



661208

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
06/08/2017	.	
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The Committee on Appropriations (Latvala) recommended the following:

Senate Amendment

Delete lines 1408 - 1454
and insert:

(11) PREEMPTION.-

(a) Regulation of cultivation, processing, and delivery of marijuana by medical marijuana treatment centers is preempted to the state except as provided in paragraph (b).

(b) A municipality may determine by ordinance the criteria for the number and location of, and other permitting



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11 requirements that do not conflict with state law or department
12 rule for, dispensing facilities of medical marijuana treatment
13 centers located within its municipal boundaries, or ban such
14 dispensing facilities. A county may determine by ordinance the
15 criteria for the number, location, and other permitting
16 requirements that do not conflict with state law or department
17 rule for all dispensing facilities of medical marijuana
18 treatment centers located within the unincorporated areas of
19 that county, or ban such dispensing facilities.

20 (c) A municipality or county that does not ban medical
21 marijuana treatment center dispensing facilities must permit at
22 least two separately licensed medical marijuana treatment
23 centers to locate dispensing facilities within that municipality
24 or unincorporated areas of that county.

25 (d) A county or municipality may not enact ordinances for
26 determining the location of dispensing facilities which are more
27 restrictive than its ordinances determining the locations for
28 pharmacies licensed under chapter 465.

29 (e) A municipality or county may not charge a medical
30 marijuana treatment center a license or permit fee in an amount
31 greater than the fee charged by such municipality or county to
32 pharmacies licensed under chapter 465.

33 (f) This subsection does not prohibit any local
34 jurisdiction from ensuring that medical marijuana treatment
35 center facilities comply with the Florida Building Code, the
36 Florida Fire Prevention Code, or any local amendments to the
37 Florida Building Code or the Florida Fire Prevention Code.

38 (g) A dispensing facility location approved by a
39 municipality or county pursuant to former s. 381.986(8)(b),



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40 Florida Statutes 2016, is not subject to the requirements of
41 this section.