

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>      </u>	(Y/N)
ADOPTED AS AMENDED	<u>      </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>      </u>	(Y/N)
FAILED TO ADOPT	<u>      </u>	(Y/N)
WITHDRAWN	<u>      </u>	(Y/N)
OTHER	<u>      </u>	

1 Committee/Subcommittee hearing bill: Children, Families &  
 2 Seniors Subcommittee  
 3 Representative Caruso offered the following:

**Amendment (with title amendment)**

Remove lines 28-187 and insert:

7 (k) A prohibition on the premises against illegal drugs,  
 8 alcohol, medical marijuana, and the use of prescribed  
 9 medications by an individual other than the individual for whom  
 10 the medication is prescribed. For the purposes of this  
 11 paragraph, the term "medical marijuana" means marijuana that has  
 12 been certified by a qualified physician for medical use in  
 13 accordance with s. 381.986.

14 Section 2. Paragraph (f) is added to subsection (1) of  
 15 section 397.410, Florida Statutes, to read:

16 397.410 Licensure requirements; minimum standards; rules.—

Amendment No.

17 (1) The department shall establish minimum requirements  
18 for licensure of each service component, as defined in s.  
19 397.311(26), including, but not limited to:

20 (f) A prohibition on the premises against illegal drugs,  
21 alcohol, medical marijuana, and the use of prescribed  
22 medications by an individual other than the individual for whom  
23 the medication is prescribed. For the purposes of this  
24 paragraph, the term "medial marijuana" means marijuana certified  
25 by a qualified physician for medical use in accordance with s.  
26 381.986.

27 Section 3. Subsection (8) is added to section 397.411,  
28 Florida Statutes, to read:

29 397.411 Inspection; right of entry; classification of  
30 violations; records.—

31 (8) The department shall establish a mechanism for the  
32 imposition and collection of fines for violations under this  
33 section by January 1, 2024.

34 Section 4. Paragraph (a) of subsection (3) of section  
35 397.487, Florida Statutes, is amended, and subsection (12) is  
36 added to that section, to read:

37 397.487 Voluntary certification of recovery residences.—

38 (3) A credentialing entity shall require the recovery  
39 residence to submit the following documents with the completed  
40 application and fee:

41 (a) A policy and procedures manual containing:

Amendment No.

42 1. Job descriptions for all staff positions.

43 2. Drug-testing procedures and requirements.

44 3. A prohibition on the premises against illegal drugs,  
45 alcohol, medical marijuana, illegal drugs, and the use of  
46 prescribed medications by an individual other than the  
47 individual for whom the medication is prescribed. For the  
48 purposes of this subparagraph, the term "medical marijuana"  
49 means marijuana certified by a qualified physician for medical  
50 use in accordance with s. 381.986.

51 4. Policies to support a resident's recovery efforts.

52 5. A good neighbor policy to address neighborhood concerns  
53 and complaints.

54 (12) Any person discharged from a recovery residence under  
55 subsection (11) who willfully refuses to depart after being  
56 warned by the owner or an authorized employee of the recovery  
57 residence commits the offense of trespass in a recovery  
58 residence, a misdemeanor of the second degree, punishable as  
59 provided in s. 775.082 or s. 775.083.

60 Section 5. Subsections (3) through (7) of section  
61 397.4873, Florida Statutes, are renumbered as subsections (4)  
62 through (8), respectively, present subsections (3) and (6) are  
63 amended, and a new subsection (3) is added to that section, to  
64 read:

65 397.4873 Referrals to or from recovery residences;  
66 prohibitions; penalties.—

207897 - hb 295 line 28.docx

Published On: 2/21/2023 6:05:24 PM

Amendment No.

67       (3) Notwithstanding subsection (2), a service provider  
68 licensed under this part may not make a referral of a  
69 prospective, current, or discharged patient to, or accept a  
70 referral of such patient from, a recovery residence that allows  
71 the use of illegal drugs, alcohol, medical marijuana, or the use  
72 of prescribed medications by an individual other than the  
73 individual for whom the medication is prescribed on the  
74 premises. For the purposes of this subsection, the term "medical  
75 marijuana" means marijuana certified by a qualified physician  
76 for medical use in accordance with s. 381.986.

77  
78       -----

79                   **T I T L E   A M E N D M E N T**

80       Remove lines 5-13 and insert:  
81       providing a definition for the term "medical  
82       marijuana"; amending s. 397.411, F.S.; requiring the  
83       Department of Children and Families to establish a  
84       mechanism for the imposition and collection of fines  
85       for certain violations; amending s. 397.487, F.S.;  
86       prohibiting the use of marijuana on certain premises;  
87       providing a definition for the term "medical  
88       marijuana"; providing penalties for trespass in a  
89       recovery residence; amending s. 397.4873, F.S.;  
90       prohibiting a service provider from referring patients  
91       to certain recovery residences; providing a definition

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 295 (2023)

Amendment No.

92 | for the term "medical marijuana"; requiring a referral  
93 | to include the