

By Senator Truenow

13-01572-26

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A bill to be entitled

An act relating to THC-infused beverages; amending s. 561.20, F.S.; defining the term "THC-infused beverage"; authorizing a holder of an active qualifying alcoholic beverage license to sell, offer to sell, or distribute THC-infused beverages at retail in this state; prohibiting any person or entity that does not hold an active, qualifying alcoholic beverage license from selling, offering for sale, possessing for sale, or distributing THC-infused beverages in this state; providing that a violation of the act constitutes an unlicensed activity under the Beverage Law and is punishable in the same manner as the unlicensed sale of alcoholic beverages; providing an effective date.

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

Section 1. Subsection (14) is added to section 561.20, Florida Statutes, to read:

561.20 Limitation upon number of licenses issued.—

(14) (a) As used in this subsection, the term "THC-infused beverage" means any beverage intended for human consumption which contains any intoxicating hemp-derived cannabinoid, including, but not limited to, Delta-8 tetrahydrocannabinol, Delta-9 tetrahydrocannabinol, Delta-10 tetrahydrocannabinol, hexahydrocannabinol, tetrahydrocannabinol-0, or tetrahydrocannabinol-P, in any amount, regardless of whether such beverage also contains alcohol.

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30 (b) Notwithstanding s. 581.217 or any other law, a THC-
31 infused beverage may be sold, offered for sale, or distributed
32 at retail in this state only by the holder of an active
33 alcoholic beverage license issued pursuant to subsection (1) or
34 subparagraph (2)(a)4.

35 (c) Any person or entity that does not hold an active
36 alcoholic beverage license issued pursuant to subsection (1) or
37 subparagraph (2)(a)4. is prohibited from selling, offering for
38 sale, possessing for sale, or distributing THC-infused beverages
39 in this state.

40 (d) A violation of this subsection constitutes an
41 unlicensed activity under the Beverage Law and is punishable in
42 the same manner as the unlicensed sale or service of alcoholic
43 beverages, including penalties provided in this chapter and
44 chapters 562 and 565.

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