

By Senator Brodeur

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1                                   A bill to be entitled  
2       An act relating to controlled substances; amending s.  
3       893.03, F.S.; removing from Schedule V certain drug  
4       products in finished dosage formulation which have  
5       been approved by the United States Food and Drug  
6       Administration; amending s. 893.02, F.S.; conforming a  
7       provision to changes made by the act; providing an  
8       effective date.

9  
10   Be It Enacted by the Legislature of the State of Florida:

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12       Section 1. Paragraph (d) of subsection (5) of section  
13       893.03, Florida Statutes, is amended to read:

14       893.03 Standards and schedules.—The substances enumerated  
15       in this section are controlled by this chapter. The controlled  
16       substances listed or to be listed in Schedules I, II, III, IV,  
17       and V are included by whatever official, common, usual,  
18       chemical, trade name, or class designated. The provisions of  
19       this section shall not be construed to include within any of the  
20       schedules contained in this section any excluded drugs listed  
21       within the purview of 21 C.F.R. s. 1308.22, styled "Excluded  
22       Substances"; 21 C.F.R. s. 1308.24, styled "Exempt Chemical  
23       Preparations"; 21 C.F.R. s. 1308.32, styled "Exempted  
24       Prescription Products"; or 21 C.F.R. s. 1308.34, styled "Exempt  
25       Anabolic Steroid Products."

26       (5) SCHEDULE V.—A substance, compound, mixture, or  
27       preparation of a substance in Schedule V has a low potential for  
28       abuse relative to the substances in Schedule IV and has a  
29       currently accepted medical use in treatment in the United

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30 States, and abuse of such compound, mixture, or preparation may  
31 lead to limited physical or psychological dependence relative to  
32 the substances in Schedule IV.

33 ~~(d) A drug product in finished dosage formulation that has~~  
34 ~~been approved by the United States Food and Drug Administration~~  
35 ~~that contains cannabidiol (2-[1R-3-methyl-6R-(1-methylethenyl)-~~  
36 ~~2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol) derived from~~  
37 ~~cannabis and no more than 0.1 percent (w/w) residual~~  
38 ~~tetrahydrocannabinols.~~

39 Section 2. Subsection (3) of section 893.02, Florida  
40 Statutes, is amended to read:

41 893.02 Definitions.—The following words and phrases as used  
42 in this chapter shall have the following meanings, unless the  
43 context otherwise requires:

44 (3) "Cannabis" means all parts of any plant of the genus  
45 *Cannabis*, whether growing or not; the seeds thereof; the resin  
46 extracted from any part of the plant; and every compound,  
47 manufacture, salt, derivative, mixture, or preparation of the  
48 plant or its seeds or resin. The term does not include  
49 "marijuana," as defined in s. 381.986, if manufactured,  
50 possessed, sold, purchased, delivered, distributed, or  
51 dispensed, in conformance with s. 381.986. The term does not  
52 include hemp as defined in s. 581.217 or industrial hemp as  
53 defined in s. 1004.4473. ~~The term does not include a drug~~  
54 ~~product described in s. 893.03(5)(d).~~

55 Section 3. This act shall take effect upon becoming a law.