



737162

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/20/2024	.	
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The Appropriations Committee on Health and Human Services (Davis and Rouson) recommended the following:

Senate Amendment (with title amendment)

Delete line 770

and insert:

Section 10. (1) Effective upon this act becoming a law and notwithstanding any provision of s. 381.986(8)(a)2.b., Florida Statutes, to the contrary, the Department of Health must grant an applicant 90 days to cure, pursuant to the errors and omissions process established in department Form DH8035-OMMU-10/2021 as incorporated by the department in rule 64ER21-16,



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11 Florida Administrative Code, any remaining deficiencies cited by
12 the department regarding the application if the applicant:

13 (a) Applied for a medical marijuana treatment center
14 license during the application window created by the department
15 to accept applications for licensure pursuant to s.
16 381.986(8)(a)2.b., Florida Statutes; and

17 (b) Has not been awarded a license, either from the initial
18 application process or through the cure process established in
19 section 2 of chapter 2023-292, Laws of Florida.

20 (2) If the applicant cures the deficiencies within the 90-
21 day timeframe, the department must issue a medical marijuana
22 treatment center license to the applicant.

23 (3) For purposes of the cure process detailed in
24 subsections (1) and (2), the department must consider all
25 deficiencies with an applicant's application to be cured if the
26 sole remaining deficiency cited is a failure to meet the
27 requirement in s. 381.986(8)(b)1., Florida Statutes.

28 (4) If an applicant who was alive as of February 1, 2024,
29 dies before the completion of the cure process detailed in
30 subsections (1) and (2), the death of the applicant may not be a
31 reason to deny the application during the cure process or any
32 resulting legal challenges. In such case, and in the event of a
33 successful cure or challenge, the department must issue the
34 license to the estate of the applicant.

35 Section 11. Except as otherwise expressly provided in this
36 act and except for this section, which shall take effect upon
37 this act becoming a law, this act shall take effect July 1,
38 2024.

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40 ===== T I T L E A M E N D M E N T =====

41 And the title is amended as follows:

42 Delete lines 87 - 88

43 and insert:

44 456.0496, F.S.; conforming cross-references; requiring
45 the department to grant certain applicants 90 days to
46 cure deficiencies with their medical marijuana
47 treatment center license applications pursuant to a
48 specified errors and omissions process; requiring the
49 department to grant such applicants a marijuana
50 treatment center license if they cure the deficiencies
51 within the specified timeframe; providing
52 construction; providing that the death of an applicant
53 during the cure process may not be a reason to deny
54 the application or any resulting legal challenge;
55 requiring the department to issue the license to the
56 estate of a deceased applicant in the event of a
57 successful cure or legal challenge; providing
58 effective dates.