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LEGISLATIVE ACTION

Senate

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House

Senator Rouson moved the following:

1 **Senate Amendment to Amendment (897266) (with directory and**
2 **title amendments)**

3
4 Between lines 289 and 290
5 insert:

6 (b) An applicant for licensure as a medical marijuana
7 treatment center shall apply to the department on a form
8 prescribed by the department and adopted in rule. The department
9 shall adopt rules pursuant to ss. 120.536(1) and 120.54
10 establishing a procedure for the issuance and biennial renewal
11 of licenses, including initial application and biennial renewal



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12 fees sufficient to cover the costs of implementing and
13 administering this section, and establishing supplemental
14 licensure fees for payment beginning May 1, 2018, sufficient to
15 cover the costs of administering ss. 381.989 and 1004.4351. The
16 department shall identify applicants with strong diversity plans
17 reflecting this state's commitment to diversity and implement
18 training programs and other educational programs to enable
19 minority persons and minority business enterprises, as defined
20 in s. 288.703, and veteran business enterprises, as defined in
21 s. 295.187, to compete for medical marijuana treatment center
22 licensure and contracts. Subject to the requirements in
23 subparagraphs (a)2.-4., the department shall issue a license to
24 an applicant if the applicant meets the requirements of this
25 section and pays the initial application fee. The department
26 shall renew the licensure of a medical marijuana treatment
27 center biennially if the licensee meets the requirements of this
28 section and pays the biennial renewal fee. An individual may not
29 be an applicant, owner, officer, board member, or manager on
30 more than one application for licensure as a medical marijuana
31 treatment center. An individual or entity may not be awarded
32 more than one license as a medical marijuana treatment center.
33 An applicant for licensure as a medical marijuana treatment
34 center must demonstrate:

35 1. That, for the 5 consecutive years before submitting the
36 application, the applicant has been registered to do business in
37 the state.

38 2. Possession of a valid certificate of registration issued
39 by the Department of Agriculture and Consumer Services pursuant
40 to s. 581.131.



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41 3. The technical and technological ability to cultivate and
42 produce marijuana, including, but not limited to, low-THC
43 cannabis.

44 4. The ability to secure the premises, resources, and
45 personnel necessary to operate as a medical marijuana treatment
46 center.

47 5. The ability to maintain accountability of all raw
48 materials, finished products, and any byproducts to prevent
49 diversion or unlawful access to or possession of these
50 substances.

51 6. An infrastructure reasonably located to dispense
52 marijuana to registered qualified patients statewide or
53 regionally as determined by the department.

54 7. The financial ability to maintain operations for the
55 duration of the 2-year approval cycle, including the provision
56 of certified financial statements to the department.

57 a. Upon approval, the applicant must post a \$5 million
58 performance bond issued by an authorized surety insurance
59 company rated in one of the three highest rating categories by a
60 nationally recognized rating service. However, a medical
61 marijuana treatment center serving at least 1,000 qualified
62 patients is only required to maintain a \$2 million performance
63 bond.

64 b. In lieu of the performance bond required under sub-
65 subparagraph a., the applicant may provide an irrevocable letter
66 of credit payable to the department or provide cash to the
67 department. If provided with cash under this sub-subparagraph,
68 the department shall deposit the cash in the Grants and
69 Donations Trust Fund within the Department of Health, subject to



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70 the same conditions as the bond regarding requirements for the
71 applicant to forfeit ownership of the funds. If the funds
72 deposited under this sub-subparagraph generate interest, the
73 amount of that interest shall be used by the department for the
74 administration of this section.

75 8. That all owners, officers, board members, and managers
76 have passed a background screening pursuant to subsection (9).

77 9. The employment of a medical director to supervise the
78 activities of the medical marijuana treatment center.

79 10. A diversity plan that promotes and ensures the
80 involvement of minority persons and minority business
81 enterprises, as defined in s. 288.703, or veteran business
82 enterprises, as defined in s. 295.187, in ownership, management,
83 and employment.

84 a. An applicant for licensure renewal must show the
85 effectiveness of the diversity plan by including the following
86 with his or her application for renewal:

87 (I)~~a.~~ Representation of minority persons and veterans in
88 the medical marijuana treatment center's workforce;

89 (II)~~b.~~ Efforts to recruit minority persons and veterans for
90 employment; and

91 (III)~~c.~~ A record of contracts for services with minority
92 business enterprises and veteran business enterprises.

93 b. The Department of Agriculture and Consumer Services
94 shall:

95 (I) Review diversity plans submitted by applicants for
96 initial licensure and licensure renewal.

97 (II) Oversee each medical marijuana treatment center's
98 compliance with its diversity plan.



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99 (III) Submit an annual report on the effectiveness of
100 medical marijuana treatment center diversity plans to the
101 Governor, the State Surgeon General, the President of the
102 Senate, and the Speaker of the House of Representatives.
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104 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

105 And the directory clause is amended as follows:

106 Delete line 7

107 and insert:

108 paragraphs (b) and (e) of subsection (8), subsection (14), and
109 subsection

110

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

112 And the title is amended as follows:

113 Delete line 879

114 and insert:

115 teaching nursing home; requiring the Department of
116 Agriculture and Consumer Services to review medical
117 marijuana treatment center diversity plans, to oversee
118 compliance with diversity plans, and to submit a
119 related annual report to the Governor, the State
120 Surgeon General, and the Legislature; prohibiting a
121 medical marijuana