

HB 1061

2026

A bill to be entitled  
An act relating to parental rights of qualified patients; amending s. 39.806, F.S.; prohibiting a court from denying or restricting certain parental rights based solely on a parent's status as a qualified patient for purposes of medical marijuana use; prohibiting the presumption of neglect or child endangerment based solely on a parent's status as a qualified patient for purposes of medical marijuana use; providing applicability; providing an effective date.

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

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

39.806 Grounds for termination of parental rights.—

(2) A court may not deny or otherwise restrict a parent's custody of a child or the parent's visitation rights or parenting time with a child based solely on the parent's status as a qualified patient pursuant to s. 381.986. There is no presumption of neglect or child endangerment based solely on the parent's status as a qualified patient pursuant to s. 381.986.

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26     In determining the best interests of the child with respect to  
27     custody or dependency, this section applies.

28     **Section 2.** This act shall take effect July 1, 2026.