

HB 6095

2021

1                   A bill to be entitled  
2           An act relating to scheduling of drug products  
3           containing cannabidiol; amending s. 893.03, F.S.;  
4           removing provisions concerning the scheduling of  
5           certain drug products containing cannabidiol; amending  
6           s. 893.02, F.S.; conforming provisions to changes made  
7           by the act; providing an effective date.  
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9   Be It Enacted by the Legislature of the State of Florida:  
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11           Section 1. Paragraph (d) of subsection (5) of section  
12   893.03, Florida Statutes, is amended to read:

13           893.03 Standards and schedules.—The substances enumerated  
14   in this section are controlled by this chapter. The controlled  
15   substances listed or to be listed in Schedules I, II, III, IV,  
16   and V are included by whatever official, common, usual,  
17   chemical, trade name, or class designated. The provisions of  
18   this section shall not be construed to include within any of the  
19   schedules contained in this section any excluded drugs listed  
20   within the purview of 21 C.F.R. s. 1308.22, styled "Excluded  
21   Substances"; 21 C.F.R. s. 1308.24, styled "Exempt Chemical  
22   Preparations"; 21 C.F.R. s. 1308.32, styled "Exempted  
23   Prescription Products"; or 21 C.F.R. s. 1308.34, styled "Exempt  
24   Anabolic Steroid Products."

25           (5) SCHEDULE V.—A substance, compound, mixture, or

26 preparation of a substance in Schedule V has a low potential for  
 27 abuse relative to the substances in Schedule IV and has a  
 28 currently accepted medical use in treatment in the United  
 29 States, and abuse of such compound, mixture, or preparation may  
 30 lead to limited physical or psychological dependence relative to  
 31 the substances in Schedule IV.

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

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

40 893.02 Definitions.—The following words and phrases as  
 41 used in this chapter shall have the following meanings, unless  
 42 the context otherwise requires:

43 (3) "Cannabis" means all parts of any plant of the genus  
 44 Cannabis, whether growing or not; the seeds thereof; the resin  
 45 extracted from any part of the plant; and every compound,  
 46 manufacture, salt, derivative, mixture, or preparation of the  
 47 plant or its seeds or resin. The term does not include  
 48 "marijuana," as defined in s. 381.986, if manufactured,  
 49 possessed, sold, purchased, delivered, distributed, or  
 50 dispensed, in conformance with s. 381.986. The term does not

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51 | include hemp as defined in s. 581.217 or industrial hemp as  
52 | defined in s. 1004.4473. ~~The term does not include a drug~~  
53 | ~~product described in s. 893.03(5)(d).~~

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