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LEGISLATIVE ACTION

Senate

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House

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Floor: WD

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02/23/2016 11:01 AM

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Senator Braynon moved the following:

Senate Amendment to Amendment (369986)

Delete lines 682 - 705

and insert:

Section 3. Notwithstanding s. 381.986(5)(b), Florida Statutes, a dispensing organization that receives notice from the Department of Health that it is approved as a region's dispensing organization, posts a \$5 million performance bond in compliance with rule 64-4.002(5)(e), Florida Administrative Code, meets the requirements of and requests cultivation authorization pursuant to rule 64-4.005(2), Florida



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12 Administrative Code, and expends at least \$100,000 to fulfill
13 its legal obligations as a dispensing organization; or any
14 applicant that would have received notice of such approval from
15 the Department of Health but for an erroneous finding that the
16 applicant failed to meet the requirements of that section must
17 be granted cultivation authorization by the Department of Health
18 and is authorized to operate as a dispensing organization for
19 the full term of its original approval and all subsequent
20 renewals pursuant to s. 381.986, Florida Statutes. An action at
21 any time by the Division of Administrative Hearings, the
22 Department of Health, or a court having jurisdiction which has
23 the effect of approving a dispensing organization that does not
24 meet the criteria of this section, does not impair the
25 authorization granted herein to a dispensing organization that
26 meets the criteria of this section. Any dispensing organization
27 approvals resulting from orders of the Division of
28 Administrative Hearings, the Department of Health, or a court
29 having jurisdiction shall be in addition to the five dispensing
30 organizations authorized by s. 381.986(5) (b). During the
31 operation of any dispensing organization meeting the criteria in
32 this section, the Department of Health may enforce rule 64-
33 4.005, Florida Administrative Code, as filed on June 17, 2015.