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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/03/2020	.	
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The Committee on Rules (Brandes) recommended the following:

1 **Senate Amendment to Substitute Amendment (309044) (with**
2 **title amendment)**

3
4 Between lines 121 and 122

5 insert:

6 381.986 Medical use of marijuana.—

7 (8) MEDICAL MARIJUANA TREATMENT CENTERS.—

8 (b) An applicant for licensure as a medical marijuana
9 treatment center shall apply to the department on a form
10 prescribed by the department and adopted in rule. The department
11 shall adopt rules pursuant to ss. 120.536(1) and 120.54



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



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41 1. That, for the 5 consecutive years before submitting the
42 application, the applicant has been registered to do business in
43 the state.

44 2. Possession of a valid certificate of registration issued
45 by the Department of Agriculture and Consumer Services pursuant
46 to s. 581.131.

47 3. The technical and technological ability to cultivate and
48 produce marijuana, including, but not limited to, low-THC
49 cannabis.

50 4. The ability to secure the premises, resources, and
51 personnel necessary to operate as a medical marijuana treatment
52 center.

53 5. The ability to maintain accountability of all raw
54 materials, finished products, and any byproducts to prevent
55 diversion or unlawful access to or possession of these
56 substances.

57 6. An infrastructure reasonably located to dispense
58 marijuana to registered qualified patients statewide or
59 regionally as determined by the department.

60 7. The financial ability to maintain operations for the
61 duration of the 2-year approval cycle, including the provision
62 of certified financial statements to the department.

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



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70 b. In lieu of the performance bond required under sub-
71 subparagraph a., the applicant may provide an irrevocable letter
72 of credit payable to the department or provide cash to the
73 department. If provided with cash under this sub-subparagraph,
74 the department shall deposit the cash in the Grants and
75 Donations Trust Fund within the Department of Health, subject to
76 the same conditions as the bond regarding requirements for the
77 applicant to forfeit ownership of the funds. If the funds
78 deposited under this sub-subparagraph generate interest, the
79 amount of that interest shall be used by the department for the
80 administration of this section.

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

83 9. The employment of a medical director to supervise the
84 activities of the medical marijuana treatment center.

85 10. A diversity plan that promotes and ensures the
86 involvement of minority persons and minority business
87 enterprises, as defined in s. 288.703, or veteran business
88 enterprises, as defined in s. 295.187, in ownership, management,
89 and employment. An applicant for licensure renewal must show the
90 effectiveness of the diversity plan by including the following
91 with his or her application for renewal:

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

94 b. Efforts to recruit minority persons and veterans for
95 employment; and

96 c. A record of contracts for services with minority
97 business enterprises and veteran business enterprises.

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

100 And the title is amended as follows:

101 Delete line 467

102 and insert:

103 specified amount; providing exceptions; requiring the
104 Department of Health to refuse to renew a medical
105 marijuana treatment center's license under certain
106 circumstances; revising a