CS/CS/HB 307 2016

A bill to be entitled

An act relating to experimental treatments for terminal conditions; amending s. 499.0295, F.S.; revising the definition of the term "investigational drug, biological product, or device"; providing for eligible patients to purchase and possess cannabis for medical use; authorizing certain licensed dispensing organizations to manufacture, possess, sell, deliver, distribute, dispense, and dispose of cannabis; exempting such dispensing organizations from specified laws; providing definitions; providing applicability; providing an effective date.

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

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Section 1. Paragraph (b) of subsection (2) of section 499.0295, Florida Statutes, is amended, and subsection (10) is added to that section, to read:

499.0295 Experimental treatments for terminal conditions.—

- (2) As used in this section, the term:
- (b) "Investigational drug, biological product, or device"
  means:
- 1. A drug, biological product, or device that has successfully completed phase 1 of a clinical trial but has not been approved for general use by the United States Food and Drug Administration and remains under investigation in a clinical

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27 trial approved by the United States Food and Drug
28 Administration; or

- 2. Cannabis that is manufactured and sold by a dispensing organization licensed under s. 381.986.
- (10) (a) Notwithstanding s. 893.13, s. 893.135, s. 893.147, or any other provision of law, but subject to the requirements of this section, an eligible patient and the eligible patient's legal representative may purchase and possess cannabis for the patient's medical use.
- (b) Notwithstanding s. 381.986, s. 893.13, s. 893.135, s. 893.147, or any other provision of law, but subject to the requirements of this section, an approved dispensing organization licensed under s. 381.986 and its owners, managers, and employees may manufacture, possess, sell, deliver, dispense, and lawfully dispose of cannabis.
- (c) An approved dispensing organization licensed under s. 381.986 and its owners, managers, and employees are not subject to licensure or regulation under chapter 465 for manufacturing, possessing, selling, delivering, distributing, dispensing, or lawfully disposing of cannabis.
- (d) As used in this subsection, the terms "manufacture," "possession," "deliver," "distribute," and "dispense" have the same meanings as provided in s. 893.02.
- (e) This subsection does not impair the license of an approved dispensing organization under s. 381.986.
  - Section 2. This act shall take effect July 1, 2016.

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