



26 (a), (e), and (f) of subsection (3), and subsection (7) of  
 27 section 581.217, Florida Statutes, are amended, and paragraph  
 28 (h) is added to subsection (3) of that section, to read:

29 581.217 State hemp program.—

30 (2) LEGISLATIVE FINDINGS.—The Legislature finds that:

31 (b) Hemp and hemp extract as defined in this section ~~Hemp-~~  
 32 ~~derived cannabinoids, including, but not limited to,~~  
 33 ~~cannabidiol,~~ are not controlled substances ~~or adulterants if~~  
 34 ~~they are in compliance with this section.~~

35 (3) DEFINITIONS.—As used in this section, the term:

36 (a) "Attractive to children" means manufactured in the  
 37 shape of or packaged in containers displaying humans, cartoons,  
 38 ~~or~~ animals, toys, or other features that target children;  
 39 manufactured in a form or packaged in a container that bears any  
 40 reasonable resemblance to an existing candy or snack product  
 41 that is familiar to the public; manufactured in a form or  
 42 packaged in a container that bears any reasonable resemblance to  
 43 a as a widely distributed, branded food product such that the a  
 44 product could be mistaken for the branded food product,  
 45 especially by children; ~~or~~ containing any color additives; or,  
 46 for hemp extract intended for inhalation, the addition of any  
 47 flavoring.

48 (e) "Hemp" means the plant *Cannabis sativa* L. and any part  
 49 of that plant, including the seeds thereof, and all derivatives,  
 50 extracts, cannabinoids, isomers, acids, salts, and salts of

51 isomers thereof, whether growing or not, that has a total delta-  
52 9-tetrahydrocannabinol concentration that does not exceed 0.3  
53 percent on a dry-weight basis, with the exception of hemp  
54 extract, which may not exceed 0.3 percent total delta-9-  
55 tetrahydrocannabinol concentration on a wet-weight basis or that  
56 does not exceed 2 milligrams per serving and 10 milligrams per  
57 container on a wet-weight basis, whichever is less.

58 (f) "Hemp extract" means a substance or compound intended  
59 for ingestion, containing more than trace amounts of a  
60 cannabinoid, or for inhalation which is derived from or contains  
61 hemp but and which does not contain synthetic or naturally  
62 occurring versions of controlled substances listed in s. 893.03,  
63 such as delta-8-tetrahydrocannabinol, delta-10-  
64 tetrahydrocannabinol, hexahydrocannabinol, tetrahydrocannabinol  
65 acetate, tetrahydrocannabiphorol, and tetrahydrocannabivarin.  
66 The term does not include synthetic cannabidiol or seeds or  
67 seed-derived ingredients that are generally recognized as safe  
68 by the United States Food and Drug Administration.

69 (h) "Total delta-9-tetrahydrocannabinol concentration"  
70 means a concentration calculated as follows: [delta-9-  
71 tetrahydrocannabinol] + (0.877 x [delta-9-tetrahydrocannabinolic  
72 acid]).

73 (7) MANUFACTURE, DELIVERY, HOLD, OFFER FOR SALE,  
74 DISTRIBUTION, AND RETAIL SALE OF HEMP EXTRACT.-

75 (a) Hemp extract may only be manufactured, delivered,

76 | held, offered for sale, distributed, or ~~and~~ sold in this the  
 77 | state if the product:

78 | 1. Has a certificate of analysis prepared by an  
 79 | independent testing laboratory that states:

80 | a. The hemp extract is the product of a batch tested by  
 81 | the independent testing laboratory;

82 | b. The batch contained a total delta-9-  
 83 | tetrahydrocannabinol concentration that did not exceed 0.3  
 84 | percent pursuant to the testing of a random sample of the batch.  
 85 | However, if the batch is sold at retail, the batch must meet the  
 86 | total delta-9-tetrahydrocannabinol concentration limits set  
 87 | forth in paragraph (3) (e) for hemp extract;

88 | c. The batch does not contain contaminants unsafe for  
 89 | human consumption; and

90 | d. The batch was processed in a facility that holds a  
 91 | current and valid permit issued by a human health or food safety  
 92 | regulatory entity with authority over the facility, and that  
 93 | facility meets the human health or food safety sanitization  
 94 | requirements of the regulatory entity. Such compliance must be  
 95 | documented by a report from the regulatory entity confirming  
 96 | that the facility meets such requirements.

97 | 2. Is manufactured, delivered, held, offered for sale,  
 98 | distributed, or sold in a container that includes:

99 | a. A scannable barcode or quick response code linked to  
 100 | the certificate of analysis of the hemp extract batch by an

101 independent testing laboratory;

102       b. The batch number;

103       c. The Internet address of a website where batch

104 information may be obtained;

105       d. The expiration date; ~~and~~

106       e. The number of milligrams of each marketed cannabinoid

107 per serving; and

108       f. The toll-free telephone number for the national Poison

109 Control Help line, (800) 222-1222.

110       3. Is manufactured, delivered, held, offered for sale,

111 distributed, or sold in a container that:

112       a. Is suitable to contain products for human consumption;

113       b. Is composed of materials designed to minimize exposure

114 to light;

115       c. Mitigates exposure to high temperatures;

116       d. Is not attractive to children; and

117       e. Is compliant with the United States Poison Prevention

118 Packaging Act of 1970, 15 U.S.C. ss. 1471 et seq., without

119 regard to provided exemptions.

120       (b) Hemp extract may only be sold to or procured by a

121 business in this state if that business is properly permitted as

122 required by this section. A business or food establishment may

123 not possess hemp extract products that are attractive to

124 children.

125       (c) Hemp extract manufactured, delivered, held, offered

126 for sale, distributed, or sold in this state is subject to the  
127 applicable requirements of chapter 500, chapter 502, or chapter  
128 580.

129 (d) Products that are intended for human ingestion or  
130 inhalation and that contain hemp extract, including, but not  
131 limited to, snuff, chewing gum, and other smokeless products,  
132 may not be sold in this state to a person who is under 21 years  
133 of age. A person who violates this paragraph commits a  
134 misdemeanor of the second degree, punishable as provided in s.  
135 775.082 or s. 775.083. A person who commits a second or  
136 subsequent violation of this paragraph within 1 year after the  
137 initial violation commits a misdemeanor of the first degree,  
138 punishable as provided in s. 775.082 or s. 775.083.

139 (e) Hemp extract possessed, manufactured, delivered, held,  
140 offered for sale, distributed, or sold in violation of this  
141 subsection by an entity regulated under chapter 500 is subject  
142 to s. 500.172 and penalties as provided in s. 500.121. Hemp  
143 extract products found to be mislabeled or attractive to  
144 children are subject to an immediate stop-sale order. The  
145 department may not grant permission to remove or use, except for  
146 disposal, hemp extract products subject to a stop-sale order  
147 which are attractive to children until the department determines  
148 that the hemp extract products comply with state law.

149 (f)1. An event organizer may not promote, advertise, or  
150 facilitate an event where:

151 a. Hemp extract products that do not comply with general  
152 law, including hemp extract products that are not from an  
153 approved source as provided in sub-subparagraph (a)1.d, are sold  
154 or marketed; or

155 b. Hemp extract products are sold or marketed by  
156 businesses that are not properly permitted as required by this  
157 section and chapter 500.

158 2. Before an event where hemp extract products are sold or  
159 marketed, an event organizer must provide to the department a  
160 list of the businesses selling or marketing hemp extract  
161 products at the event and verify that each business is only  
162 selling hemp products from an approved source. The event  
163 organizer must ensure that each participating business is  
164 properly permitted as required by this section and chapter 500.

165 3. A person who violates this paragraph is subject to an  
166 administrative fine in the Class III category under s. 570.971  
167 for each violation.

168 Section 2. For the 2024-2025 fiscal year, the sum of \$2  
169 million in nonrecurring funds is appropriated from the General  
170 Revenue Fund to the Department of Law Enforcement for the  
171 purchase of testing equipment necessary to implement this act.

172 Section 3. This act shall take effect October 1, 2024.