



869458

LEGISLATIVE ACTION

Senate

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House

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Floor: WD/2R

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05/04/2023 02:24 PM

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Senator Gruters moved the following:

Senate Amendment (with title amendment)

Delete lines 135 - 183

and insert:

Section 2. Present paragraphs (a) through (c) and (d) through (o) of subsection (1) of section 381.986, Florida Statutes, are redesignated as paragraphs (b) through (d) and (f) through (q), respectively, new paragraphs (a) and (e) are added to that subsection, and paragraphs (a) and (c) of subsection (3), paragraphs (e) and (h) of subsection (8), and subsection (9) of that section are amended, to read:



12 381.986 Medical use of marijuana.-

13 (1) DEFINITIONS.-As used in this section, the term:

14 (a) "Attractive to children" means the use of any image or
15 words designed or likely to appeal to persons younger than 18
16 years of age, including, but not limited to, cartoons, toys,
17 animals, food, or depictions of persons younger than 18 years of
18 age; any other likeness to images, characters, or phrases that
19 are popularly used to advertise to persons younger than 18 years
20 of age; or any reasonable likeness to commercially available
21 candy.

22 (e) "Dispense" means the act of selling, delivering, or
23 otherwise transferring marijuana or a marijuana delivery device
24 to a patient or caregiver.

25 (3) QUALIFIED PHYSICIANS AND MEDICAL DIRECTORS.-

26 (a) Before being approved as a qualified physician,~~as~~
27 ~~defined in paragraph (1)(m),~~ and before each license renewal, a
28 physician must successfully complete a 2-hour course and
29 subsequent examination offered by the Florida Medical
30 Association or the Florida Osteopathic Medical Association which
31 encompass the requirements of this section and any rules adopted
32 hereunder. The course and examination must ~~shall~~ be administered
33 at least annually and may be offered in a distance learning
34 format, including an electronic, online format that is available
35 upon request. The price of the course may not exceed \$500. A
36 physician who has met the physician education requirements of
37 former s. 381.986(4), Florida Statutes 2016, before June 23,
38 2017, shall be deemed to be in compliance with this paragraph
39 from June 23, 2017, until 90 days after the course and
40 examination required by this paragraph become available.



41 (c) Before being employed as a medical director, ~~as defined~~
42 ~~in paragraph (1)(i)~~, and before each license renewal, a medical
43 director must successfully complete a 2-hour course and
44 subsequent examination offered by the Florida Medical
45 Association or the Florida Osteopathic Medical Association which
46 encompass the requirements of this section and any rules adopted
47 hereunder. The course and examination must ~~shall~~ be administered
48 at least annually and may be offered in a distance learning
49 format, including an electronic, online format that is available
50 upon request. The price of the course may not exceed \$500.

51 (8) MEDICAL MARIJUANA TREATMENT CENTERS.—

52 (e) A licensed medical marijuana treatment center shall
53 cultivate, process, transport, and dispense marijuana for
54 medical use. A licensed medical marijuana treatment center may
55 not contract for services directly related to the cultivation,
56 processing, and dispensing of marijuana or marijuana delivery
57 devices, except that a licensed medical marijuana treatment
58 center may contract for services to assist the licensed medical
59 marijuana treatment center with receiving and managing orders
60 for marijuana or marijuana delivery devices if the actual
61 dispensing is completed by the licensed medical marijuana
62 treatment center, and a medical marijuana treatment center

63
64 ===== T I T L E A M E N D M E N T =====

65 And the title is amended as follows:

66 Delete lines 9 - 10

67 and insert:

68 construction; amending s. 381.986, F.S.; defining
69 terms; authorizing licensed medical marijuana



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treatment centers to contract for services under
certain circumstances; prohibiting medical