

FOR CONSIDERATION By the Committee on Health Policy

588-02755A-24

20247050pb

1                                   A bill to be entitled  
2       An act relating to marijuana; creating s. 381.9861,  
3       F.S.; defining terms; prohibiting medical marijuana  
4       treatment centers from selling, delivering, or  
5       distributing marijuana with greater than a specified  
6       potency; providing an exception for edibles;  
7       prohibiting edibles for personal use from containing  
8       more than a specified amount of tetrahydrocannabinol;  
9       amending chapter 2017-232, Laws of Florida; abrogating  
10      the contingent future repeal of specified provisions;  
11      providing a contingent effective date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

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15       Section 1. Section 381.9861, Florida Statutes, is created  
16 to read:

17       381.9861 Limitations on the personal use of marijuana.—

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

19       (a) "Edibles" means commercially produced food items made  
20 with marijuana oil, but no other form of marijuana.

21       (b) "Marijuana" means all parts of any plant of the genus  
22 Cannabis, whether growing or not; the seeds thereof; the resin  
23 extracted from any part of the plant; and every compound,  
24 manufacture, salt, derivative, mixture, or preparation of the  
25 plant or its seeds or resin, including low-THC cannabis.

26       (c) "Marijuana delivery device" means an object used,  
27 intended for use, or designed for use in preparing, storing,  
28 ingesting, inhaling, or otherwise introducing marijuana into the  
29 human body.

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30 (d) "Personal use" means possession, purchase, or use of  
31 marijuana or a marijuana delivery device by an adult 21 years of  
32 age or older for nonmedical consumption.

33 (e) "Potency" means the relative strength of cannabinoids,  
34 and the total amount, in milligrams, of tetrahydrocannabinol as  
35 the sum of delta-9-tetrahydrocannabinol, plus 0.877 multiplied  
36 by tetrahydrocannabinolic acid, plus delta-8-  
37 tetrahydrocannabinol and cannabidiol as the sum of cannabidiol,  
38 plus 0.877 multiplied by cannabidiolic acid in the final  
39 product.

40 (2) A medical marijuana treatment center may not sell,  
41 deliver, or distribute marijuana for personal use which has a  
42 potency, by weight or volume, of greater than 30 percent  
43 tetrahydrocannabinol for marijuana in a form for smoking or  
44 greater than 60 percent tetrahydrocannabinol in the final  
45 product for all other forms of marijuana, excluding edibles.  
46 Edibles for personal use may not contain more than 200  
47 milligrams of tetrahydrocannabinol, and a single serving portion  
48 of an edible may not exceed 10 milligrams of  
49 tetrahydrocannabinol.

50 Section 2. Section 1 of chapter 2017-232, Laws of Florida,  
51 is amended to read:

52 Section 1. Legislative intent.—It is the intent of the  
53 Legislature to implement s. 29, Article X of the State  
54 Constitution by creating a unified regulatory structure. ~~If s.~~  
55 ~~29, Article X of the State Constitution is amended or a~~  
56 ~~constitutional amendment related to cannabis or marijuana is~~  
57 ~~adopted, this act shall expire 6 months after the effective date~~  
58 ~~of such amendment.~~

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59           Section 3. This act shall take effect 30 days after passage  
60 of an amendment to the State Constitution authorizing adult  
61 personal use of marijuana.