

1                   A bill to be entitled  
2           An act relating to experimental treatments for  
3           terminal conditions; amending s. 499.0295, F.S.;  
4           defining the term "dispensing organization"; revising  
5           the definition of the term "investigational drug,  
6           biological product, or device"; providing for eligible  
7           patients to purchase cannabis from dispensing  
8           organizations and possess such cannabis for medical  
9           use; authorizing dispensing organizations to  
10          manufacture, possess, sell, deliver, distribute,  
11          dispense, and dispose of cannabis; directing the  
12          Department of Health to approve the establishment of a  
13          limited number of dispensing organizations by a  
14          specified date; requiring applicants for approval as  
15          dispensing organizations to demonstrate they possess  
16          certain qualifications; authorizing the Department of  
17          Health to adopt rules; exempting dispensing  
18          organizations from specified laws; providing an  
19          effective date.

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

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23          Section 1. Paragraphs (a) through (d) of subsection (2) of  
24          section 499.0295, Florida Statutes, are redesignated as  
25          paragraphs (b) through (e), respectively, present paragraph (b)  
26          of that subsection is amended, a new paragraph (a) is added to

27 that subsection, and subsection (10) is added to that section,  
 28 to read:

29 499.0295 Experimental treatments for terminal conditions.—

30 (2) As used in this section, the term:

31 (a) "Dispensing organization" means an organization  
 32 approved by the Department of Health under paragraph (10)(d) to  
 33 cultivate, process, and dispense cannabis pursuant to this  
 34 section.

35 (c) ~~(b)~~ "Investigational drug, biological product, or  
 36 device" means:

37 1. A drug, biological product, or device that has  
 38 successfully completed phase 1 of a clinical trial but has not  
 39 been approved for general use by the United States Food and Drug  
 40 Administration and remains under investigation in a clinical  
 41 trial approved by the United States Food and Drug  
 42 Administration; or

43 2. Cannabis that is manufactured and sold by a dispensing  
 44 organization.

45 (10)(a) Notwithstanding s. 893.13, s. 893.135, s. 893.147,  
 46 or any other provision of law, but subject to the requirements  
 47 of this section, an eligible patient and the eligible patient's  
 48 legal representative may purchase cannabis from a dispensing  
 49 organization and may possess such cannabis for the patient's  
 50 medical use.

51 (b) Notwithstanding s. 381.986, s. 893.13, s. 893.135, s.  
 52 893.147, or any other provision of law, but subject to the

53 requirements of this section, a dispensing organization and its  
54 owners, managers, and employees may manufacture, possess, sell,  
55 deliver, distribute, dispense, and lawfully dispose of cannabis.

56 (c) A dispensing organization and its owners, managers,  
57 and employees are not subject to licensure or regulation under  
58 chapter 465 for manufacturing, possessing, selling, delivering,  
59 distributing, dispensing, or lawfully disposing of cannabis.

60 (d) By October 1, 2016, the Department of Health shall  
61 approve the establishment of 20 dispensing organizations to  
62 cultivate, process, and dispense cannabis pursuant to this  
63 section. An applicant for approval as a dispensing organization  
64 must demonstrate it possesses the qualifications specified in s.  
65 381.986(5)(b)2.-7.

66 (e) As used in this subsection, the terms "manufacture,"  
67 "possession," "deliver," "distribute," and "dispense" have the  
68 same meanings as provided in s. 893.02.

69 (f) The Department of Health may adopt rules to administer  
70 this subsection.

71 Section 2. This act shall take effect July 1, 2016.