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LEGISLATIVE ACTION

Senate

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House

Senator Bullard moved the following:

Senate Amendment (with title amendment)

Between lines 245 and 246

insert:

Section 4. Section 893.032, Florida Statutes, is created to read:

893.032 Personal use of marijuana.—

(1) As used in this section, the term:

(a) "Marijuana" means:

1. All parts of the genus *Cannabis*, whether growing or not;

2. The seeds of the plant;



763484

12 3. The resin extracted from a part of the plant; or

13 4. Each compound, manufacture, salt, derivative, mixture,
14 or preparation of the plant, its seeds, or its resin.

15
16 The term does not include the mature stalks of the plant, fiber
17 produced from the stalks, oil or cake made from the seeds of the
18 plant, any other compound, manufacture, salt, derivative,
19 mixture, or preparation of the mature stalks, except the
20 extracted resin, fiber, oil or cake, or the sterilized seed of
21 the plant which is incapable of germination.

22 (b) "Marijuana paraphernalia" means equipment, products, or
23 materials that are used or intended for use in:

24 1. Planting, propagating, cultivating, growing, harvesting,
25 manufacturing, compounding, converting, producing, processing,
26 preparing, testing, analyzing, packaging, repackaging, storing,
27 containing, or concealing marijuana; or

28 2. Ingesting or inhaling marijuana or otherwise introducing
29 marijuana into the human body.

30 (c) "Marijuana product" means a good composed of marijuana
31 and other ingredients which is intended for use or consumption.

32 (d) "Personal usable amount of marijuana" means:

33 1. One ounce or less of marijuana;

34 2. Five grams or less of hashish;

35 3. Sixteen ounces of marijuana products other than hashish
36 in solid form; or

37 4. Seventy-two ounces of marijuana in liquid form.

38 (2) An individual who is 21 years of age or older is exempt
39 from arrest, civil or criminal penalty, seizure or forfeiture of
40 assets by or to the state or an agent of the state, discipline



763484

41 by a state or local licensing board, or state prosecution for
42 the following acts:

43 (a) Actually or constructively using, obtaining,
44 purchasing, transporting, or possessing a personal usable amount
45 of marijuana.

46 (b) Controlling the premises or a vehicle where personal
47 usable amounts of marijuana are possessed, processed, or stored
48 by individuals who are 21 years of age or older if the total
49 number of plants is 18 or fewer.

50 (c) Actually or constructively using, obtaining,
51 manufacturing, producing, purchasing, transporting, or
52 possessing marijuana paraphernalia.

53 (d) Selling marijuana seeds or marijuana paraphernalia to
54 an individual who is 21 years of age or older.

55 (e) Transferring a personal usable amount of marijuana and
56 three or fewer marijuana seedlings or cuttings without
57 remuneration to an individual who is 21 years of age or older.

58 (f) Aiding and abetting another individual who is 21 years
59 of age or older in actions that are allowed under this section.

60 (g) Cultivating six or fewer marijuana plants, no more than
61 three of which may be mature, flowering plants, and possessing
62 the marijuana produced by the plants on the premises where the
63 plants were grown.

64 (h) Assisting with the cultivation of marijuana plants that
65 are cultivated at the same location by individuals 21 years of
66 age or older, with the total number of mature, flowering plants
67 not exceeding 18 in a dwelling unit.

68 (3) This section does not exempt an individual from arrest,
69 civil or criminal penalty, seizure or forfeiture of assets,



763484

70 discipline by a state or local licensing board, or state
71 prosecution for the following acts:

72 (a) Driving, operating, or being in actual physical control
73 of a vehicle or vessel under power or sail while impaired by
74 marijuana or marijuana products.

75 (b) Possessing marijuana, including marijuana products, in
76 a local detention facility, county jail, state prison,
77 reformatory, or other correctional facility, including a
78 facility for the detention of juvenile offenders.

79 (4) This section does not:

80 (a) Require employers to accommodate the use or possession
81 of marijuana or being under the influence of marijuana in a
82 place of employment.

83 (b) Prevent a landlord or innkeeper from prohibiting the
84 cultivation of marijuana on rental premises. If a landlord or
85 innkeeper posts a notice, the landlord or innkeeper may prohibit
86 the smoking of marijuana on rented property or in a rented room.

87 (5) This section shall, by operation of law, expunge the
88 conviction of an individual previously convicted of an offense
89 equivalent to those described in subsection (2). All state
90 agencies with records relating to arrests and convictions for
91 possession of 1 ounce or less of marijuana or marijuana
92 paraphernalia by individuals 21 years of age or older shall
93 destroy those records.

94 Section 5. Subsection (6) of section 812.14, Florida
95 Statutes, is amended to read:

96 812.14 Trespass and larceny with relation to utility
97 fixtures; theft of utility services.—

98 (6) It is prima facie evidence of a person's intent to



763484

99 violate subsection (5) if:

100 (a) A controlled substance and materials for manufacturing
101 the controlled substance intended for sale or distribution to
102 another were found in a dwelling or structure;

103 (b) Except as provided in s. 893.032, the dwelling or
104 structure has been visibly modified to accommodate the use of
105 equipment to grow marijuana indoors, including, but not limited
106 to, the installation of equipment to provide additional air
107 conditioning, equipment to provide high-wattage lighting, or
108 equipment for hydroponic cultivation; and

109 (c) The person or entity that owned, leased, or subleased
110 the dwelling or structure knew of, or did so under such
111 circumstances as would induce a reasonable person to believe in,
112 the presence of a controlled substance and materials for
113 manufacturing a controlled substance in the dwelling or
114 structure, regardless of whether the person or entity was
115 involved in the manufacture or sale of a controlled substance or
116 was in actual possession of the dwelling or structure.

117 Section 6. Paragraph (c) of subsection (1) of section
118 893.03, Florida Statutes, is amended to read:

119 893.03 Standards and schedules.—The substances enumerated
120 in this section are controlled by this chapter. The controlled
121 substances listed or to be listed in Schedules I, II, III, IV,
122 and V are included by whatever official, common, usual,
123 chemical, or trade name designated. The provisions of this
124 section shall not be construed to include within any of the
125 schedules contained in this section any excluded drugs listed
126 within the purview of 21 C.F.R. s. 1308.22, styled "Excluded
127 Substances"; 21 C.F.R. s. 1308.24, styled "Exempt Chemical



763484

128 Preparations"; 21 C.F.R. s. 1308.32, styled "Exempted
129 Prescription Products"; or 21 C.F.R. s. 1308.34, styled "Exempt
130 Anabolic Steroid Products."

131 (1) SCHEDULE I.—A substance in Schedule I has a high
132 potential for abuse and has no currently accepted medical use in
133 treatment in the United States and in its use under medical
134 supervision does not meet accepted safety standards. The
135 following substances are controlled in Schedule I:

136 (c) Unless specifically excepted or unless listed in
137 another schedule, any material, compound, mixture, or
138 preparation that contains any quantity of the following
139 hallucinogenic substances or that contains any of their salts,
140 isomers, including optical, positional, or geometric isomers,
141 and salts of isomers, if the existence of such salts, isomers,
142 and salts of isomers is possible within the specific chemical
143 designation:

- 144 1. Alpha-ethyltryptamine.
- 145 2. 2-Amino-4-methyl-5-phenyl-2-oxazoline (4-
146 methylaminorex).
- 147 3. 2-Amino-5-phenyl-2-oxazoline (Aminorex).
- 148 4. 4-Bromo-2,5-dimethoxyamphetamine.
- 149 5. 4-Bromo-2,5-dimethoxyphenethylamine.
- 150 6. Bufotenine.
- 151 7. Cannabis, except as provided in s. 893.032.
- 152 8. Cathinone.
- 153 9. Diethyltryptamine.
- 154 10. 2,5-Dimethoxyamphetamine.
- 155 11. 2,5-Dimethoxy-4-ethylamphetamine (DOET).
- 156 12. Dimethyltryptamine.



763484

- 157 13. N-Ethyl-1-phenylcyclohexylamine (PCE) (Ethylamine
158 analog of phencyclidine).
- 159 14. N-Ethyl-3-piperidyl benzilate.
- 160 15. N-ethylamphetamine.
- 161 16. Fenethylamine.
- 162 17. N-Hydroxy-3,4-methylenedioxyamphetamine.
- 163 18. Ibogaine.
- 164 19. Lysergic acid diethylamide (LSD).
- 165 20. Mescaline.
- 166 21. Methcathinone.
- 167 22. 5-Methoxy-3,4-methylenedioxyamphetamine.
- 168 23. 4-methoxyamphetamine.
- 169 24. 4-methoxymethamphetamine.
- 170 25. 4-Methyl-2,5-dimethoxyamphetamine.
- 171 26. 3,4-Methylenedioxy-N-ethylamphetamine.
- 172 27. 3,4-Methylenedioxyamphetamine.
- 173 28. N-Methyl-3-piperidyl benzilate.
- 174 29. N,N-dimethylamphetamine.
- 175 30. Parahexyl.
- 176 31. Peyote.
- 177 32. N-(1-Phenylcyclohexyl)-pyrrolidine (PCPY) (Pyrrolidine
178 analog of phencyclidine).
- 179 33. Psilocybin.
- 180 34. Psilocyn.
- 181 35. *Salvia divinorum*, except for any drug product approved
182 by the United States Food and Drug Administration which contains
183 *Salvia divinorum* or its isomers, esters, ethers, salts, and
184 salts of isomers, esters, and ethers, if the existence of such
185 isomers, esters, ethers, and salts is possible within the



763484

186 specific chemical designation.

187 36. Salvinorin A, except for any drug product approved by
188 the United States Food and Drug Administration which contains
189 Salvinorin A or its isomers, esters, ethers, salts, and salts of
190 isomers, esters, and ethers, if the existence of such isomers,
191 esters, ethers, and salts is possible within the specific
192 chemical designation.

193 37. Tetrahydrocannabinols.

194 38. 1-[1-(2-Thienyl)-cyclohexyl]-piperidine (TCP)
195 (Thiophene analog of phencyclidine).

196 39. 3,4,5-Trimethoxyamphetamine.

197 40. 3,4-Methylenedioxy methcathinone.

198 41. 3,4-Methylenedioxy pyrovalerone (MDPV).

199 42. Methylmethcathinone.

200 43. Methoxymethcathinone.

201 44. Fluoromethcathinone.

202 45. Methylethcathinone.

203 46. 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-
204 yl)phenol, also known as CP 47,497 and its dimethyloctyl (C8)
205 homologue.

206 47. (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-
207 methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo [c]chromen-1-ol,
208 also known as HU-210.

209 48. 1-Pentyl-3-(1-naphthoyl)indole, also known as JWH-018.

210 49. 1-Butyl-3-(1-naphthoyl)indole, also known as JWH-073.

211 50. 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl) indole, also
212 known as JWH-200.

213 51. BZP (Benzylpiperazine).

214 52. Fluorophenylpiperazine.



763484

- 215 53. Methylphenylpiperazine.
- 216 54. Chlorophenylpiperazine.
- 217 55. Methoxyphenylpiperazine.
- 218 56. DBZP (1,4-dibenzylpiperazine).
- 219 57. TFMPP (3-Trifluoromethylphenylpiperazine).
- 220 58. MBDB (Methylbenzodioxolylbutanamine).
- 221 59. 5-Hydroxy-alpha-methyltryptamine.
- 222 60. 5-Hydroxy-N-methyltryptamine.
- 223 61. 5-Methoxy-N-methyl-N-isopropyltryptamine.
- 224 62. 5-Methoxy-alpha-methyltryptamine.
- 225 63. Methyltryptamine.
- 226 64. 5-Methoxy-N,N-dimethyltryptamine.
- 227 65. 5-Methyl-N,N-dimethyltryptamine.
- 228 66. Tyramine (4-Hydroxyphenethylamine).
- 229 67. 5-Methoxy-N,N-Diisopropyltryptamine.
- 230 68. DiPT (N,N-Diisopropyltryptamine).
- 231 69. DPT (N,N-Dipropyltryptamine).
- 232 70. 4-Hydroxy-N,N-diisopropyltryptamine.
- 233 71. N,N-Diallyl-5-Methoxytryptamine.
- 234 72. DOI (4-Iodo-2,5-dimethoxyamphetamine).
- 235 73. DOC (4-Chloro-2,5-dimethoxyamphetamine).
- 236 74. 2C-E (4-Ethyl-2,5-dimethoxyphenethylamine).
- 237 75. 2C-T-4 (2,5-Dimethoxy-4-isopropylthiophenethylamine).
- 238 76. 2C-C (4-Chloro-2,5-dimethoxyphenethylamine).
- 239 77. 2C-T (2,5-Dimethoxy-4-methylthiophenethylamine).
- 240 78. 2C-T-2 (2,5-Dimethoxy-4-ethylthiophenethylamine).
- 241 79. 2C-T-7 (2,5-Dimethoxy-4-(n)-propylthiophenethylamine).
- 242 80. 2C-I (4-Iodo-2,5-dimethoxyphenethylamine).
- 243 81. Butylone (beta-keto-N-methylbenzodioxolylpropylamine).



763484

- 244 82. Ethcathinone.
- 245 83. Ethylone (3,4-methylenedioxy-N-ethylcathinone).
- 246 84. Naphyrone (naphthylpyrovalerone).
- 247 85. N-N-Dimethyl-3,4-methylenedioxcathinone.
- 248 86. N-N-Diethyl-3,4-methylenedioxcathinone.
- 249 87. 3,4-methylenedioxy-propiofenone.
- 250 88. 2-Bromo-3,4-Methylenedioxypropiofenone.
- 251 89. 3,4-methylenedioxy-propiofenone-2-oxime.
- 252 90. N-Acetyl-3,4-methylenedioxcathinone.
- 253 91. N-Acetyl-N-Methyl-3,4-Methylenedioxcathinone.
- 254 92. N-Acetyl-N-Ethyl-3,4-Methylenedioxcathinone.
- 255 93. Bromomethcathinone.
- 256 94. Buphedrone (alpha-methylamino-butyrophenone).
- 257 95. Eutylone (beta-Keto-Ethylbenzodioxolylbutanamine).
- 258 96. Dimethylcathinone.
- 259 97. Dimethylmethcathinone.
- 260 98. Pentylone (beta-Keto-Methylbenzodioxolylpentanamine).
- 261 99. (MDPPP) 3,4-Methylenedioxy-alpha-
- 262 pyrrolidinopropiofenone.
- 263 100. (MDPBP) 3,4-Methylenedioxy-alpha-
- 264 pyrrolidinobutiophenone.
- 265 101. Methoxy-alpha-pyrrolidinopropiofenone (MOPPP).
- 266 102. Methyl-alpha-pyrrolidinohexiophenone (MPHP).
- 267 103. Benocyclidine (BCP) or
- 268 benzothiophenylcyclohexylpiperidine (BTCP).
- 269 104. Fluoromethylaminobutyrophenone (F-MABP).
- 270 105. Methoxypyrrolidinobutyrophenone (MeO-PBP).
- 271 106. Ethyl-pyrrolidinobutyrophenone (Et-PBP).
- 272 107. 3-Methyl-4-Methoxymethcathinone (3-Me-4-MeO-MCAT).



763484

- 273 108. Methylethylaminobutyrophenone (Me-EABP).
274 109. Methylamino-butyrophenone (MABP).
275 110. Pyrrolidinopropiophenone (PPP).
276 111. Pyrrolidinobutiophenone (PBP).
277 112. Pyrrolidinovalerophenone (PVP).
278 113. Methyl-alpha-pyrrolidinopropiophenone (MPPP).
279 114. JWH-007 (1-pentyl-2-methyl-3-(1-naphthoyl)indole).
280 115. JWH-015 (2-Methyl-1-propyl-1H-indol-3-yl)-1-
281 naphthalenylmethanone).
282 116. JWH-019 (Naphthalen-1-yl-(1-hexylindol-3-
283 yl)methanone).
284 117. JWH-020 (1-heptyl-3-(1-naphthoyl)indole).
285 118. JWH-072 (Naphthalen-1-yl-(1-propyl-1H-indol-3-
286 yl)methanone).
287 119. JWH-081 (4-methoxynaphthalen-1-yl-(1-pentylindol-3-
288 yl)methanone).
289 120. JWH-122 (1-pentyl-3-(4-methyl-1-naphthoyl)indole).
290 121. JWH-133 ((6aR,10aR)-3-(1,1-Dimethylbutyl)-6a,7,10,10a-
291 tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran)).
292 122. JWH-175 (3-(naphthalen-1-ylmethyl)-1-pentyl-1H-
293 indole).
294 123. JWH-201 (1-pentyl-3-(4-methoxyphenylacetyl)indole).
295 124. JWH-203 (2-(2-chlorophenyl)-1-(1-pentylindol-3-
296 yl)ethanone).
297 125. JWH-210 (4-ethylnaphthalen-1-yl-(1-pentylindol-3-
298 yl)methanone).
299 126. JWH-250 (2-(2-methoxyphenyl)-1-(1-pentylindol-3-
300 yl)ethanone).
301 127. JWH-251 (2-(2-methylphenyl)-1-(1-pentyl-1H-indol-3-



763484

- 302 yl)ethanone) .
- 303 128. JWH-302 (1-pentyl-3-(3-methoxyphenylacetyl)indole) .
- 304 129. JWH-398 (1-pentyl-3-(4-chloro-1-naphthoyl)indole) .
- 305 130. HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-dimethyl-3-
- 306 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-
- 307 ol) .
- 308 131. HU-308 ([(1R,2R,5R)-2-[2,6-dimethoxy-4-(2-methyloctan-
- 309 2-yl)phenyl]-7,7-dimethyl-4-bicyclo[3.1.1]hept-3-enyl]
- 310 methanol) .
- 311 132. HU-331 (3-hydroxy-2-[(1R,6R)-3-methyl-6-(1-
- 312 methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-2,5-cyclohexadiene-
- 313 1,4-dione) .
- 314 133. CB-13 (Naphthalen-1-yl-(4-pentyloxynaphthalen-1-
- 315 yl)methanone) .
- 316 134. CB-25 (N-cyclopropyl-11-(3-hydroxy-5-pentylphenoxy)-
- 317 undecanamide) .
- 318 135. CB-52 (N-cyclopropyl-11-(2-hexyl-5-hydroxyphenoxy)-
- 319 undecanamide) .
- 320 136. CP 55,940 (2-[(1R,2R,5R)-5-hydroxy-2-(3-
- 321 hydroxypropyl)cyclohexyl]-5-(2-methyloctan-2-yl)phenol) .
- 322 137. AM-694 (1-[(5-fluoropentyl)-1H-indol-3-yl]-2-
- 323 iodophenyl)methanone) .
- 324 138. AM-2201 (1-[(5-fluoropentyl)-1H-indol-3-yl]-
- 325 (naphthalen-1-yl)methanone) .
- 326 139. RCS-4 ((4-methoxyphenyl) (1-pentyl-1H-indol-3-
- 327 yl)methanone) .
- 328 140. RCS-8 (1-(1-(2-cyclohexylethyl)-1H-indol-3-yl)-2-(2-
- 329 methoxyphenylethanone) .
- 330 141. WIN55,212-2 ((R)-(+)-[2,3-Dihydro-5-methyl-3-(4-



763484

- 331 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-
332 naphthalenylmethanone).
- 333 142. WIN55,212-3 ([(3S)-2,3-Dihydro-5-methyl-3-(4-
334 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-
335 naphthalenylmethanone).
- 336 143. Pentedrone (2-(methylamino)-1-phenyl-1-pentanone).
- 337 144. Fluoroamphetamine.
- 338 145. Fluoromethamphetamine.
- 339 146. Methoxetamine.
- 340 147. Methiopropamine.
- 341 148. 4-Methylbuphedrone (2-Methylamino-1-(4-
342 methylphenyl)butan-1-one).
- 343 149. APB ((2-aminopropyl)benzofuran).
- 344 150. APDB ((2-aminopropyl)-2,3-dihydrobenzofuran).
- 345 151. UR-144 ((1-pentyl-1H-indol-3-yl)(2,2,3,3-
346 tetramethylcyclopropyl)methanone).
- 347 152. XLR11 ((1-(5-fluoropentyl)-1H-indol-3-yl)(2,2,3,3-
348 tetramethylcyclopropyl)methanone).
- 349 153. (1-(5-chloropentyl)-1H-indol-3-yl)(2,2,3,3-
350 tetramethylcyclopropyl)methanone.
- 351 154. AKB48 (1-pentyl-N-tricyclo[3.3.1.1^{3,7}]dec-1-yl-1H-
352 indazole-3-carboxamide).
- 353 155. AM-2233((2-iodophenyl)[1-[(1-methyl-2-
354 piperidinyl)methyl]-1H-indol-3-yl]-methanone).
- 355 156. STS-135 (1-(5-fluoropentyl)-N-tricyclo[3.3.1.1^{3,7}]dec-
356 1-yl-1H-indole-3-carboxamide).
- 357 157. URB-597 ((3'-(aminocarbonyl)[1,1'-biphenyl]-3-yl)-
358 cyclohexylcarbamate).
- 359 158. URB-602 ([1,1'-biphenyl]-3-yl-carbamic acid,



763484

360 cyclohexyl ester).

361 159. URB-754 (6-methyl-2-[(4-methylphenyl)amino]-1-

362 benzoxazin-4-one).

363 160. 2C-D (2-(2,5-Dimethoxy-4-methylphenyl)ethanamine).

364 161. 2C-H (2-(2,5-Dimethoxyphenyl)ethanamine).

365 162. 2C-N (2-(2,5-Dimethoxy-4-nitrophenyl)ethanamine).

366 163. 2C-P (2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine).

367 164. 25I-NBOMe (4-iodo-2,5-dimethoxy-N-[(2-

368 methoxyphenyl)methyl]-benzeneethanamine).

369 165. 3,4-Methylenedioxymethamphetamine (MDMA).

370 166. PB-22 (1-pentyl-8-quinolinyl ester-1H-indole-3-

371 carboxylic acid).

372 167. 5-Fluoro PB-22 (8-quinolinyl ester-1-(5-fluoropentyl)-

373 1H-indole-3-carboxylic acid).

374 168. BB-22 (1-(cyclohexylmethyl)-8-quinolinyl ester-1H-

375 indole-3-carboxylic acid).

376 169. 5-Fluoro AKB48 (N-((3s,5s,7s)-adamantan-1-yl)-1-(5-

377 fluoropentyl)-1H-indazole-3-carboxamide).

378 Section 7. Subsection (3) and paragraphs (b) and (d) of

379 subsection (6) of section 893.13, Florida Statutes, are amended

380 to read:

381 893.13 Prohibited acts; penalties.—

382 (3) Any person who delivers, without consideration, not

383 more than 20 grams of cannabis, as defined in this chapter,

384 except as provided in s. 893.032, commits a misdemeanor of the

385 first degree, punishable as provided in s. 775.082 or s.

386 775.083. For the purposes of this paragraph, "cannabis" does not

387 include the resin extracted from the plants of the genus

388 *Cannabis* or any compound manufacture, salt, derivative, mixture,



763484

389 or preparation of such resin.

390 (6)

391 (b) If the offense is the possession of not more than 20
392 grams of cannabis, as defined in this chapter, except as
393 provided in s. 893.032, or 3 grams or less of a controlled
394 substance described in s. 893.03(1)(c)46.-50., 114.-142., 151.-
395 159., or 166.-169., the person commits a misdemeanor of the
396 first degree, punishable as provided in s. 775.082 or s.
397 775.083. For the purposes of this subsection, "cannabis" does
398 not include the resin extracted from the plants of the genus
399 *Cannabis*, or any compound manufacture, salt, derivative,
400 mixture, or preparation of such resin, and a controlled
401 substance described in s. 893.03(1)(c)46.-50., 114.-142., 151.-
402 159., or 166.-169., does not include the substance in a powdered
403 form.

404 (d) Notwithstanding any provision to the contrary of the
405 laws of this state relating to arrest, a law enforcement officer
406 may arrest without warrant any person who the officer has
407 probable cause to believe is violating the provisions of this
408 chapter relating to possession of cannabis, except as provided
409 in s. 893.032.

410 Section 8. Subsections (7) and (12) of section 893.145,
411 Florida Statutes, are amended to read:

412 893.145 "Drug paraphernalia" defined.—The term "drug
413 paraphernalia" means all equipment, products, and materials of
414 any kind which are used, intended for use, or designed for use
415 in planting, propagating, cultivating, growing, harvesting,
416 manufacturing, compounding, converting, producing, processing,
417 preparing, testing, analyzing, packaging, repackaging, storing,



763484

418 containing, concealing, transporting, injecting, ingesting,
419 inhaling, or otherwise introducing into the human body a
420 controlled substance in violation of this chapter or s. 877.111.
421 Drug paraphernalia is deemed to be contraband which shall be
422 subject to civil forfeiture. The term includes, but is not
423 limited to:

424 (7) Separation gins and sifters used, intended for use, or
425 designed for use in removing twigs and seeds from, or in
426 otherwise cleaning or refining, cannabis, except as provided in
427 s. 893.032.

428 (12) Except as provided in s. 893.032, objects used,
429 intended for use, or designed for use in ingesting, inhaling, or
430 otherwise introducing cannabis, cocaine, hashish, hashish oil,
431 or nitrous oxide into the human body, such as:

432 (a) Metal, wooden, acrylic, glass, stone, plastic, or
433 ceramic pipes, with or without screens, permanent screens,
434 hashish heads, or punctured metal bowls.

435 (b) Water pipes.

436 (c) Carburetion tubes and devices.

437 (d) Smoking and carburetion masks.

438 (e) Roach clips: meaning objects used to hold burning
439 material, such as a cannabis cigarette, that has become too
440 small or too short to be held in the hand.

441 (f) Miniature cocaine spoons, and cocaine vials.

442 (g) Chamber pipes.

443 (h) Carburetor pipes.

444 (i) Electric pipes.

445 (j) Air-driven pipes.

446 (k) Chillums.



763484

- 447 (l) Bongs.
- 448 (m) Ice pipes or chillers.
- 449 (n) A cartridge or canister, which means a small metal
- 450 device used to contain nitrous oxide.
- 451 (o) A charger, sometimes referred to as a "cracker," which
- 452 means a small metal or plastic device that contains an interior
- 453 pin that may be used to expel nitrous oxide from a cartridge or
- 454 container.
- 455 (p) A charging bottle, which means a device that may be
- 456 used to expel nitrous oxide from a cartridge or canister.
- 457 (q) A whip-it, which means a device that may be used to
- 458 expel nitrous oxide.
- 459 (r) A tank.
- 460 (s) A balloon.
- 461 (t) A hose or tube.
- 462 (u) A 2-liter-type soda bottle.
- 463 (v) Duct tape.

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===== T I T L E A M E N D M E N T =====

466 And the title is amended as follows:

467 Delete lines 2 - 32

468 and insert:

469 An act relating to cannabis; creating s. 456.60, F.S.;

470 defining terms; authorizing specified physicians to

471 order low-THC cannabis for use by specified patients;

472 providing conditions; providing education requirements

473 for physicians; providing duties of the Department of

474 Health; requiring the department to create a

475 compassionate use registry; providing requirements for



763484

476 the registry; requiring the department to authorize a
477 specified number of dispensing organizations;
478 authorizing the department to adopt specified rules;
479 requiring the department to establish the Office of
480 Compassionate Use; providing for inspections of
481 dispensing organizations by the department and law
482 enforcement agencies; providing requirements and
483 duties for a dispensing organization; providing
484 exceptions to specified laws; creating s. 385.30,
485 F.S.; encouraging state universities with both medical
486 and agricultural programs to participate in specified
487 Federal Food and Drug Administration-approved research
488 directed toward refractory or intractable epilepsy
489 relief in pediatric patients; authorizing
490 participating state universities to annually request a
491 grant from the department; requiring a state
492 university that requests a grant to submit a specified
493 report to the department; providing applicability;
494 creating s. 1004.441, F.S.; authorizing state
495 universities with both medical and agricultural
496 programs to conduct specified research on low-THC
497 cannabis; authorizing the use of current state or
498 privately obtained research funds to support such
499 research; creating s. 893.032, F.S.; defining terms;
500 exempting specified individuals from arrest, civil or
501 criminal penalty, seizure or forfeiture of assets by
502 or to the state or an agent of the state, discipline
503 by a state or local licensing board, or state
504 prosecution for specified acts relating to the



763484

505 personal use of marijuana; providing exceptions;
506 providing for the expunction of convictions and the
507 destruction of arrest and conviction records for
508 specified individuals; amending ss. 812.14, 893.03,
509 893.13, and 893.145, F.S.; conforming provisions to
510 changes made by the act; authorizing the department to
511 submit a