

1 A bill to be entitled
 2 An act relating to taxation of hemp consumable THC
 3 products; creating s. 581.223, F.S.; providing
 4 definitions; providing excise taxes for hemp
 5 consumable THC products; requiring manufacturers,
 6 wholesalers, and retailers to pay such taxes and
 7 submit specified reports to the Department of
 8 Agriculture and Consumer Services; providing an
 9 exception; providing for the deposit and use of such
 10 taxes; providing penalties; requiring the department
 11 to adopt rules; creating s. 581.224, F.S.; requiring
 12 certain manufacturers and wholesalers to complete and
 13 submit to the department specified reports for hemp
 14 consumable THC products and maintain specified
 15 records; requiring certain retailers to maintain
 16 specified records for hemp consumable THC products;
 17 providing definitions; providing a contingent
 18 effective date.

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

21
 22 **Section 1. Section 581.223, Florida Statutes, is created**
 23 **to read:**

24 581.223 Excise taxes on hemp consumable THC products.—

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

- 26 (a) "Manufacturer" has the same meaning as in s.
27 581.217(3).
- 28 (b) "Retailer" has the same meaning as in s. 581.217(3).
- 29 (c) "Hemp consumable THC product" has the same meaning as
30 in s. 581.217(3).
- 31 (d) "Wholesaler" has the same meaning as in s. 581.217(3).
- 32 (2) As to hemp consumable THC products, except beverages,
33 there shall be paid by all manufacturers, wholesalers, and
34 retailers a tax of 60 percent of the wholesale price of such
35 products.
- 36 (3) As to hemp consumable THC products that are beverages,
37 there shall be paid by all manufacturers, wholesalers, and
38 retailers a tax of \$2.25 cents per gallon in bulk. When such
39 beverages are sold in containers of less than 1 gallon, the tax
40 shall be 29 cents on each pint or fraction thereof in the
41 container.
- 42 (4) Hemp consumable THC products for which a tax has been
43 previously paid in accordance with this section may not be taxed
44 under this section. The tax shall be computed from the reports,
45 books, and records of manufacturers and wholesalers, and that
46 amount must be remitted with the report required under s.
47 581.224 to the department on or before the 10th of each month
48 for all hemp consumable THC products sold during the previous
49 calendar month.
- 50 (5) All lost, stolen, or other unaccounted for shortages

51 occurring outside this state and supported by documentation are
52 not subject to the Florida excise tax for hemp consumable THC
53 products.

54 (6) The first \$6 million collected under this section must
55 be deposited into the department's General Inspection Trust Fund
56 to be used for the enforcement of ss. 581.217-581.224 and the
57 testing of hemp consumable THC products. The remainder of the
58 moneys collected under this section must be deposited into the
59 General Revenue Fund.

60 (7) A manufacturer, wholesaler, retailer, or other person
61 who fails, neglects, or refuses to comply with or violates this
62 section or the rules adopted by the department under this
63 section commits a misdemeanor of the first degree, punishable as
64 provided in s. 775.082 or s. 775.083.

65 (8) A manufacturer, wholesaler, retailer, or other person
66 who is convicted of a second or subsequent violation of this
67 section is guilty of a felony of the third degree, punishable as
68 provided in s. 775.082, s. 775.083, or s. 775.084.

69 (9) The department may adopt rules for the remittance of
70 the tax under this section and the submission of reports under
71 s. 581.224.

72 **Section 2. Section 581.224, Florida Statutes, is created**
73 **to read:**

74 581.224 Manufacturer, wholesaler, and retailer records and
75 reports.-

76 (1) Each manufacturer and wholesaler shall keep a complete
77 and accurate record and make reports showing the amount of hemp
78 consumable THC products:

79 (a) Manufactured or sold within this state and to whom the
80 products were sold.

81 (b) Imported from outside this state and to whom the
82 products were sold.

83 (c) Exported outside this state, to whom the products were
84 sold, the place where the products were sold, and the address of
85 the person to whom the products were sold.

86 (2) Each manufacturer and wholesaler shall make a full and
87 complete report by the 10th day of each month for the previous
88 calendar month. The report must be made on forms prepared by the
89 department and filed with the department.

90 (3) (a) Each manufacturer and wholesaler shall maintain and
91 keep the records of hemp consumable THC products received, sold,
92 or delivered within or outside this state for 3 years as may be
93 required by the department.

94 (b) Each retailer shall keep records of all purchases and
95 other acquisitions of hemp consumable THC products for 3 years.

96 (4) For purposes of this section, the terms
97 "manufacturer," "retailer," "hemp consumable THC product," and
98 "wholesaler" have the same meanings as in s. 581.217(3).

99 **Section 3.** This act shall take effect on the same date
100 that HB 7027 or similar legislation takes effect, if such

HB 7029

2025

101 | legislation is adopted in the same legislative session or an
102 | extension thereof and becomes a law.