

By Senator Polsky

30-00779-24

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1 A bill to be entitled
2 An act relating to protection of parental rights;
3 amending s. 39.806, F.S.; prohibiting a court from
4 denying or restricting certain parental rights based
5 solely on a parent's medical marijuana use;
6 prohibiting the presumption of neglect or child
7 endangerment based solely on a parent's medical
8 marijuana use; providing construction; providing an
9 effective date.

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

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13 Section 1. Present subsections (2), (3), and (4) of section
14 39.806, Florida Statutes, are redesignated as subsections (3),
15 (4), and (5), respectively, and a new subsection (2) is added to
16 that section, to read:

17 39.806 Grounds for termination of parental rights.—

18 (2) A court may not deny or otherwise restrict a parent's
19 custody of a minor child or the parent's visitation rights or
20 parenting time with a minor child based solely on the parent's
21 status as a certified medical marijuana user pursuant to s.
22 381.986. There is no presumption of neglect or child
23 endangerment based solely on the person's status as a certified
24 medical marijuana user pursuant to s. 381.986. In determining
25 the best interest of the child with respect to custody or
26 dependency, the provisions of this section shall apply.

27 Section 2. This act shall take effect July 1, 2024.