Representative Smith, C. offered the following:

Substitute Amendment for Amendment (434551) (with title amendment)
Between lines 367 and 368, 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
establishing a procedure for the issuance and biennial renewal 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 may not renew a medical marijuana treatment center's license if the medical marijuana treatment center has not begun dispensing 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
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.

Section 6. The Office of Program Policy Analysis and Government Accountability shall conduct a study examining whether any qualified patient has been harmed by the use of medical marijuana prescribed pursuant to s. 381.986, Florida Statutes. The office shall report its findings to the Governor, the President of the Senate, and the Speaker of the House of Representatives by October 1, 2020.

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**TITLE AMENDMENT**

Remove line 20 and insert:

Centers Program; amending s. 381.986; prohibiting the department from renewing a medical marijuana treatment center's license under certain circumstances;
requiring the Office of Program Policy Analysis and
Government Accountability to conduct a study regarding
the use of medical marijuana by qualified patients;
requiring the office to report its findings to the
Governor and Legislature by a specified date; amending
s. 401.35, F.S.; revising