

1 A bill to be entitled
 2 An act relating to medical marijuana treatment
 3 centers; amending s. 381.986, F.S.; revising
 4 definitions; requiring the Department of Health to
 5 license any entity that cultivates, processes,
 6 transports, or dispenses low-THC cannabis, medical
 7 cannabis, and cannabis delivery devices as a medical
 8 marijuana treatment center; removing provisions
 9 limiting the number of applicants that may be licensed
 10 within specified timeframes as medical marijuana
 11 treatment centers; removing provisions limiting the
 12 number of dispensing facilities that may be
 13 established or operated statewide or regionally by a
 14 medical marijuana treatment center; conforming
 15 provisions to changes made by the act; providing an
 16 effective date.

17
 18 Be It Enacted by the Legislature of the State of Florida:

19
 20 Section 1. Paragraphs (d), (e), and (f) of subsection (1)
 21 and paragraphs (a), (b), and (e) of subsection (8) of section
 22 381.986, Florida Statutes, are amended to read:

23 381.986 Medical use of marijuana.—

24 (1) DEFINITIONS.—As used in this section, the term:

25 (d) "Edibles" means commercially produced food items made

26 | with marijuana oil, but no other form of marijuana, that are
 27 | processed, transported, or ~~produced and~~ dispensed by a medical
 28 | marijuana treatment center.

29 | (e) "Low-THC cannabis" means a plant of the genus
 30 | Cannabis, the dried flowers of which contain 0.8 percent or less
 31 | of tetrahydrocannabinol and more than 10 percent of cannabidiol
 32 | weight for weight; the seeds thereof; the resin extracted from
 33 | any part of such plant; or any compound, manufacture, salt,
 34 | derivative, mixture, or preparation of such plant or its seeds
 35 | or resin that is cultivated, processed, transported, or
 36 | dispensed from a medical marijuana treatment center.

37 | (f) "Marijuana" means all parts of any plant of the genus
 38 | Cannabis, whether growing or not; the seeds thereof; the resin
 39 | extracted from any part of the plant; and every compound,
 40 | manufacture, salt, derivative, mixture, or preparation of the
 41 | plant or its seeds or resin, including low-THC cannabis, which
 42 | are cultivated, processed, transported, or dispensed from a
 43 | medical marijuana treatment center for medical use by a
 44 | qualified patient.

45 | (8) MEDICAL MARIJUANA TREATMENT CENTERS.—

46 | (a) The department shall license medical marijuana
 47 | treatment centers to ensure reasonable statewide accessibility
 48 | and availability as necessary for qualified patients registered
 49 | in the medical marijuana use registry and who are issued a
 50 | physician certification under this section.

51 1. As soon as practicable, but no later than July 3, 2017,
52 the department shall license as a medical marijuana treatment
53 center any entity that holds an active, unrestricted license to
54 cultivate, process, transport, or ~~and~~ dispense low-THC cannabis,
55 medical cannabis, and cannabis delivery devices, under former s.
56 381.986, Florida Statutes 2016, before July 1, 2017, and which
57 meets the requirements of this section. In addition to the
58 authority granted under this section, such ~~these~~ entities are
59 authorized to dispense low-THC cannabis, medical cannabis, and
60 cannabis delivery devices ordered pursuant to former s. 381.986,
61 Florida Statutes 2016, which were entered into the compassionate
62 use registry before July 1, 2017, and are authorized to begin
63 dispensing marijuana under this section on July 3, 2017. The
64 department may grant variances from the representations made in
65 such an entity's original application for approval under former
66 s. 381.986, Florida Statutes 2014, pursuant to paragraph (e).

67 2. The department shall license as medical marijuana
68 treatment centers ~~to~~ applicants that meet the requirements of
69 this section, under the following parameters:

70 a. As soon as practicable, but no later than August 1,
71 2017, the department shall license any applicant whose
72 application was reviewed, evaluated, and scored by the
73 department and which was denied a dispensing organization
74 license by the department under former s. 381.986, Florida
75 Statutes 2014; which had one or more administrative or judicial

76 challenges pending as of January 1, 2017, or had a final ranking
77 within one point of the highest final ranking in its region
78 under former s. 381.986, Florida Statutes 2014; which meets the
79 requirements of this section; and which provides documentation
80 to the department that it has the existing infrastructure and
81 technical and technological ability to begin cultivating,
82 processing, transporting, or dispensing marijuana within 30 days
83 after registration as a medical marijuana treatment center.

84 b. ~~As soon as practicable,~~ The department shall give
85 preference to applicants ~~license one applicant that are is a~~
86 recognized class members ~~member~~ of Pigford v. Glickman, 185
87 F.R.D. 82 (D.D.C. 1999), or In Re Black Farmers Litig., 856 F.
88 Supp. 2d 1 (D.D.C. 2011). An applicant licensed under this sub-
89 subparagraph is exempt from the requirement of subparagraph
90 (b)2.

91 ~~e. As soon as practicable, but no later than October 3,~~
92 ~~2017, the department shall license applicants that meet the~~
93 ~~requirements of this section in sufficient numbers to result in~~
94 ~~10 total licenses issued under this subparagraph, while~~
95 ~~accounting for the number of licenses issued under sub-~~
96 ~~subparagraphs a. and b.~~

97 c.3. ~~For up to two of the licenses issued under~~
98 ~~subparagraph 2.,~~ The department shall give preference to
99 applicants that demonstrate in their applications that they own
100 one or more facilities that are, or were, used for the canning,

101 concentrating, or otherwise processing of citrus fruit or citrus
102 molasses and will use or convert the facility or facilities for
103 the processing of marijuana.

104 ~~4. Within 6 months after the registration of 100,000~~
105 ~~active qualified patients in the medical marijuana use registry,~~
106 ~~the department shall license four additional medical marijuana~~
107 ~~treatment centers that meet the requirements of this section.~~
108 ~~Thereafter, the department shall license four medical marijuana~~
109 ~~treatment centers within 6 months after the registration of each~~
110 ~~additional 100,000 active qualified patients in the medical~~
111 ~~marijuana use registry that meet the requirements of this~~
112 ~~section.~~

113 ~~5. Dispensing facilities are subject to the following~~
114 ~~requirements:~~

115 ~~a. A medical marijuana treatment center may not establish~~
116 ~~or operate more than a statewide maximum of 25 dispensing~~
117 ~~facilities, unless the medical marijuana use registry reaches a~~
118 ~~total of 100,000 active registered qualified patients. When the~~
119 ~~medical marijuana use registry reaches 100,000 active registered~~
120 ~~qualified patients, and then upon each further instance of the~~
121 ~~total active registered qualified patients increasing by~~
122 ~~100,000, the statewide maximum number of dispensing facilities~~
123 ~~that each licensed medical marijuana treatment center may~~
124 ~~establish and operate increases by five.~~

125 ~~b. A medical marijuana treatment center may not establish~~

126 | ~~more than the maximum number of dispensing facilities allowed in~~
127 | ~~each of the Northwest, Northeast, Central, Southwest, and~~
128 | ~~Southeast Regions. The department shall determine a medical~~
129 | ~~marijuana treatment center's maximum number of dispensing~~
130 | ~~facilities allowed in each region by calculating the percentage~~
131 | ~~of the total statewide population contained within that region~~
132 | ~~and multiplying that percentage by the medical marijuana~~
133 | ~~treatment center's statewide maximum number of dispensing~~
134 | ~~facilities established under sub-subparagraph a., rounded to the~~
135 | ~~nearest whole number. The department shall ensure that such~~
136 | ~~rounding does not cause a medical marijuana treatment center's~~
137 | ~~total number of statewide dispensing facilities to exceed its~~
138 | ~~statewide maximum. The department shall initially calculate the~~
139 | ~~maximum number of dispensing facilities allowed in each region~~
140 | ~~for each medical marijuana treatment center using county~~
141 | ~~population estimates from the Florida Estimates of Population~~
142 | ~~2016, as published by the Office of Economic and Demographic~~
143 | ~~Research, and shall perform recalculations following the~~
144 | ~~official release of county population data resulting from each~~
145 | ~~United States Decennial Census. For the purposes of this~~
146 | ~~subparagraph:~~

147 | ~~(I) The Northwest Region consists of Bay, Calhoun,~~
148 | ~~Escambia, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson,~~
149 | ~~Leon, Liberty, Madison, Okaloosa, Santa Rosa, Taylor, Wakulla,~~
150 | ~~Walton, and Washington Counties.~~

151 ~~(II) The Northeast Region consists of Alachua, Baker,~~
152 ~~Bradford, Clay, Columbia, Dixie, Duval, Flagler, Gilchrist,~~
153 ~~Hamilton, Lafayette, Levy, Marion, Nassau, Putnam, St. Johns,~~
154 ~~Suwannee, and Union Counties.~~

155 ~~(III) The Central Region consists of Brevard, Citrus,~~
156 ~~Hardee, Hernando, Indian River, Lake, Orange, Osceola, Pasco,~~
157 ~~Pinellas, Polk, Seminole, St. Lucie, Sumter, and Volusia~~
158 ~~Counties.~~

159 ~~(IV) The Southwest Region consists of Charlotte, Collier,~~
160 ~~DeSoto, Glades, Hendry, Highlands, Hillsborough, Lee, Manatee,~~
161 ~~Okeechobee, and Sarasota Counties.~~

162 ~~(V) The Southeast Region consists of Broward, Miami-Dade,~~
163 ~~Martin, Monroe, and Palm Beach Counties.~~

164 ~~e. If a medical marijuana treatment center establishes a~~
165 ~~number of dispensing facilities within a region that is less~~
166 ~~than the number allowed for that region under sub-subparagraph~~
167 ~~b., the medical marijuana treatment center may sell one or more~~
168 ~~of its unused dispensing facility slots to other licensed~~
169 ~~medical marijuana treatment centers. For each dispensing~~
170 ~~facility slot that a medical marijuana treatment center sells,~~
171 ~~that medical marijuana treatment center's statewide maximum~~
172 ~~number of dispensing facilities, as determined under sub-~~
173 ~~subparagraph a., is reduced by one. The statewide maximum number~~
174 ~~of dispensing facilities for a medical marijuana treatment~~
175 ~~center that purchases an unused dispensing facility slot is~~

176 ~~increased by one per slot purchased. Additionally, the sale of a~~
177 ~~dispensing facility slot shall reduce the seller's regional~~
178 ~~maximum and increase the purchaser's regional maximum number of~~
179 ~~dispensing facilities, as determined in sub-subparagraph b., by~~
180 ~~one for that region. For any slot purchased under this sub-~~
181 ~~subparagraph, the regional restriction applied to that slot's~~
182 ~~location under sub-subparagraph b. before the purchase shall~~
183 ~~remain in effect following the purchase. A medical marijuana~~
184 ~~treatment center that sells or purchases a dispensing facility~~
185 ~~slot must notify the department within 3 days of sale.~~

186 ~~d. This subparagraph shall expire on April 1, 2020.~~

187
188 ~~If this subparagraph or its application to any person or~~
189 ~~circumstance is held invalid, the invalidity does not affect~~
190 ~~other provisions or applications of this act which can be given~~
191 ~~effect without the invalid provision or application, and to this~~
192 ~~end, the provisions of this subparagraph are severable.~~

193 (b) An applicant for licensure as a medical marijuana
194 treatment center shall apply to the department on a form
195 prescribed by the department and adopted in rule. The department
196 shall adopt rules pursuant to ss. 120.536(1) and 120.54
197 establishing a procedure for the issuance and biennial renewal
198 of licenses, including initial application and biennial renewal
199 fees sufficient to cover the costs of implementing and
200 administering this section, and establishing supplemental

201 licensure fees for payment beginning May 1, 2018, sufficient to
202 cover the costs of administering ss. 381.989 and 1004.4351. The
203 department shall identify applicants with strong diversity plans
204 reflecting this state's commitment to diversity and implement
205 training programs and other educational programs to enable
206 minority persons and minority business enterprises, as defined
207 in s. 288.703, and veteran business enterprises, as defined in
208 s. 295.187, to compete for medical marijuana treatment center
209 licensure and contracts. Subject to the requirements in
210 subparagraph (a)2. ~~subparagraphs (a)2.-4.~~, the department shall
211 issue a license to an applicant if the applicant meets the
212 requirements of this section and pays the initial application
213 fee. The department shall renew the licensure of a medical
214 marijuana treatment center biennially if the licensee meets the
215 requirements of this section and pays the biennial renewal fee.
216 An individual may not be an applicant, owner, officer, board
217 member, or manager on more than one application for licensure as
218 a medical marijuana treatment center. An individual or entity
219 may not be awarded more than one license as a medical marijuana
220 treatment center. An applicant for licensure as a medical
221 marijuana treatment center must demonstrate:

- 222 1. That, for the 5 consecutive years before submitting the
223 application, the applicant has been registered to do business in
224 the state.
- 225 2. Possession of a valid certificate of registration

226 issued by the Department of Agriculture and Consumer Services
227 pursuant to s. 581.131.

228 3. The technical and technological ability to cultivate
229 and produce marijuana, including, but not limited to, low-THC
230 cannabis.

231 4. The ability to secure the premises, resources, and
232 personnel necessary to operate as a medical marijuana treatment
233 center.

234 5. The ability to maintain accountability of all raw
235 materials, finished products, and any byproducts to prevent
236 diversion or unlawful access to or possession of these
237 substances.

238 6. An infrastructure reasonably located to dispense
239 marijuana to registered qualified patients ~~statewide or~~
240 regionally as determined by the department.

241 7. The financial ability to maintain operations for the
242 duration of the 2-year approval cycle, including the provision
243 of certified financial statements to the department.

244 a. Upon approval, the applicant must post a \$5 million
245 performance bond issued by an authorized surety insurance
246 company rated in one of the three highest rating categories by a
247 nationally recognized rating service. However, a medical
248 marijuana treatment center serving at least 1,000 qualified
249 patients is only required to maintain a \$2 million performance
250 bond.

251 b. In lieu of the performance bond required under sub-
252 subparagraph a., the applicant may provide an irrevocable letter
253 of credit payable to the department or provide cash to the
254 department. If provided with cash under this sub-subparagraph,
255 the department shall deposit the cash in the Grants and
256 Donations Trust Fund within the Department of Health, subject to
257 the same conditions as the bond regarding requirements for the
258 applicant to forfeit ownership of the funds. If the funds
259 deposited under this sub-subparagraph generate interest, the
260 amount of that interest shall be used by the department for the
261 administration of this section.

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

264 9. The employment of a medical director to supervise the
265 activities of the medical marijuana treatment center.

266 10. A diversity plan that promotes and ensures the
267 involvement of minority persons and minority business
268 enterprises, as defined in s. 288.703, or veteran business
269 enterprises, as defined in s. 295.187, in ownership, management,
270 and employment. An applicant for licensure renewal must show the
271 effectiveness of the diversity plan by including the following
272 with his or her application for renewal:

273 a. Representation of minority persons and veterans in the
274 medical marijuana treatment center's workforce;

275 b. Efforts to recruit minority persons and veterans for

276 employment; and

277 c. A record of contracts for services with minority
278 business enterprises and veteran business enterprises.

279 (e) A licensed medical marijuana treatment center shall
280 cultivate, process, transport, or ~~and~~ dispense marijuana for
281 medical use. A licensed medical marijuana treatment center may
282 not contract for services directly related to the cultivation,
283 processing, or ~~and~~ dispensing of marijuana or marijuana delivery
284 devices, except that a medical marijuana treatment center
285 licensed pursuant to subparagraph (a)1. may contract with a
286 single entity for the cultivation, processing, transporting, or
287 ~~and~~ dispensing of marijuana and marijuana delivery devices. A
288 licensed medical marijuana treatment center must, at all times,
289 maintain compliance with the criteria demonstrated and
290 representations made in the initial application and the criteria
291 established in this subsection. Upon request, the department may
292 grant a medical marijuana treatment center a variance from the
293 representations made in the initial application. Consideration
294 of such a request shall be based upon the individual facts and
295 circumstances surrounding the request. A variance may not be
296 granted unless the requesting medical marijuana treatment center
297 can demonstrate to the department that it has a proposed
298 alternative to the specific representation made in its
299 application which fulfills the same or a similar purpose as the
300 specific representation in a way that the department can

301 reasonably determine will not be a lower standard than the
302 specific representation in the application. A variance may not
303 be granted from the requirements in subparagraph 2. and
304 subparagraphs (b)1. and 2.

305 1. A licensed medical marijuana treatment center may
306 transfer ownership to an individual or entity who meets the
307 requirements of this section. A publicly traded corporation or
308 publicly traded company that meets the requirements of this
309 section is not precluded from ownership of a medical marijuana
310 treatment center. To accommodate a change in ownership:

311 a. The licensed medical marijuana treatment center shall
312 notify the department in writing at least 60 days before the
313 anticipated date of the change of ownership.

314 b. The individual or entity applying for initial licensure
315 due to a change of ownership must submit an application that
316 must be received by the department at least 60 days before the
317 date of change of ownership.

318 c. Upon receipt of an application for a license, the
319 department shall examine the application and, within 30 days
320 after receipt, notify the applicant in writing of any apparent
321 errors or omissions and request any additional information
322 required.

323 d. Requested information omitted from an application for
324 licensure must be filed with the department within 21 days after
325 the department's request for omitted information or the

326 application shall be deemed incomplete and shall be withdrawn
327 from further consideration and the fees shall be forfeited.

328

329 Within 30 days after the receipt of a complete application, the
330 department shall approve or deny the application.

331 2. A medical marijuana treatment center, and any
332 individual or entity who directly or indirectly owns, controls,
333 or holds with power to vote 5 percent or more of the voting
334 shares of a medical marijuana treatment center, may not acquire
335 direct or indirect ownership or control of any voting shares or
336 other form of ownership of any other medical marijuana treatment
337 center.

338 3. A medical marijuana treatment center may not enter into
339 any form of profit-sharing arrangement with the property owner
340 or lessor of any of its facilities where cultivation,
341 processing, storing, or dispensing of marijuana and marijuana
342 delivery devices occurs.

343 4. All employees of a medical marijuana treatment center
344 must be 21 years of age or older and have passed a background
345 screening pursuant to subsection (9).

346 5. Each medical marijuana treatment center must adopt and
347 enforce policies and procedures to ensure employees and
348 volunteers receive training on the legal requirements to
349 dispense marijuana to qualified patients.

350 6. When growing marijuana, a medical marijuana treatment

351 center:

352 a. May use pesticides determined by the department, after
353 consultation with the Department of Agriculture and Consumer
354 Services, to be safely applied to plants intended for human
355 consumption, but may not use pesticides designated as
356 restricted-use pesticides pursuant to s. 487.042.

357 b. Must grow marijuana within an enclosed structure and in
358 a room separate from any other plant.

359 c. Must inspect seeds and growing plants for plant pests
360 that endanger or threaten the horticultural and agricultural
361 interests of the state in accordance with chapter 581 and any
362 rules adopted thereunder.

363 d. Must perform fumigation or treatment of plants, or
364 remove and destroy infested or infected plants, in accordance
365 with chapter 581 and any rules adopted thereunder.

366 7. Each medical marijuana treatment center must produce
367 and make available for purchase at least one low-THC cannabis
368 product.

369 8. A medical marijuana treatment center that produces
370 edibles must hold a permit to operate as a food establishment
371 pursuant to chapter 500, the Florida Food Safety Act, and must
372 comply with all the requirements for food establishments
373 pursuant to chapter 500 and any rules adopted thereunder.
374 Edibles may not contain more than 200 milligrams of
375 tetrahydrocannabinol, and a single serving portion of an edible

376 | may not exceed 10 milligrams of tetrahydrocannabinol. Edibles
377 | may have a potency variance of no greater than 15 percent.
378 | Edibles may not be attractive to children; be manufactured in
379 | the shape of humans, cartoons, or animals; be manufactured in a
380 | form that bears any reasonable resemblance to products available
381 | for consumption as commercially available candy; or contain any
382 | color additives. To discourage consumption of edibles by
383 | children, the department shall determine by rule any shapes,
384 | forms, and ingredients allowed and prohibited for edibles.
385 | Medical marijuana treatment centers may not begin processing or
386 | dispensing edibles until after the effective date of the rule.
387 | The department shall also adopt sanitation rules providing the
388 | standards and requirements for the storage, display, or
389 | dispensing of edibles.

390 | 9. Within 12 months after licensure, a medical marijuana
391 | treatment center must demonstrate to the department that all of
392 | its processing facilities have passed a Food Safety Good
393 | Manufacturing Practices, such as Global Food Safety Initiative
394 | or equivalent, inspection by a nationally accredited certifying
395 | body. A medical marijuana treatment center must immediately stop
396 | processing at any facility which fails to pass such ~~this~~
397 | inspection until it demonstrates to the department that such
398 | facility has met this requirement.

399 | 10. A medical marijuana treatment center that produces
400 | prerolled marijuana cigarettes may not use wrapping paper made

401 with tobacco or hemp.

402 11. When processing marijuana, a medical marijuana
403 treatment center must:

404 a. Process the marijuana within an enclosed structure and
405 in a room separate from other plants or products.

406 b. Comply with department rules when processing marijuana
407 with hydrocarbon solvents or other solvents or gases exhibiting
408 potential toxicity to humans. The department shall determine by
409 rule the requirements for medical marijuana treatment centers to
410 use such solvents or gases exhibiting potential toxicity to
411 humans.

412 c. Comply with federal and state laws and regulations and
413 department rules for solid and liquid wastes. The department
414 shall determine by rule procedures for the storage, handling,
415 transportation, management, and disposal of solid and liquid
416 waste generated during marijuana production and processing. The
417 Department of Environmental Protection shall assist the
418 department in developing such rules.

419 d. Test the processed marijuana using a medical marijuana
420 testing laboratory before it is dispensed. Results must be
421 verified and signed by two medical marijuana treatment center
422 employees. Before dispensing, the medical marijuana treatment
423 center must determine that the test results indicate that low-
424 THC cannabis meets the definition of low-THC cannabis, the
425 concentration of tetrahydrocannabinol meets the potency

426 requirements of this section, the labeling of the concentration
427 of tetrahydrocannabinol and cannabidiol is accurate, and all
428 marijuana is safe for human consumption and free from
429 contaminants that are unsafe for human consumption. The
430 department shall determine by rule which contaminants must be
431 tested for and the maximum levels of each contaminant which are
432 safe for human consumption. The Department of Agriculture and
433 Consumer Services shall assist the department in developing the
434 testing requirements for contaminants that are unsafe for human
435 consumption in edibles. The department shall also determine by
436 rule the procedures for the treatment of marijuana that fails to
437 meet the testing requirements of this section, s. 381.988, or
438 department rule. The department may select a random sample from
439 edibles available for purchase in a dispensing facility which
440 shall be tested by the department to determine that the edible
441 meets the potency requirements of this section, is safe for
442 human consumption, and the labeling of the tetrahydrocannabinol
443 and cannabidiol concentration is accurate. A medical marijuana
444 treatment center may not require payment from the department for
445 the sample. A medical marijuana treatment center must recall
446 edibles, including all edibles made from the same batch of
447 marijuana, which fail to meet the potency requirements of this
448 section, which are unsafe for human consumption, or for which
449 the labeling of the tetrahydrocannabinol and cannabidiol
450 concentration is inaccurate. The medical marijuana treatment

451 center must retain records of all testing and samples of each
452 homogenous batch of marijuana for at least 9 months. The medical
453 marijuana treatment center must contract with a marijuana
454 testing laboratory to perform audits on the medical marijuana
455 treatment center's standard operating procedures, testing
456 records, and samples and provide the results to the department
457 to confirm that the marijuana or low-THC cannabis meets the
458 requirements of this section and that the marijuana or low-THC
459 cannabis is safe for human consumption. A medical marijuana
460 treatment center shall reserve two processed samples from each
461 batch and retain such samples for at least 9 months for the
462 purpose of such audits. A medical marijuana treatment center may
463 use a laboratory that has not been certified by the department
464 under s. 381.988 until such time as at least one laboratory
465 holds the required certification, but in no event later than
466 July 1, 2018.

467 e. Package the marijuana in compliance with the United
468 States Poison Prevention Packaging Act of 1970, 15 U.S.C. ss.
469 1471 et seq.

470 f. Package the marijuana in a receptacle that has a firmly
471 affixed and legible label stating the following information:

472 (I) The marijuana or low-THC cannabis meets the
473 requirements of sub-subparagraph d.

474 (II) The name of the medical marijuana treatment center
475 from which the marijuana originates.

476 (III) The batch number and harvest number from which the
 477 marijuana originates and the date dispensed.

478 (IV) The name of the physician who issued the physician
 479 certification.

480 (V) The name of the patient.

481 (VI) The product name, if applicable, and dosage form,
 482 including concentration of tetrahydrocannabinol and cannabidiol.
 483 The product name may not contain wording commonly associated
 484 with products marketed by or to children.

485 (VII) The recommended dose.

486 (VIII) A warning that it is illegal to transfer medical
 487 marijuana to another person.

488 (IX) A marijuana universal symbol developed by the
 489 department.

490 12. The medical marijuana treatment center shall include
 491 in each package a patient package insert with information on the
 492 specific product dispensed related to:

- 493 a. Clinical pharmacology.
- 494 b. Indications and use.
- 495 c. Dosage and administration.
- 496 d. Dosage forms and strengths.
- 497 e. Contraindications.
- 498 f. Warnings and precautions.
- 499 g. Adverse reactions.

500 13. In addition to the packaging and labeling requirements

501 specified in subparagraphs 11. and 12., marijuana in a form for
502 smoking must be packaged in a sealed receptacle with a legible
503 and prominent warning to keep away from children and a warning
504 that states marijuana smoke contains carcinogens and may
505 negatively affect health. Such receptacles for marijuana in a
506 form for smoking must be plain, opaque, and white without
507 depictions of the product or images other than the medical
508 marijuana treatment center's department-approved logo and the
509 marijuana universal symbol.

510 14. The department shall adopt rules to regulate the
511 types, appearance, and labeling of marijuana delivery devices
512 dispensed from a medical marijuana treatment center. The rules
513 must require marijuana delivery devices to have an appearance
514 consistent with medical use.

515 15. Each edible shall be individually sealed in plain,
516 opaque wrapping marked only with the marijuana universal symbol.
517 Where practical, each edible shall be marked with the marijuana
518 universal symbol. In addition to the packaging and labeling
519 requirements in subparagraphs 11. and 12., edible receptacles
520 must be plain, opaque, and white without depictions of the
521 product or images other than the medical marijuana treatment
522 center's department-approved logo and the marijuana universal
523 symbol. The receptacle must also include a list of all the
524 edible's ingredients, storage instructions, an expiration date,
525 a legible and prominent warning to keep away from children and

526 | pets, and a warning that the edible has not been produced or
527 | inspected pursuant to federal food safety laws.

528 | 16. When dispensing marijuana or a marijuana delivery
529 | device, a medical marijuana treatment center:

530 | a. May dispense any active, valid order for low-THC
531 | cannabis, medical cannabis and cannabis delivery devices issued
532 | pursuant to former s. 381.986, Florida Statutes 2016, which was
533 | entered into the medical marijuana use registry before July 1,
534 | 2017.

535 | b. May not dispense more than a 70-day supply of marijuana
536 | within any 70-day period to a qualified patient or caregiver.
537 | May not dispense more than one 35-day supply of marijuana in a
538 | form for smoking within any 35-day period to a qualified patient
539 | or caregiver. A 35-day supply of marijuana in a form for smoking
540 | may not exceed 2.5 ounces unless an exception to this amount is
541 | approved by the department pursuant to paragraph (4)(f).

542 | c. Must have the medical marijuana treatment center's
543 | employee who dispenses the marijuana or a marijuana delivery
544 | device enter into the medical marijuana use registry his or her
545 | name or unique employee identifier.

546 | d. Must verify that the qualified patient and the
547 | caregiver, if applicable, each have an active registration in
548 | the medical marijuana use registry and an active and valid
549 | medical marijuana use registry identification card, the amount
550 | and type of marijuana dispensed matches the physician

551 certification in the medical marijuana use registry for that
552 qualified patient, and the physician certification has not
553 already been filled.

554 e. May not dispense marijuana to a qualified patient who
555 is younger than 18 years of age. If the qualified patient is
556 younger than 18 years of age, marijuana may only be dispensed to
557 the qualified patient's caregiver.

558 f. May not dispense or sell any other type of cannabis,
559 alcohol, or illicit drug-related product, including pipes or
560 wrapping papers made with tobacco or hemp, other than a
561 marijuana delivery device required for the medical use of
562 marijuana and which is specified in a physician certification.

563 g. Must, upon dispensing the marijuana or marijuana
564 delivery device, record in the registry the date, time,
565 quantity, and form of marijuana dispensed; the type of marijuana
566 delivery device dispensed; and the name and medical marijuana
567 use registry identification number of the qualified patient or
568 caregiver to whom the marijuana delivery device was dispensed.

569 h. Must ensure that patient records are not visible to
570 anyone other than the qualified patient, his or her caregiver,
571 and authorized medical marijuana treatment center employees.

572 Section 2. This act shall take effect upon becoming a law.