

By Senator Polsky

30-00105-26

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A bill to be entitled

An act relating to protection of parental rights;
amending s. 39.806, F.S.; prohibiting a court from
denying or restricting certain parental rights based
solely on a parent's status as a qualified patient for
purposes of medical marijuana use; prohibiting the
presumption of neglect or child endangerment based
solely on a parent's status as a qualified patient for
purposes of medical marijuana use; providing
construction; providing an effective date.

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

Section 1. Present subsections (2), (3), and (4) of section
39.806, Florida Statutes, are redesignated as subsections (3),
(4), and (5), respectively, and a new subsection (2) is added to
that section, to read:

39.806 Grounds for termination of parental rights.—

(2) A court may not deny or otherwise restrict a parent's
custody of a minor child or the parent's visitation rights or
parenting time with a minor child based solely on the parent's
status as a qualified patient pursuant to s. 381.986. There is
no presumption of neglect or child endangerment based solely on
the parent's status as a qualified patient pursuant to s.
381.986. In determining the best interests of the child with
respect to custody or dependency, this section applies.

Section 2. This act shall take effect July 1, 2026.