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LEGISLATIVE ACTION

Senate

.

House

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Floor: WD/2R

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03/07/2019 01:53 PM

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Senator Rouson moved the following:

1           **Senate Amendment to Amendment (897266) (with directory and**  
2 **title amendments)**

3  
4           Between lines 289 and 290  
5 insert:

6           (b) An applicant for licensure as a medical marijuana  
7 treatment center shall apply to the department on a form  
8 prescribed by the department and adopted in rule. The department  
9 shall adopt rules pursuant to ss. 120.536(1) and 120.54  
10 establishing a procedure for the issuance and biennial renewal  
11 of licenses, including initial application and biennial renewal



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12 fees sufficient to cover the costs of implementing and  
13 administering this section, and establishing supplemental  
14 licensure fees for payment beginning May 1, 2018, sufficient to  
15 cover the costs of administering ss. 381.989 and 1004.4351. The  
16 department shall identify applicants with strong diversity plans  
17 reflecting this state's commitment to diversity and implement  
18 training programs and other educational programs to enable  
19 minority persons and minority business enterprises, as defined  
20 in s. 288.703, and veteran business enterprises, as defined in  
21 s. 295.187, to compete for medical marijuana treatment center  
22 licensure and contracts. Subject to the requirements in  
23 subparagraphs (a)2.-4., the department shall issue a license to  
24 an applicant if the applicant meets the requirements of this  
25 section and pays the initial application fee. The department  
26 shall renew the licensure of a medical marijuana treatment  
27 center biennially if the licensee meets the requirements of this  
28 section and pays the biennial renewal fee. An individual may not  
29 be an applicant, owner, officer, board member, or manager on  
30 more than one application for licensure as a medical marijuana  
31 treatment center. An individual or entity may not be awarded  
32 more than one license as a medical marijuana treatment center.  
33 An applicant for licensure as a medical marijuana treatment  
34 center must demonstrate:

35 1. That, for the 5 consecutive years before submitting the  
36 application, the applicant has been registered to do business in  
37 the state.

38 2. Possession of a valid certificate of registration issued  
39 by the Department of Agriculture and Consumer Services pursuant  
40 to s. 581.131.



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41           3. The technical and technological ability to cultivate and  
42 produce marijuana, including, but not limited to, low-THC  
43 cannabis.

44           4. The ability to secure the premises, resources, and  
45 personnel necessary to operate as a medical marijuana treatment  
46 center.

47           5. The ability to maintain accountability of all raw  
48 materials, finished products, and any byproducts to prevent  
49 diversion or unlawful access to or possession of these  
50 substances.

51           6. An infrastructure reasonably located to dispense  
52 marijuana to registered qualified patients statewide or  
53 regionally as determined by the department.

54           7. The financial ability to maintain operations for the  
55 duration of the 2-year approval cycle, including the provision  
56 of certified financial statements to the department.

57           a. Upon approval, the applicant must post a \$5 million  
58 performance bond issued by an authorized surety insurance  
59 company rated in one of the three highest rating categories by a  
60 nationally recognized rating service. However, a medical  
61 marijuana treatment center serving at least 1,000 qualified  
62 patients is only required to maintain a \$2 million performance  
63 bond.

64           b. In lieu of the performance bond required under sub-  
65 subparagraph a., the applicant may provide an irrevocable letter  
66 of credit payable to the department or provide cash to the  
67 department. If provided with cash under this sub-subparagraph,  
68 the department shall deposit the cash in the Grants and  
69 Donations Trust Fund within the Department of Health, subject to



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70 the same conditions as the bond regarding requirements for the  
71 applicant to forfeit ownership of the funds. If the funds  
72 deposited under this sub-subparagraph generate interest, the  
73 amount of that interest shall be used by the department for the  
74 administration of this section.

75 8. That all owners, officers, board members, and managers  
76 have passed a background screening pursuant to subsection (9).

77 9. The employment of a medical director to supervise the  
78 activities of the medical marijuana treatment center.

79 10. A diversity plan that promotes and ensures the  
80 involvement of minority persons and minority business  
81 enterprises, as defined in s. 288.703, or veteran business  
82 enterprises, as defined in s. 295.187, in ownership, management,  
83 and employment.

84 a. An applicant for licensure renewal must show the  
85 effectiveness of the diversity plan by including the following  
86 with his or her application for renewal:

87 (I)~~a.~~ Representation of minority persons and veterans in  
88 the medical marijuana treatment center's workforce;

89 (II)~~b.~~ Efforts to recruit minority persons and veterans for  
90 employment; and

91 (III)~~c.~~ A record of contracts for services with minority  
92 business enterprises and veteran business enterprises.

93 b. The Department of Agriculture and Consumer Services  
94 shall:

95 (I) Review diversity plans submitted by applicants for  
96 initial licensure and licensure renewal.

97 (II) Oversee each medical marijuana treatment center's  
98 compliance with its diversity plan.



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99           (III) Submit an annual report on the effectiveness of  
100 medical marijuana treatment center diversity plans to the  
101 Governor, the State Surgeon General, the President of the  
102 Senate, and the Speaker of the House of Representatives.  
103

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

105 And the directory clause is amended as follows:

106       Delete line 7

107 and insert:

108 paragraphs (b) and (e) of subsection (8), subsection (14), and  
109 subsection

110

111 ===== T I T L E   A M E N D M E N T =====

112 And the title is amended as follows:

113       Delete line 879

114 and insert:

115       teaching nursing home; requiring the Department of  
116       Agriculture and Consumer Services to review medical  
117       marijuana treatment center diversity plans, to oversee  
118       compliance with diversity plans, and to submit a  
119       related annual report to the Governor, the State  
120       Surgeon General, and the Legislature; prohibiting a  
121       medical marijuana