

HB 463

2019

1 A bill to be entitled
2 An act relating to state taxes or fees; amending s.
3 381.986, F.S.; requiring the Department of Health to
4 impose initial application and biennial renewal fees
5 for the licensing of medical marijuana retail
6 facilities; providing a contingent effective date.

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

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10 Section 1. Paragraph (a) of subsection (9) of section
11 381.986, Florida Statutes, as added by HB 461, is amended to
12 read:

13 381.986 Medical use of marijuana.—

14 (9) MEDICAL MARIJUANA RETAIL FACILITIES.—The department
15 shall license medical marijuana retail facilities to ensure
16 reasonable statewide accessibility and availability as necessary
17 for qualified patients who are registered in the medical
18 marijuana use registry and who are issued a physician
19 certification under this section. The department shall begin
20 issuing medical marijuana retail facility licenses by August 1,
21 2019.

22 (a) An applicant for licensure as a medical marijuana
23 retail facility shall apply to the department on a form
24 prescribed by the department and adopted in rule. The department
25 shall adopt rules pursuant to ss. 120.536(1) and 120.54

26 | establishing a procedure for the issuance and biennial renewal
27 | of licenses. The department shall impose initial application and
28 | biennial renewal fees sufficient to cover the costs of
29 | implementing and administering this subsection. The department
30 | shall identify applicants with strong diversity plans reflecting
31 | this state's commitment to diversity and it shall implement
32 | training programs and other educational programs to enable
33 | minority persons and minority business enterprises, as defined
34 | in s. 288.703, and veteran business enterprises, as defined in
35 | s. 295.187, to qualify for medical marijuana retail facility
36 | licensure and contracts. The department shall issue a license to
37 | an applicant if the applicant meets the requirements of this
38 | subsection and rules adopted under this subsection. The
39 | department shall renew the licensure of a medical marijuana
40 | retail facility biennially if the licensee meets the
41 | requirements of this subsection and rules adopted under this
42 | subsection. An individual may not be an applicant, owner,
43 | officer, board member, or manager on more than one application
44 | for licensure as a medical marijuana retail facility. An
45 | individual or entity may not be awarded more than one license as
46 | a medical marijuana retail facility. Each medical marijuana
47 | retail facility license is valid for one physical location. A
48 | medical marijuana treatment center may not be awarded a license
49 | to operate a medical marijuana retail facility.

50 | Section 2. This act shall take effect on the same date

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51 | that HB 461 or similar legislation takes effect, if such
52 | legislation is adopted in the same legislative session or an
53 | extension thereof and becomes law.