

1 A bill to be entitled
 2 An act relating to potency for adult personal use of
 3 marijuana; creating s. 381.9861, F.S.; providing
 4 definitions; specifying the authorized potency of
 5 tetrahydrocannabinol when consuming marijuana for
 6 personal use; providing exceptions; prohibiting
 7 edibles for personal use from containing more than a
 8 specified amount of tetrahydrocannabinol or from
 9 having a potency variance greater than a specified
 10 percentage; prohibiting a container for marijuana
 11 products prepackaged for use in a vapor-generating
 12 electronic device from exceeding a specified size;
 13 amending chapter 2017-232, Laws of Florida; abrogating
 14 the contingent future repeal of specified provisions;
 15 providing a contingent effective date.

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 17 Be It Enacted by the Legislature of the State of Florida:

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 19 Section 1. Section 381.9861, Florida Statutes, is created
 20 to read:

21 381.9861 Potency limits for adult personal use of
 22 marijuana.-

23 (1) As used in this section, the term:

24 (a) "Edibles" means commercially produced food items made
 25 with marijuana oil, but no other form of marijuana.

26 (b) "Marijuana" means all parts of any plant of the genus
27 Cannabis, whether growing or not; the seeds thereof; the resin
28 extracted from any part of the plant; and every compound,
29 manufacture, salt, derivative, mixture, or preparation of the
30 plant or its seeds or resin, including low-THC cannabis.

31 (c) "Marijuana delivery device" means an object used,
32 intended for use, or designed for use in preparing, storing,
33 ingesting, inhaling, or otherwise introducing marijuana into the
34 human body.

35 (d) "Personal use" means possession, purchase, or use of
36 marijuana or a marijuana delivery device by an adult 21 years of
37 age or older for nonmedical consumption.

38 (e) "Potency" means the relative strength of cannabinoids,
39 and the total amount, in milligrams, of tetrahydrocannabinol as
40 the sum of delta-9-tetrahydrocannabinol, plus 0.877 multiplied
41 by tetrahydrocannabinolic acid, plus delta-8-
42 tetrahydrocannabinol and cannabidiol as the sum of cannabidiol,
43 plus 0.877 multiplied by cannabidiolic acid in the final
44 product.

45 (2)(a) Marijuana for personal use may not have a
46 tetrahydrocannabinol potency, by weight or volume, of greater
47 than 30 percent for marijuana in a form for smoking or greater
48 than 60 percent in the final product for all other forms of
49 marijuana, excluding edibles and marijuana products prepackaged
50 for use in a vapor-generating electronic device, as defined in

51 s. 386.203.

52 (b) Edibles for personal use may not contain more than 200
 53 milligrams of tetrahydrocannabinol and a single serving portion
 54 of an edible may not exceed 10 milligrams of
 55 tetrahydrocannabinol. Edibles may have a potency variance of no
 56 greater than 15 percent.

57 (c) A container for marijuana products prepackaged for use
 58 in a vapor-generating electronic device, as defined in s.
 59 386.203, may not exceed more than 1,000 milligrams total volume.

60 Section 2. Section 1 of chapter 2017-232, Laws of Florida,
 61 is amended to read:

62 Section 1. Legislative intent.—It is the intent of the
 63 Legislature to implement s. 29, Article X of the State
 64 Constitution by creating a unified regulatory structure. ~~If s.~~
 65 ~~29, Article X of the State Constitution is amended or a~~
 66 ~~constitutional amendment related to cannabis or marijuana is~~
 67 ~~adopted, this act shall expire 6 months after the effective date~~
 68 ~~of such amendment.~~

69 Section 3. This act shall take effect 30 days after
 70 passage of an amendment to the State Constitution authorizing
 71 adult personal use of marijuana.