

1 A bill to be entitled
 2 An act relating to cannabis offenses; amending s.
 3 893.13, F.S.; reducing criminal penalties for
 4 possession of specified amounts of cannabis and
 5 products containing specified amounts of THC;
 6 specifying that juvenile violators of certain
 7 provisions are eligible for civil citation or
 8 prearrest diversion programs; providing an effective
 9 date.

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

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 13 Section 1. Subsection (3) and paragraphs (a) and (b) of
 14 subsection (6) of section 893.13, Florida Statutes, are amended
 15 to read:

16 893.13 Prohibited acts; penalties.—

17 (3) A person who delivers, without consideration, 20 grams
 18 or less of cannabis, as defined in this chapter, commits a
 19 noncriminal violation ~~misdemeanor of the first degree,~~
 20 punishable as provided in ~~s. 775.082~~ or s. 775.083. As used in
 21 this subsection, the term "cannabis" does not include the resin
 22 extracted from the plants of the genus Cannabis or any compound
 23 manufacture, salt, derivative, mixture, or preparation of such
 24 resin.

25 (6) (a) 1. A person may not be in actual or constructive

26 | possession of a controlled substance, other than 20 grams or
27 | less of cannabis, as defined in this chapter, or 600 milligrams
28 | or less of THC in cannabis products unless such controlled
29 | substance was lawfully obtained from a practitioner or pursuant
30 | to a valid prescription or order of a practitioner while acting
31 | in the course of his or her professional practice or to be in
32 | actual or constructive possession of a controlled substance
33 | except as otherwise authorized by this chapter. A person who
34 | violates this provision commits a felony of the third degree,
35 | punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

36 | 2. A person in possession of 20 grams or less of cannabis,
37 | as defined in this chapter, or 600 milligrams or less of THC in
38 | cannabis products commits a misdemeanor of the first degree,
39 | punishable as provided in s. 775.082 or s. 775.083. A juvenile
40 | who violates this subparagraph for the first time is eligible
41 | for a civil citation program or prearrest diversion program as
42 | provide under s. 985.12.

43 | (b) If the offense is the possession of 20 grams or less
44 | of cannabis, as defined in this chapter, the person commits a
45 | noncriminal violation ~~misdemeanor of the first degree,~~
46 | punishable as provided in ~~s. 775.082 or~~ s. 775.083. As used in
47 | this subsection, the term "cannabis" does not include the resin
48 | extracted from the plants of the genus Cannabis, or any compound
49 | manufacture, salt, derivative, mixture, or preparation of such
50 | resin.

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51 | Section 2. This act shall take effect July 1, 2020. |