;

1281 2. Any actions taken by the dispensing organization to
1282 correct the violation or to remedy complaints; and

1283 3. Any previous violations.

1284 (b) The department may suspend, revoke, deny, or refuse to
1285 renew a license of a dispensing organization, or impose an
1286 administrative penalty not to exceed \$10,000, for the following
1287 acts or omissions:

1288 1. Violating this act or department rule.

1289 2. Failing to maintain qualifications for licensure.

1290 3. Endangering the health, safety, or security of a
1291 qualified patient.

1292 4. Improperly disclosing personal and confidential
1293 information of the qualified patient.

1294 5. Attempting to procure a license by bribery or fraudulent
1295 misrepresentation.

1296 6. Being convicted or found guilty of, or entering a plea
1297 of nolo contendere to, regardless of adjudication, a crime in
1298 any jurisdiction which directly relates to the business of a
1299 dispensing organization.

1300 7. Making or filing a report or record that the licensee
1301 knows to be false.

1302 8. Willfully failing to maintain a record required by this
1303 section or rule of the department.

1304 9. Willfully impeding or obstructing an employee or agent
1305 of the department in the furtherance of his or her official

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1306 duties.

1307 10. Engaging in fraud or deceit, negligence, incompetence,
1308 or misconduct in the business practices of a dispensing
1309 organization.

1310 11. Making misleading, deceptive, or fraudulent
1311 representations in or related to the business practices of a
1312 dispensing organization.

1313 12. Having a license or the authority to engage in any
1314 regulated profession, occupation, or business that is related to
1315 the business practices of a dispensing organization revoked,
1316 suspended, or otherwise acted against, including the denial of
1317 licensure, by the licensing authority of any jurisdiction,
1318 including its agencies or subdivisions, for a violation that
1319 would constitute a violation under state law. A licensing
1320 authority's acceptance of a relinquishment of licensure or a
1321 stipulation, consent order, or other settlement, offered in
1322 response to or in anticipation of the filing of charges against
1323 the licensee, shall be construed as an action against the
1324 license.

1325 13. Violating a lawful order of the department or an agency
1326 of the state, or failing to comply with a lawfully issued
1327 subpoena of the department or an agency of the state.

1328 (11) DISPENSING ORGANIZATION LIST.—The department shall
1329 maintain a publicly available, easily accessible list on its
1330 website of all licensed retail facilities.

1331 Section 8. Section 381.9951, Florida Statutes, is created
1332 to read:

1333 381.9951 Taxes on medical marijuana and medical marijuana
1334 product.—

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1335 (1) Notwithstanding s. 212.08, the sale of medical
1336 marijuana and all medical marijuana product is subject to the
1337 sales tax under chapter 212.

1338 (2) The Department of Revenue must deposit, in the same
1339 month as the department collects such taxes, all proceeds of
1340 sales taxes collected on the sale of medical marijuana and
1341 medical marijuana product into the Education/General Student and
1342 Other Fees Trust Fund to fund research and development related
1343 to the safety and efficacy of medical marijuana and medical
1344 marijuana product as determined by the Board of Governors.

1345 Section 9. Section 381.996, Florida Statutes, is created to
1346 read:

1347 381.996 Patient certification.—

1348 (1) A physician may certify a patient to the department as
1349 a qualified patient if:

1350 (a) The physician has seen the patient on a regular basis
1351 for a period of at least 3 months;

1352 (b) The physician, in his or her good faith medical
1353 judgment, finds that the patient chronically suffers from one or
1354 more of the qualifying conditions or symptoms specified in s.
1355 381.991(24) or s. 381.991(25); and

1356 (c) For patients who do not suffer from a condition listed
1357 in s. 381.991(24) (a)-(k), the physician certifies that in his or
1358 her good faith medical judgment, there are no reasonable
1359 alternative medical options for that patient's relief of such
1360 symptom or symptoms.

1361 (d) The physician does not have a financial interest in a
1362 business or enterprise engaged in the cultivation, processing,
1363 or retail sale of medical marijuana or medical marijuana

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1364 products or in an independent testing laboratory that conducts
1365 tests of medical marijuana or medical marijuana products.

1366 (2) After certifying a patient by submitting a patient-
1367 certification form to the department, the physician must
1368 electronically transfer an original copy of the physician
1369 recommendation for medical marijuana for that patient to the
1370 medical marijuana patient registry. The physician recommendation
1371 must include, at a minimum, the allowed amount of medical
1372 marijuana and the concentration ranges for individual
1373 cannabinoids, if any. The physician must also update the medical
1374 marijuana patient registry with any changes in the
1375 specifications of his or her recommendation for that patient
1376 within 7 days after the change.

1377 (3) If the physician becomes aware that alternative
1378 treatments are available, that the patient no longer suffers
1379 from his or her qualifying condition or symptom, or if the
1380 physician's recommendation for the allowed amount of medical
1381 marijuana changes for that patient, the physician must update
1382 the medical marijuana patient registry with the new information
1383 within 7 days.

1384 (4) In order to qualify to issue patient certifications for
1385 medical marijuana, and before recommending medical marijuana for
1386 any patient, a physician must successfully complete an 8-hour
1387 course and subsequent examination offered by the Florida Medical
1388 Association or the Florida Osteopathic Medical Association, as
1389 appropriate, which encompasses the clinical indications for the
1390 appropriate use of medical marijuana, the appropriate delivery
1391 mechanisms, the contraindications of the use of medical
1392 marijuana, and the relevant state and federal laws governing the

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1393 ordering, dispensing, and possession of medical marijuana. The
1394 appropriate boards shall offer the first course and examination
1395 for certification by October 1, 2016, and shall administer them
1396 at least annually thereafter. Successful completion of the
1397 course may be used by a physician to satisfy 8 hours of the
1398 continuing medical education requirements imposed by his or her
1399 respective board for licensure renewal. This course may be
1400 offered in a distance-learning format. Successful completion of
1401 the course and examination is required for every physician who
1402 recommends medical marijuana each time such physician renews his
1403 or her license.

1404 Section 10. Section 381.997, Florida Statutes, is created
1405 to read:

1406 381.997 Medical marijuana testing and labeling.-

1407 (1) To ensure accurate reporting of test results, the
1408 department shall adopt by rule a certification process and
1409 testing standards for independent testing laboratories. The
1410 Department of Agriculture and Consumer Services shall provide
1411 resources to the department regarding the certification process
1412 and standards for laboratories that test similar agricultural
1413 products and their derivatives in this state. The standards must
1414 include, but are not limited to, educational requirements for
1415 laboratory directors, proficiency testing for professional
1416 licensees employed by a laboratory, standard operating
1417 procedures, and quality control procedures for testing.

1418 (2) A cultivation licensee, a processing licensee, and a
1419 cultivation and processing licensee may not distribute or sell
1420 medical marijuana or medical marijuana product to a retail
1421 licensee unless the batch of origin of that medical marijuana or

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1422 medical marijuana product has been tested by an independent
1423 testing laboratory and the cultivation licensee, processing
1424 licensee, or cultivation and processing licensee has received
1425 test results from that laboratory which certify that the batch
1426 meets the quality standards established by the department.

1427 (3) When testing a batch of marijuana or marijuana product,
1428 an independent testing laboratory must, at a minimum, test for
1429 unsafe contaminants and for presence and concentration of
1430 individual cannabinoids.

1431 (4) Each independent testing laboratory must report its
1432 findings for each batch tested to the cultivation licensee,
1433 processing licensee, or cultivation and processing licensee from
1434 which the batch originated and to the department. Such findings
1435 must include, at a minimum, the certificate number or numbers of
1436 the cultivation facility, processing facility, or cultivation
1437 and processing facility from which the batch originated, the
1438 size and batch number of the batch tested, the types of tests
1439 performed on the batch, and the results of each test.

1440 (5) The department shall establish by rule a comprehensive
1441 tracking and labeling system that allows a medical marijuana
1442 plant or product to be identified and tracked from cultivation
1443 to final retail product. The department may establish rules
1444 determining qualifications for private entities to provide
1445 product tracking services to meet the requirements of this
1446 subsection and may establish a preferred vendor list using those
1447 qualifications.

1448 (6) Before distribution or sale to a retail licensee, any
1449 medical marijuana or medical marijuana product that meets
1450 department testing standards must be packaged in a child-

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1451 resistant container and labeled with at least the name and
1452 license number of the cultivation licensee, processing licensee,
1453 cultivation and processing licensee, or combined multi-use
1454 licensee; the certificate number of the facility or facilities
1455 where the batch was harvested and processed; the harvest or
1456 production batch number; the concentration range of each
1457 individual cannabinoid present at testing; a warning statement
1458 and a universal, easily identifiable symbol indicating that the
1459 package contains medical marijuana; and any other information
1460 required under Florida or federal law, rules, or regulations for
1461 that form of the product, including any additional information
1462 required for edible products. For purposes of this subsection,
1463 any oil-based extraction meant for direct consumption in small
1464 quantities as a supplement need not be labeled as a food
1465 product.

1466 (7) Before sale to a registered patient or designated
1467 caregiver, a retail licensee must affix an additional label to
1468 each medical marijuana product which includes the licensee's
1469 name and license number and the patient identification number of
1470 the qualified patient who is to receive the product.

1471 (8) By January 1, 2017, the department must establish
1472 standards for quality, testing procedures, and maximum levels of
1473 unsafe contaminants. The department must also create a list of
1474 individual cannabinoids that must be tested for, concentrations
1475 that are considered significant for those cannabinoids, and
1476 varying ranges of concentrations for each cannabinoid upon which
1477 a physician may base his or her recommendation for a patient's
1478 use of a specific strain of medical marijuana.

1479 Section 11. Section 381.998, Florida Statutes, is created

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1480 to read:

1481 381.998 Penalties.-

1482 (1) A physician commits a misdemeanor of the first degree,
1483 punishable as provided in s. 775.082 or s. 775.083, if he or she
1484 recommends medical marijuana for a patient without a reasonable
1485 belief that the patient is suffering from a condition or symptom
1486 listed in s. 381.991(24) or s. 381.991(25).

1487 (2) A person who fraudulently represents that he or she has
1488 a medical condition or symptom listed in s. 381.991(24) or s.
1489 381.991(25) for the purpose of being recommended medical
1490 marijuana by such physician commits a misdemeanor of the first
1491 degree, punishable as provided in s. 775.082 or s. 775.083.

1492 (3) A person who knowingly and fraudulently attempts to use
1493 or uses an identification card that is expired, is counterfeit,
1494 or belongs to someone other than the person attempting to use
1495 the card commits a misdemeanor of the first degree, punishable
1496 as provided in s. 775.082 or s. 775.083.

1497 Section 12. Section 381.999, Florida Statutes, is created
1498 to read:

1499 381.999 Insurance.-The Florida Medical Marijuana Act does
1500 not require a governmental, private, or other health insurance
1501 provider or health care services plan to cover a claim for
1502 reimbursement for the purchase of medical marijuana, though it
1503 does not restrict such coverage.

1504 Section 13. Section 381.9991, Florida Statutes, is created
1505 to read:

1506 381.9991 Rulemaking authority.-The department may adopt
1507 rules to implement ss. 381.99-381.9991.

1508 Section 14. Section 381.987, Florida Statutes, is amended

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1509 to read:

1510 381.987 Public records exemption for personal identifying
1511 information in the medical marijuana patient ~~compassionate use~~
1512 registry.—

1513 (1) A patient's personal identifying information held by
1514 the department in the medical marijuana patient ~~compassionate~~
1515 ~~use~~ registry established under s. 381.994 ~~s. 381.986~~, including,
1516 but not limited to, the patient's name, address, telephone
1517 number, and government-issued identification number, and all
1518 information pertaining to the physician's recommendation ~~order~~
1519 for medical marijuana ~~low-THC cannabis~~ and the dispensing
1520 thereof are confidential and exempt from s. 119.07(1) and s.
1521 24(a), Art. I of the State Constitution.

1522 (2) A physician's identifying information held by the
1523 department in the medical marijuana patient ~~compassionate use~~
1524 registry established under s. 381.994 ~~s. 381.986~~, including, but
1525 not limited to, the physician's name, address, telephone number,
1526 government-issued identification number, and Drug Enforcement
1527 Administration number, and all information pertaining to the
1528 physician's recommendation ~~order~~ for medical marijuana ~~low-THC~~
1529 ~~cannabis~~ and the dispensing thereof are confidential and exempt
1530 from s. 119.07(1) and s. 24(a), Art. I of the State
1531 Constitution.

1532 (3) The department shall allow access to the registry,
1533 including access to confidential and exempt information, to:

1534 (a) A law enforcement agency that is investigating a
1535 violation of law regarding cannabis in which the subject of the
1536 investigation claims an exception established under s. 381.992
1537 ~~s. 381.986~~.

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1538 (b) A dispensing organization approved by the department
1539 pursuant to s. 381.995 ~~s. 381.986~~ which is attempting to verify
1540 the authenticity of a physician's recommendation ~~order~~ for
1541 medical marijuana ~~low-THC cannabis~~, including whether the
1542 recommendation ~~order~~ had been previously filled and whether the
1543 recommendation ~~order~~ was written for the person attempting to
1544 have it filled.

1545 (c) A physician who has written a recommendation ~~an order~~
1546 for medical marijuana ~~low-THC cannabis~~ for the purpose of
1547 monitoring the patient's use of such medical marijuana ~~cannabis~~
1548 or for the purpose of determining, before issuing a
1549 recommendation ~~an order~~ for medical marijuana ~~low-THC cannabis~~,
1550 whether another physician has recommended ~~ordered~~ the patient's
1551 use of medical marijuana ~~low-THC cannabis~~. The physician may
1552 access the confidential and exempt information only for the
1553 patient for whom he or she has recommended ~~ordered~~ or is
1554 determining whether to recommend ~~order~~ the use of medical
1555 marijuana ~~low-THC cannabis~~ pursuant to s. 381.993(2) ~~s. 381.986~~.

1556 (d) An employee of the department for the purposes of
1557 maintaining the registry and periodic reporting or disclosure of
1558 information that has been redacted to exclude personal
1559 identifying information.

1560 (e) The department's relevant health care regulatory boards
1561 responsible for the licensure, regulation, or discipline of a
1562 physician if he or she is involved in a specific investigation
1563 of a violation of s. 381.995(10) ~~s. 381.986~~. If a health care
1564 regulatory board's investigation reveals potential criminal
1565 activity, the board may provide any relevant information to the
1566 appropriate law enforcement agency.

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1567 (f) A person engaged in bona fide research if the person
1568 agrees:

1569 1. To submit a research plan to the department which
1570 specifies the exact nature of the information requested and the
1571 intended use of the information;

1572 2. To maintain the confidentiality of the records or
1573 information if personal identifying information is made
1574 available to the researcher;

1575 3. To destroy any confidential and exempt records or
1576 information obtained after the research is concluded; and

1577 4. Not to contact, directly or indirectly, for any purpose,
1578 a patient or physician whose information is in the registry.

1579 (4) All information released from the registry under
1580 subsection (3) remains confidential and exempt, and a person who
1581 receives access to such information must maintain the
1582 confidential and exempt status of the information received.

1583 (5) A person who willfully and knowingly violates this
1584 section commits a felony of the third degree, punishable as
1585 provided in s. 775.082, s. 775.083, or s. 775.084.

1586 (6) This section is subject to the Open Government Sunset
1587 Review Act in accordance with s. 119.15 and shall stand repealed
1588 on October 2, 2019, unless reviewed and saved from repeal
1589 through reenactment by the Legislature.

1590 Section 15. Section 385.211, Florida Statutes, is amended
1591 to read:

1592 385.211 Refractory and intractable epilepsy treatment and
1593 research at recognized medical centers.—

1594 (1) As used in this section, the term "medical marijuana"
1595 ~~"low-THC cannabis"~~ means "medical marijuana" ~~"low-THC cannabis"~~

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1596 as defined in s. 381.991 ~~s. 381.986~~ that is dispensed only from
1597 a dispensing organization as defined in s. 381.991 ~~s. 381.986~~.

1598 (2) Notwithstanding chapter 893, medical centers recognized
1599 pursuant to s. 381.925 may conduct research on cannabidiol and
1600 medical marijuana ~~low-THC cannabis~~. This research may include,
1601 but is not limited to, the agricultural development, production,
1602 clinical research, and use of liquid medical derivatives of
1603 cannabidiol and medical marijuana ~~low-THC cannabis~~ for the
1604 treatment for refractory or intractable epilepsy. The authority
1605 for recognized medical centers to conduct this research is
1606 derived from 21 C.F.R. parts 312 and 316. Current state or
1607 privately obtained research funds may be used to support the
1608 activities described in this section.

1609 Section 16. Subsection (3) of section 893.02, Florida
1610 Statutes, is amended to read:

1611 893.02 Definitions.—The following words and phrases as used
1612 in this chapter shall have the following meanings, unless the
1613 context otherwise requires:

1614 (3) "Cannabis" means all parts of any plant of the genus
1615 *Cannabis*, whether growing or not; the seeds thereof; the resin
1616 extracted from any part of the plant; and every compound,
1617 manufacture, salt, derivative, mixture, or preparation of the
1618 plant or its seeds or resin. The term does not include "medical
1619 marijuana" ~~"low-THC cannabis,"~~ as defined in s. 381.991 ~~s.~~
1620 ~~381.986~~, if manufactured, possessed, sold, purchased, delivered,
1621 distributed, or dispensed, in conformance with the Florida
1622 Medical Marijuana Act ~~s. 381.986~~.

1623 Section 17. Section 1004.441, Florida Statutes, is amended
1624 to read:

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1625 1004.441 ~~Refractory and intractable epilepsy treatment and~~
1626 Research on the use of medical marijuana to treat serious
1627 medical conditions and symptoms.-

1628 (1) As used in this section, the term "medical marijuana"
1629 ~~"low-THC cannabis"~~ means "medical marijuana" ~~"low-THC cannabis"~~
1630 as defined in s. 381.991 ~~s. 381.986~~ that is dispensed only from
1631 a dispensing organization as defined in s. 381.991 ~~s. 381.986~~.

1632 (2) Notwithstanding chapter 893, state universities with
1633 both medical and agricultural research programs, including those
1634 that have satellite campuses or research agreements with other
1635 similar institutions, may conduct research on medical marijuana
1636 and cannabidiol ~~and low-THC cannabis~~. This research may include,
1637 but is not limited to, the agricultural development, production,
1638 clinical research, and use of ~~liquid~~ medical derivatives and
1639 medical marijuana product and ~~of~~ cannabidiol and low-THC
1640 ~~cannabis~~ for the treatment of any qualifying condition or
1641 qualifying symptom listed in s. 381.991 ~~for refractory or~~
1642 ~~intractable epilepsy~~. The authority for state universities to
1643 conduct this research is derived from 21 C.F.R. parts 312 and
1644 316. Current state or privately obtained research funds may be
1645 used to support the activities authorized by this section.

1646 Section 18. The University of Florida, in consultation with
1647 a veterinary research organization, may conduct research to
1648 determine the benefits and contraindications of the use of low-
1649 THC cannabis and low-THC cannabis products for treatment of
1650 animals with seizure disorders or other life-limiting illnesses.
1651 State funds may not be used for such research.

1652 Section 19. If any provision of this act or its application
1653 to any person or circumstance is held invalid, the invalidity

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1654 does not affect other provisions or applications of the act
1655 which can be given effect without the invalid provision or
1656 application, and to this end the provisions of this act are
1657 severable.

1658 Section 20. This act shall take effect July 1, 2016.