

THE FLORIDA SENATE  
2019 SUMMARY OF LEGISLATION PASSED  
**Committee on Criminal Justice**

**CS/HB 7107 — Controlled Substances**

by Judiciary Committee; Criminal Justice Subcommittee; and Rep. Sabatini (SB 7082 by Criminal Justice Committee)

The bill amends s. 893.03, F.S., Florida’s controlled substance schedules, to reschedule the following substance from Schedule I to Schedule V: a drug product in finished dosage formulation which has been approved by the United States Food and Drug Administration (FDA) and which contains cannabidiol (CBD) derived from cannabis and no more than 0.1 percent tetrahydrocannabinols.

This scheduling language currently applies only to Epidiolex®, a pharmaceutical oral solution which contains highly purified CBD and which is used for the treatment of seizures associated with two rare and severe forms of epilepsy. Epidiolex® is the only CBD product currently approved by the FDA.

The bill codifies an emergency rule adopted by the Florida Attorney General, which reschedules the described drug product from Schedule I to Schedule V. This rescheduling is consistent with federal law.

The bill also amends the definition of the term “cannabis” in s. 893.02, F.S., to indicate that the term does not apply to Epidiolex® or any future CBD-derived drug product that may be covered by the Schedule V drug scheduling language created by the bill. This change is consistent with an exception to that term that covers medical marijuana manufactured, possessed, sold, purchased, delivered, distributed, or dispensed from a medical marijuana dispensary in conformance with s. 381.986, F.S. Epidiolex® is a prescription medication and is dispensed from a pharmacy pursuant to a physician’s prescription.

If approved by the Governor, these provisions take effect upon becoming law.

*Vote: Senate 39-0; House 112-0*