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

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

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

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

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

(g) A dispensing facility location approved by a municipality or county pursuant to former s. 381.986(8)(b),
Florida Statutes 2016, is not subject to the requirements of this section.