Senator Brandes moved the following:

**Senate Amendment (with title amendment)**

Delete lines 413 - 997

and insert:

Section 5. Paragraph (b) of subsection (8) of section 381.986, Florida Statutes, is amended to read:

381.986 Medical use of marijuana.—

(8) MEDICAL MARIJUANA TREATMENT CENTERS.—

(b) An applicant for licensure as a medical marijuana treatment center shall apply to the department on a form prescribed by the department and adopted in rule. The department
shall adopt rules pursuant to ss. 120.536(1) and 120.54
of licenses, including initial application and biennial renewal
fees sufficient to cover the costs of implementing and
administering this section, and establishing supplemental
licensure fees for payment beginning May 1, 2018, sufficient to
cover the costs of administering ss. 381.989 and 1004.4351. The
department shall refuse to renew the license of a medical
marijuana treatment center that has not begun to cultivate,
process, and dispense marijuana by the date that the medical
marijuana treatment center is required to renew its license. The
department shall identify applicants with strong diversity plans
reflecting this state’s commitment to diversity and implement
training programs and other educational programs to enable
minority persons and minority business enterprises, as defined
in s. 288.703, and veteran business enterprises, as defined in
s. 295.187, to compete for medical marijuana treatment center
licensure and contracts. Subject to the requirements in
subparagraphs (a)2.—4., the department shall issue a license to
an applicant if the applicant meets the requirements of this
section and pays the initial application fee. The department
shall renew the licensure of a medical marijuana treatment
center biennially if the licensee meets the requirements of this
section and pays the biennial renewal fee. An individual may not
be an applicant, owner, officer, board member, or manager on
more than one application for licensure as a medical marijuana
treatment center. An individual or entity may not be awarded
more than one license as a medical marijuana treatment center.
An applicant for licensure as a medical marijuana treatment
center must demonstrate:

1. That, for the 5 consecutive years before submitting the application, the applicant has been registered to do business in the state.

2. Possession of a valid certificate of registration issued by the Department of Agriculture and Consumer Services pursuant to s. 581.131.

3. The technical and technological ability to cultivate and produce marijuana, including, but not limited to, low-THC cannabis.

4. The ability to secure the premises, resources, and personnel necessary to operate as a medical marijuana treatment center.

5. The ability to maintain accountability of all raw materials, finished products, and any byproducts to prevent diversion or unlawful access to or possession of these substances.

6. An infrastructure reasonably located to dispense marijuana to registered qualified patients statewide or regionally as determined by the department.

7. The financial ability to maintain operations for the duration of the 2-year approval cycle, including the provision of certified financial statements to the department.

   a. Upon approval, the applicant must post a $5 million performance bond issued by an authorized surety insurance company rated in one of the three highest rating categories by a nationally recognized rating service. However, a medical marijuana treatment center serving at least 1,000 qualified patients is only required to maintain a $2 million performance bond.
b. In lieu of the performance bond required under sub-subparagraph a., the applicant may provide an irrevocable letter of credit payable to the department or provide cash to the department. If provided with cash under this sub-subparagraph, the department shall deposit the cash in the Grants and Donations Trust Fund within the Department of Health, subject to the same conditions as the bond regarding requirements for the applicant to forfeit ownership of the funds. If the funds deposited under this sub-subparagraph generate interest, the amount of that interest shall be used by the department for the administration of this section.

8. That all owners, officers, board members, and managers have passed a background screening pursuant to subsection (9).

9. The employment of a medical director to supervise the activities of the medical marijuana treatment center.

10. A diversity plan that promotes and ensures the involvement of minority persons and minority business enterprises, as defined in s. 288.703, or veteran business enterprises, as defined in s. 295.187, in ownership, management, and employment. An applicant for licensure renewal must show the effectiveness of the diversity plan by including the following with his or her application for renewal:

   a. Representation of minority persons and veterans in the medical marijuana treatment center’s workforce;

   b. Efforts to recruit minority persons and veterans for employment; and

   c. A record of contracts for services with minority business enterprises and veteran business enterprises.
The title is amended as follows:

Delete lines 20 - 49 and insert:

Centers Program; amending s. 381.986, F.S.; requiring the department to refuse to renew a medical marijuana treatment center’s license under certain circumstances; amending s. 401.35,