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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/01/2022	.	
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The Committee on Appropriations (Rouson) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 139 and 140  
insert:

Section 3. Effective upon this act becoming a law,  
paragraph (a) of subsection (8) of section 381.986, Florida  
Statutes, is amended to read:

381.986 Medical use of marijuana.—

(8) MEDICAL MARIJUANA TREATMENT CENTERS.—

(a) The department shall license medical marijuana



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11 treatment centers to ensure reasonable statewide accessibility  
12 and availability as necessary for qualified patients registered  
13 in the medical marijuana use registry and who are issued a  
14 physician certification under this section.

15 1. As soon as practicable, but no later than July 3, 2017,  
16 the department shall license as a medical marijuana treatment  
17 center any entity that holds an active, unrestricted license to  
18 cultivate, process, transport, and dispense low-THC cannabis,  
19 medical cannabis, and cannabis delivery devices, under former s.  
20 381.986, Florida Statutes 2016, before July 1, 2017, and which  
21 meets the requirements of this section. In addition to the  
22 authority granted under this section, these entities are  
23 authorized to dispense low-THC cannabis, medical cannabis, and  
24 cannabis delivery devices ordered pursuant to former s. 381.986,  
25 Florida Statutes 2016, which were entered into the compassionate  
26 use registry before July 1, 2017, and are authorized to begin  
27 dispensing marijuana under this section on July 3, 2017. The  
28 department may grant variances from the representations made in  
29 such an entity's original application for approval under former  
30 s. 381.986, Florida Statutes 2014, pursuant to paragraph (e).

31 2. The department shall license as medical marijuana  
32 treatment centers 10 applicants that meet the requirements of  
33 this section, under the following parameters:

34 a. As soon as practicable, but no later than August 1,  
35 2017, the department shall license any applicant whose  
36 application was reviewed, evaluated, and scored by the  
37 department and which was denied a dispensing organization  
38 license by the department under former s. 381.986, Florida  
39 Statutes 2014; which had one or more administrative or judicial



40 challenges pending as of January 1, 2017, or had a final ranking  
41 within one point of the highest final ranking in its region  
42 under former s. 381.986, Florida Statutes 2014; which meets the  
43 requirements of this section; and which provides documentation  
44 to the department that it has the existing infrastructure and  
45 technical and technological ability to begin cultivating  
46 marijuana within 30 days after registration as a medical  
47 marijuana treatment center.

48 b. As soon as practicable, the department shall license one  
49 applicant that is a recognized class member of *Pigford v.*  
50 *Glickman*, 185 F.R.D. 82 (D.D.C. 1999), or *In Re Black Farmers*  
51 *Litig.*, 856 F. Supp. 2d 1 (D.D.C. 2011). An applicant licensed  
52 under this sub-subparagraph is exempt from the requirement of  
53 subparagraph (b)2. An applicant that applies for licensure under  
54 this sub-subparagraph, pays its initial application fee, is  
55 determined by the department through the application process to  
56 qualify as a recognized class member, and is not awarded a  
57 license under this sub-subparagraph may transfer its initial  
58 application fee to one subsequent opportunity to apply for  
59 licensure under subparagraph 4.

60 c. As soon as practicable, but no later than October 3,  
61 2017, the department shall license applicants that meet the  
62 requirements of this section in sufficient numbers to result in  
63 10 total licenses issued under this subparagraph, while  
64 accounting for the number of licenses issued under sub-  
65 subparagraphs a. and b.

66 3. For up to two of the licenses issued under subparagraph  
67 2., the department shall give preference to applicants that  
68 demonstrate in their applications that they own one or more



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69 facilities that are, or were, used for the canning,  
70 concentrating, or otherwise processing of citrus fruit or citrus  
71 molasses and will use or convert the facility or facilities for  
72 the processing of marijuana.

73 4. Within 6 months after the registration of 100,000 active  
74 qualified patients in the medical marijuana use registry, the  
75 department shall license four additional medical marijuana  
76 treatment centers that meet the requirements of this section.  
77 Thereafter, the department shall license four medical marijuana  
78 treatment centers within 6 months after the registration of each  
79 additional 100,000 active qualified patients in the medical  
80 marijuana use registry that meet the requirements of this  
81 section.

82  
83 ===== T I T L E A M E N D M E N T =====

84 And the title is amended as follows:

85 Delete line 19

86 and insert:

87 shelters; amending s. 381.986, F.S.; authorizing  
88 certain applicants for medical marijuana treatment  
89 center licenses to transfer their initial application  
90 fee to one subsequent opportunity to apply for  
91 licensure under certain circumstances; authorizing the